



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

APPELLANT: William Huels
DOCKET NO.: 20-06796.001-R-1
PARCEL NO.: 09-25-102-062

The parties of record before the Property Tax Appeal Board are William Huels, 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: \$122,387
IMPR.: \$128,577
TOTAL: \$250,964

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 is improved with a part one-story and part two-story dwelling of brick and frame exterior construction that contains approximately 4,135 square feet of living area.¹ The dwelling was constructed built in 1989 and is approximately 31 years old. Features of the home include an unfinished full basement, central air conditioning, three fireplaces and a four-car attached garage. The subject property also has a detached three-car garage. The property has a 1.60-acre site located along the Fox River in McHenry, McHenry 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 \$650,000 as of January 1, 2020. The appraisal was prepared by Steven L. Smith, an Illinois Certified Residential Real Estate Appraiser. Smith developed the sales comparison approach to value

¹ The Board finds the best evidence of dwelling size was contained in the appellant's appraisal which contains a schematic diagram, dimensions and calculations to arrive at the size of the subject dwelling.

using five comparable sales and one active listing improved with 1-story, 2-story or 2.5-story dwellings that ranged in size from 2,649 to 9,116 square feet of living area. The homes range in age from 2 to 119 years old. Five of the comparables have full or partial basements with three having finished area. Each property has central air conditioning, one to three fireplaces and from a three-car to a 10-car garage. These comparables are described as riverfront properties with sites that range in size from .17 to 3.0 acres and are located from .18 to 1.52 miles from the subject property. Five of the comparables sold from July 2017 to December 2019 for prices ranging from \$394,750 to \$685,000 or from \$71.30 to \$222.73 per square foot of living area, including land. Comparable #5 has a list price of \$650,000 or \$133.97 per square foot of living area, including land. The comparables were adjusted for differences from the subject resulting in adjusted prices ranging from \$577,600 to \$678,650. Based on this analysis the appraiser arrived at an estimated market value of \$650,000. The appellant requested the subject's total assessment be reduced to \$216,667 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 \$250,964. The subject's assessment reflects a market value of \$752,290 or \$181.93 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.

The board of review submitted a statement from the McHenry Township Assessor containing a critique of the comparables used in the appellant's appraisal. She stated appraisal comparable #1 had extensive water damage from frozen water pipes and sold in very poor condition with significant repairs required; comparables #2 and #6 sold in 2017; comparable #3 is a two-year old home and is 1,823 square feet smaller than the subject dwelling; comparable #4 is over 100 years old and needed significant upgrades at the time of purchase; and comparable #5 was a listing.

In support of its contention of the correct assessment the board of review submitted information on three comparable sales identified by the township assessor that it contends more closely reflect what buyers were willing to pay for a waterfront property with significant square footage and in good and/or updated condition. The comparables are improved with 1-story or part 2-story and part 1-story dwellings that range in size from 3,317 to 4,491 square feet of living area. The homes were built in 2006 or 1952 and are 15 or 69 years old. Each comparable has a basement with two having finished area, central air conditioning, one to three fireplaces, a three-car or a four-car garage, and a swimming pool. Comparable #1 has a pool enclosure and a 1,440 square foot pole barn. These properties are located from 2.52 to 2.92 miles from the subject property with sites ranging in size from approximately 1.00 to 2.62 acres or from 43,700 to 114,127 square feet of land area. The subject was described as having 257 feet of water frontage and the comparables have either 96 or 160 feet of water frontage. The sales occurred from January 2019 to August 2020 for prices ranging from \$985,000 to \$1,100,000 or from \$235.52 to \$296.96 per square foot of living area, including land. Adjustments were made to the comparables using similar adjustments utilized by the appellant's appraiser to arrive at adjusted prices ranging from \$955,785 to \$1,070,386.

The township assessor indicated that comparable #2 had much updating prior to the sale and comparable #3 previously sold in March 2018 for \$915,000 with no in-ground swimming pool.

Based on this evidence the board of review contends the subject's assessment should be increased.

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 gives little weight to the conclusion of value contained in the appellant's appraisal. The Board gives little weight to appellant's appraiser's comparable #1 as the home differs from the subject dwelling in size and had water damage from frozen water pipes at the time of sale. The Board gives little weight to appraisal comparable appraisal sale #2 due to differences from the subject dwelling in size, age, land area, the date of sale not being proximate in time to the assessment date. The Board gives little weight to appraisal sale #3 due to differences from the subject dwelling in age, dwelling size, the fact the home lacks a basement, and differences in land area. The Board gives little weight to appraisal comparable sale #4 due to differences from the subject dwelling in age. The Board gives little weight to appraisal comparable sale #5 as this property was an active listing, not an actual sale, and the home differed from the subject dwelling in style. The Board gives little weight to appraisal comparable sale #6 due to differences from the subject property in land area and the fact the property sold in August 2017, not proximate in time to the assessment date at issue. For these reasons the Board finds the appraised value presented by the appellant is not credible.

The Board gives less weight to board of review comparable #1 due to differences from the subject dwelling in style as well as the fact this property has an in-ground swimming pool, a pool enclosure, and a pole barn, features the subject property does not have. The Board finds the two best comparable sales in the record to be board of review comparables #2 and #3. These two properties sold in June 2019 and August 2020 for prices of \$1,000,000 and \$1,100,000 or for \$235.52 and \$244.93 per square foot of living area, including land, respectively. These two properties are improved with homes that are newer than the subject dwelling as well as having in-ground swimming pools and finished basement area, features the subject property does not have, suggesting these comparables require downward adjustments to make them more equivalent to the subject property. The subject's assessment reflects a market value of \$752,290 or \$181.93 per square foot of living area, including land, which is below the two best comparable sales in the record but supported considering the differing features. Based on this evidence the Board finds the assessment of the subject property as established by the board of review is correct and a change to 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 22, 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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