



**FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD**

APPELLANT: Robert C. Altergott Decl of TR
DOCKET NO.: 19-02534.001-R-1
PARCEL NO.: 18-25-176-042

The parties of record before the Property Tax Appeal Board are Robert C. Altergott Decl of TR, the appellant; and the McHenry County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **No Change** in the assessment of the property as established by the **McHenry** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$30,633
IMPR.: \$109,353
TOTAL: \$139,986

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the McHenry County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2019 tax year. The Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of the appeal.

Findings of Fact

The subject property consists of a one-story attached dwelling of frame exterior construction with 1,557 square feet of living area. The dwelling was constructed in 2015 and is four years old. Features of the home include an unfinished walk-out basement, one fireplace and a 607 square foot 2-car garage. The property has an 8,448 square foot site with a golf course and pond view and is located in Lake in the Hills, Grafton Township, McHenry County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted a Desktop Underwriter Quantitative Analysis Appraisal Report estimating the subject property had a market value of \$400,000 as of January 1, 2019. The appraisal was prepared by David J. Steiger, a certified residential real estate appraiser.

The intended use of the appraisal report was to enable the client to obtain a working knowledge of the subject's market value for the purpose of disputing the subject's ad valorem tax assessment. No additional intended users were identified by the appraiser.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value using six comparable sales located from 0.11 to 0.23 of a mile from the subject property. The comparables have sites that range in size from 6,830 to 16,235 square feet of land area and are improved with ranch style dwellings of good quality construction that range in size from 1,775 to 2,301 square feet of living area. The homes range in age from 2 to 15 years old. Each comparable has a walk-out basement with finished area, one or two fireplaces and a 2-car attached garage. The comparables sold from February to November 2018 for prices ranging from \$375,000 to \$454,000 or from \$162.97 to \$247.89 per square foot of living area, land included.

The appraiser adjusted the comparables for differences with the subject in site size, age, dwelling size, room count, finished basement area, fireplace count and exterior amenities. The appraiser included comments regarding the selection of ranch homes which were older in age than the subject and stating the adjustment for a finished basement was determined to be \$25,000. After adjustments, the appraiser arrived at adjusted prices for the comparables ranging from \$369,570 to \$408,570 and an opinion of market value for the subject of \$400,000.

Based on this evidence, the appellant requested the subject's assessment be reduced to \$133,333 which equates approximately to the appraised value of \$400,000 or \$258.23 per square foot of living area, land included when applying the statutory assessment level of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$139,986. The subject's assessment reflects a market value of \$420,000 or \$271.14 per square foot of living area, land included, when using the 2019 three year average median level of assessment for McHenry County of 33.33% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales located in the same assessment neighborhood code as the subject property. The comparables have sites that range in size from 6,759 to 14,688 square feet of land area and are improved with one-story dwellings that range in size from 1,657 to 1,836 square feet of living area. The homes were built from 2014 to 2018. Each comparable has a basement, three of which are similar walk-out style and where three have finished area. Two comparables each have one fireplace and each comparable has a garage ranging in size from 484 to 691 square feet of building area. The comparables sold from June to October 2018 for prices ranging from \$438,000 to \$522,916 or from \$264.33 to \$286.97 per square foot of living area, land included.

The board of review also submitted comments with its Notes on Appeal asserting the appraisal did not have sufficient evidence of comparable sales which were the same model as the subject property. The board of review, through the Grafton Township Assessor, submitted written comments critiquing the appraisal, arguing that it was not compliant with the Uniform Standards of Professional Appraisal Practice (USPAP). The township assessor also submitted details of a statistical model used to support the subject's current assessment.

The township assessor indicated that among the conditions of the report was to use comparable sales sold prior to January 1, 2019, the assessment date at issue, and argued that this made the report less credible and misleading by excluding 2019 sales. The township assessor questioned adjustments made by the appraiser for specifically for appraisal comparables #5 and #6, for site size and basement size and finish. Additionally, the township assessor took issue with the report stating that the appraiser did not specify the type of license which was held in the report.

The statistical analysis submitted by the Grafton Township Assessor evaluated eight variables associated with properties in the subject's market. Of the variables tested in its statistical model, story height, age and presence of a walk-out basement were determined to be the most statistically significant in determining values in the subject's market.

Based on this evidence, the board of review requested the subject's assessment be confirmed.

Conclusion of Law

The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist of an appraisal of the subject property, a recent sale, comparable sales or construction costs. 86 Ill.Admin.Code §1910.65(c). The Board finds the appellant's evidence did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

With respect to the claim that the appellant's appraisal was not USPAP compliant, and therefore invalid, the Board finds that, while the format of the appraisal report is less common, the appraiser disclosed his license number and certified that the report was prepared in compliance with USPAP guidelines in item 9 of the Appraiser's Certification and on page 3 of the Addendum comments. Therefore, the Board finds that the appellant's appraisal report appears to comply with USPAP and will be considered.

The parties submitted an appraisal and four comparable sales for the Board's consideration where one board of review comparable was also used by the appraiser. The Board finds that four of the six comparables utilized by the appraiser are significantly different from the subject in age and dwelling size. As a result, less weight is given to the opinion of value for the subject as presented in the appraisal. The Board gave less weight to board of review comparable #1 which has a larger site size when compared to the subject.

The Board finds the best evidence of market value to be the board of review comparable sales #2, #3 and #4 which are similar to the subject in age, location, dwelling size and most features but where each of these properties has a finished basement compared to the subject's unfinished basement. These board of review comparables sold from June to October 2018 for prices ranging from \$457,829 to \$522,916 or from \$276.30 to \$286.97 per square foot of living area, including land. The subject's assessment reflects a market value of \$420,000 or \$271.14 per square foot of living area, including land, which falls below the range established by the best comparable sales in the record and is logical given the subject's unfinished basement. After considering adjustments to the comparables for differences with the subject, the Board finds a reduction in the subject's assessment is not justified.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code. Pursuant to Section 1910.50(d) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(d)) the proceeding before the Property Tax Appeal Board is terminated when the decision is rendered. The Property Tax Appeal Board does not require any motion or request for reconsideration.

Chairman



Member



Member



Member

Member

DISSENTING: _____

CERTIFICATION

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: November 16, 2021



Clerk of the Property Tax Appeal Board

IMPORTANT NOTICE

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the subsequent year or years of the same general assessment period, as provided in Sections 9-125 through 9-225, are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for such subsequent year or years directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR OR YEARS. A separate petition and evidence must be filed for each of the remaining years of the general assessment period.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.

PARTIES OF RECORD

AGENCY

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Robert C. Altergott Decl of TR
8 Austrian Court
Lake in the Hills, IL 60156

COUNTY

McHenry County Board of Review
McHenry County Government Center
2200 N. Seminary Ave.
Woodstock, IL 60098