



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

APPELLANT: George & Carol Nichols  
DOCKET NO.: 20-05605.001-R-1  
PARCEL NO.: 03-02-235-021

The parties of record before the Property Tax Appeal Board are George & Carol Nichols, the appellants, by Jessica Hill-Magiera, Attorney at Law in Lake Zurich, and the Kane 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 **Kane** County Board of Review is warranted. The correct assessed valuation of the property is:

**LAND:** \$20,102  
**IMPR.:** \$88,044  
**TOTAL:** \$108,146

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellants timely filed the appeal from a decision of the Kane County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2020 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 dwelling of frame construction with 1,914 square feet of living area. The dwelling was constructed in 2018. Features of the home include central air conditioning and a 490 square foot garage. The property has an approximately 6,969 square foot site and is located in Algonquin, Dundee Township, Kane County.

The appellants contend assessment inequity concerning the improvement assessment as the basis of the appeal; no dispute was raised concerning the land assessment. In support of this argument the appellants submitted information on five equity comparables improved with one-story homes of frame construction ranging in size from 1,794 to 1,999 square feet of living area. The dwellings were built in 2018 or 2019. The homes each have central air conditioning and a garage ranging in size from 410 to 552 square feet of building area. The comparables are located from 0.09 to 0.18 of a mile from the subject property and within the same neighborhood as the

subject property. The comparables have improvement assessments ranging from \$70,208 to \$78,744 or from \$36.39 to \$43.53 per square foot of living area. Based upon this evidence, the appellants requested the subject property's improvement assessment be reduced to \$74,941 or \$39.15 per square foot of living area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$108,146. The subject property has an improvement assessment of \$88,044 or \$46.00 per square foot of living area.

In support of its contention of the correct assessment the board of review submitted information on three equity comparables, where comparable #2 is the same as the appellants' comparable #4 and comparable #3 is the same as the appellants' comparable #5. The comparables improved with one-story homes of frame construction with 1,794 or 1,914 square feet of living area. The dwellings were built in 2018 or 2019. The homes each have central air conditioning and a 410 or 490 square foot garage. The comparables are located from 0.10 to 0.16 of a mile from the subject property and within the same assessment neighborhood code as the subject property. The comparables have improvement assessments ranging from \$78,086 to \$88,350 or from \$41.14 to \$46.16 per square foot of living area.

The board of review also submitted a grid analysis reiterating the appellants' comparables which included additional descriptive details of each property.

Based upon this evidence, the board of review requested confirmation of the subject property's assessment.

In written rebuttal, the appellants argue that improvements, such as basements, garages, and other structures included in the above grade living area (AGLA) should not be considered in determining uniformity. The appellants further state that the board of review's comparables support a reduction in the subject's assessment based on building price per square foot.

### **Conclusion of Law**

The appellants contend assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

As an initial matter, the Board finds the appellants' counsel's argument that improvements other than the subject dwelling's AGLA should be excluded for the purpose of determining uniformity of assessment to be without merit. The Board finds all improvements and their respective assessments are to be considered in order to determine the degree of comparability and possible adjustments needed to the properties in order to make them more equivalent to the subject property.

The record contains a total of six comparables, with two common properties, for the Board's consideration. The Board gives less weight to the appellants' comparables #1, #2, and #5 and the board of review's comparable #3, which are dissimilar to the subject in dwelling size.

The Board finds the best evidence of assessment equity to be the appellants' comparable #3, the appellants' comparable #4/board of review's comparable #2, and the board of review's comparable #1, which are identical to the subject in dwelling size and similar to the subject in age, location and most features. These comparables have improvement assessments that range from \$74,941 to \$88,350 or from \$39.15 to \$46.16 per square foot of living area. The subject's improvement assessment of \$88,044 or \$46.00 per square foot of living area falls within the range established by the best comparables in this record. Based on this record the Board finds the appellants did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed 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:

February 15, 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

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COUNTY

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