



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

APPELLANT: Arieh & Terry S. Kafenshtok Trust
DOCKET NO.: 19-08310.001-R-1
PARCEL NO.: 18-31-452-086

The parties of record before the Property Tax Appeal Board are the Arieh & Terry S. Kafenshtok Trust, 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: \$6,807
IMPR.: \$69,937
TOTAL: \$76,744

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 is improved with a one-story dwelling of frame construction with 1,454 square feet of living area. The dwelling was constructed in 2003. Features of the home include a slab foundation, central air conditioning, and an attached two-car garage with approximately 412 square feet of building area. The property has a site with approximately 5,980 square feet of land area and is located in Huntley, Grafton Township, McHenry County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on four comparable sales improved with one-story dwellings of frame construction with either 1,415 or 1,540 square feet of living area. The homes were constructed from 2003 to 2006. Each home has central air conditioning and a two-car garage. These properties are located in the same subdivision as the subject property and have sites ranging in size from 5,260 to 6,504 square feet of land area. The sales occurred from November

2018 to May 2019 for prices ranging from \$200,000 to \$212,500 or from \$137.99 to \$148.41 per square foot of living area, including land.

The appellant also disclosed the subject property was purchased in March 2018 for a price of \$225,500 or \$155.09 per square foot of living area, including land. The appellant requested the subject's assessment be reduced to \$65,807.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$76,744. The subject's assessment reflects a market value of \$230,255 or \$158.36 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 improved with one-story dwellings of frame construction ranging in size from 1,350 to 1,566 square feet of living area. The homes were constructed from 2000 to 2006. Each home has a two-car garage ranging in size from 412 to 520 square feet of building area. These properties are located in the same subdivision as the subject property and have sites ranging in size from 5,402 to 7,510 square feet of land area. The sales occurred from August 2018 to April 2019 for prices ranging from \$231,500 to \$244,000 or from \$162.67 to \$171.52 per square foot of living area, including land.

The board of review also submitted a statement from the Grafton Township Assessor as well a copy of the subject's Multiple Listing Service (MLS) listing associated with the March 2018 sale. The listing described the subject dwelling as being and updated, which, the assessor states, was not the case with the appellant's comparables. The board of review also provided a copy of the transfer declaration associated with the subject's sale in March 2018 for a price of \$225,500. The transfer declaration disclosed the property was advertised for sale and there was no indication the parties were related.

The board of review contends the assessment is reflective of the subject's sale price.

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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The record contains eight sales provided by the parties to support their respective positions. The comparables are similar to the subject in location and improved with dwellings similar to the subject dwelling in style, size, age and features. These comparables sold for prices ranging from \$200,000 to \$244,000 or from \$137.99 to \$171.52 per square foot of living area, including land. The subject's assessment reflects a market value of \$230,255 or \$158.36 per square foot of living area, including land, which is within the range established by the comparable sales in this record.

Additionally, the Board finds the subject's March 2018 sale is supportive of the property's assessment as of January 1, 2019. Based on this evidence the Board finds the assessment of the subject property as established by the board of review is correct and 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: June 21, 2022



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

Arieh & Terry S Kafenshtok Trust
13452 Wildwood Lane
Huntley , IL 60142

COUNTY

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