



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

APPELLANT: Victorialoma Nass
DOCKET NO.: 20-06744.001-R-1
PARCEL NO.: 20-29-200-018

The parties of record before the Property Tax Appeal Board are Victorialoma Nass, the appellant, by attorney Andrew J. Rukavina, of The Tax Appeal Company in Mundelein; 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: \$92,724
IMPR.: \$193,142
TOTAL: \$285,866

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 2-story dwelling of stucco exterior construction with 5,945 square feet of living area. The dwelling was constructed in 1990 and is approximately 30 years old. Features of the home include a walkout finished basement, central air conditioning, three fireplaces, indoor inground swimming pool, and a three-car garage with 1,055 square feet of building area. The property has a 217,800 square foot site and is located in Barrington, Algonquin 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 \$785,000 as of January 1, 2020. The appraisal was prepared by Steven L. Smith, a Certified Residential Real Estate Appraiser. The property rights appraised were fee simple and the purpose of the appraisal was to estimate market value of the subject property for ad valorem, real estate tax

appeal. The appraiser described the subject as being in average+ condition and no physical or functional inadequacies were observed.

In estimating the subject's market value, the appraiser developed the sales comparison approach to value utilizing four comparables located in Barrington Hills. The comparables have sites ranging in size from 205,755 to 348,840 square feet of land area and are improved with two-story dwellings ranging in size from 4,706 to 5,931 square feet of living area. The dwellings are approximately 26 to 83 years old. The comparables have basements with three having finished area. Each comparable has central air conditioning, two to five fireplaces and a three-car, four-car, or five-car garage. Comparable #1 has a barn; comparable #2 has a pool and two barns; comparable #3 has a pool; and comparable #4 has a barn. The comparables sold from November 2018 to March 2020 for prices ranging from \$675,000 to \$902,000 or from \$126.45 to \$174.74 per square foot of living area, including land. The appraiser applied an adjustment for financing concessions to comparable #3. The appraiser also applied adjustments to the comparables for differences when compared to the subject in location, site size, condition, room count, gross living area, basement size, basement finish and other features. Based on the adjusted sale prices, the appraiser estimated the subject had a market value of \$785,000. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$285,866. The subject's assessment reflects a market value of \$856,912 or \$144.14 per square foot of living area, land included, when applying 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 of the subject property the board of review through the township assessor submitted a grid analysis on five comparable sales located from .16 of a mile to 1.32 miles from the subject. Comparables #3, #4 and #5 are the same as appraisal comparables #2, #1, and #3, respectively. The assessor noted appellant's appraisal comparable sale #1 has 5,545 square feet not 5,931 as reported by the appellant. The assessor provided a property record card that included a sketch diagram with dimensions to support this claim. The two additional comparable sales are located in Barrington Hills and within 1.10 miles from the subject. The comparables have site sizes containing 284,422 and 352,975 square feet and are improved with two-story dwellings with 5,908 and 6,332 square feet of living area. The dwellings were constructed in 1993 and 2003. The comparables each have a basement with finished area, central air conditioning, one fireplace, an inground swimming pool and a three-car or four-car garage with either 958 or 1,180 square feet of building area. The comparables sold in August 2020 for prices of \$999,500 and \$1,500,000 or for \$169.18 and \$236.89 per square foot of living area, including land. Based on this evidence, the board of review requests confirmation of 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 Board finds the appellant submitted an appraisal and the board of review submitted five comparable sales, three of which were utilized in the appellant's appraisal to support their respective positions before the Board.

As to the appellant's appraisal, the Board finds it problematic that the appraiser did not provide a map or disclose the proximities of the comparables to the subject. In addition, the appraiser utilized a comparable sale that sold 13 months prior to the assessment date at issue and is less likely to be reflective of market value. Furthermore, comparable #1 is 53 years older than the subject and comparable #3 is 21% smaller in dwelling size than the subject when a sale more similar in age and dwelling size was available. For these reasons, the credibility of the appraiser's conclusion of value is undermined.

The Board gives less weight to board of review comparable #2 as it appears to be an outlier as it sold considerably higher than all the comparable sales in the record.

The Board finds the best evidence of the subject's market value to be appraisal comparable #2 and board of review comparable #1. These comparables are overall most similar to the subject in location, age, dwelling size and features. These properties sold in March 2019 and August 2020 for prices of \$902,000 and \$999,500 or for \$169.18 and \$174.74 per square foot of living area, including land. The subject's assessment reflects a market value of \$856,912 or \$144.14 per square foot of living area, land included which is below the two best comparable sales in the record both on overall market value and price per square foot. After considering adjustments to the best comparables for differences when compared to the subject, the Board finds the subject's estimated market value reflected by its assessment is supported. Based this evidence, the Board finds the appellant did not prove by a preponderance of the evidence that a reduction in the subject's assessment is warranted.

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: July 18, 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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