



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

APPELLANT: Michael J. Hanratty  
DOCKET NO.: 20-06705.001-R-1  
PARCEL NO.: 17-20-102-009

The parties of record before the Property Tax Appeal Board are Michael J. Hanratty, the appellant, by attorney Michael B. Andre, of Eugene L. Griffin & Associates, Ltd. in Chicago; 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:** \$25,513  
**IMPR.:** \$54,479  
**TOTAL:** \$79,992

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 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 1-story dwelling of frame exterior construction with 1,603 square feet of living area. The dwelling was constructed in 1970 and is approximately 50 years old. Features of the home include a walkout basement with finished area, central air conditioning, a fireplace, a 3-car garage, and a patio. The property has a 126,324 square foot, or 2.9 acre, site and is located in Marengo, Coral Township, McHenry County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$190,000 as of January 1, 2020. The appraisal was prepared by Michael B. Nold, MAI, a certified general real estate appraiser, for ad valorem tax purposes. The appraiser noted the subject property had some water damage near the bathrooms and has a sloped site resulting in water run-off from the street onto the subject site into the subject's walkout basement and patio areas.

Under the sales comparison approach, the appraiser selected five comparable sales located from 1.12 to 2.96 miles from the subject. The parcels range in size from 48,782 to 107,158 square feet of land area and are improved with 1-story or 2-story homes of frame, masonry, or masonry and frame exterior construction ranging in size from 1,500 to 2,639 square feet of living area. The dwellings range in age from 33 to 52 years old. Each home has a basement, three of which have finished area, central air conditioning, a fireplace, and a 2-car or a 3-car garage. The comparables sold from June 2018 to December 2019 for prices ranging from \$140,000 to \$300,000 or from \$93.33 to \$120.75 per square foot of living area, including land. The appraiser made adjustments to the comparables for differences from the subject, such as condition, dwelling size, basement finish, garage size, kitchen/bath finishes, and other improvements, to arrive at adjusted sale prices ranging from \$184,400 to \$208,200. Based on the foregoing, the appraiser opined a market value for the subject of \$190,000 as of January 1, 2020.

Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the appraised value conclusion.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$79,992. The subject's assessment reflects a market value of \$239,784 or \$149.58 per square foot of living area, land included, when using the 2020 three year average median level of assessment for McHenry County of 33.36% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted information on six comparable sales located in Marengo. The parcels range in size from 1.1 to 2.04 acres of land area and are improved with 1-story homes of frame, frame and brick, or frame and stone exterior construction ranging in size from 1,632 to 1,903 square feet of living area. The dwellings were built from 1970 to 2004. Each home has a basement, five of which have finished area, two of which are walkout basements, and one of which is an English-style basement. Each comparable also has a 2-car or a 3-car garage. Four homes each have a fireplace and three homes each have an inground swimming pool. The comparables sold from January 2019 to June 2020 for prices ranging from \$257,000 to \$385,000 or from \$140.44 to \$220.37 per square foot of living area, including land.

The board of review submitted a letter from the township assessor's office contending that appraisal sale #1 sold in poor condition in one day and then sold again in September 2020 for \$287,500; appraisal sale #2 is a 1.5-story home and much larger than the subject; appraisal sale #3 sold in six days in poor condition; and appraisal sales #4 and #5 sold in 2018.

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

### **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 appellant presented an appraisal and the board of review presented six comparable sales in support of their respective positions before the Board. The Board gives less weight to the value conclusion contained in the appraisal. Three of the five comparables sold in 2018, which is less proximate to the January 1, 2020 assessment date and less likely to be indicative of market value as of that date. The appraisal sales are smaller sites than the subject, including two comparables that have significantly smaller sites, but the appraiser made no adjustments for site size. The appraiser made no adjustments for age or design to appraisal sale #5 which is approximately 20 years older than the subject and is a 2-story home compared to the subject 1-story home. The appraiser selected appraisal sale #2, which is an approximately 39% larger home than the subject, requiring a large adjustment for dwelling size to this comparable. The appraiser also described appraisal sale #2 as a 1-story home whereas a photograph of this property contained in the appraisal shows a 1.5-story home, for which no adjustment was made. Based on the foregoing, the Board finds the appraisal states a less reliable and/or credible opinion of value and the Board shall instead consider the raw sales data presented in the appraisal and by the board of review.

The record contains a total of eleven comparable sales for the Board's consideration. The Board gives less weight to the appraisal sales #3, #4, and #5, which sold less proximate in time to the assessment date than other comparables in this record. Moreover, the appraisal sale #5 is a 2-story home compared to the subject 1-story home. The Board gives less weight to the appraisal sales #1 and #2, due to substantial differences from the subject in dwelling size, basement finish, and/or design. The Board also gives less weight to the board of review's comparables #2, #4, and #6, which each have an inground swimming pool that is not a feature of the subject.

The Board finds the best evidence of market value to be the board of review's comparables #1, #3, and #5, which sold proximate in time to the assessment date and are similar to the subject in dwelling size, location, and most features, although these comparables have smaller sites than the subject and are much newer homes than the subject, suggesting adjustments to these comparables would be needed to make them more equivalent to the subject. These most similar comparables sold for prices ranging from \$257,000 to \$290,000 or from \$140.44 to \$163.56 per square foot of living area, including land. The subject's assessment reflects a market value of \$239,784 or \$149.58 per square foot of living area, including land, which is within the range established by the best comparable sales in the record. Based on this evidence and after considering appropriate adjustments to the best comparables for differences from 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:

May 16, 2023



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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