



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

APPELLANT: Raymond & Janet Layshock  
DOCKET NO.: 20-07099.001-R-1  
PARCEL NO.: 19-13-406-024

The parties of record before the Property Tax Appeal Board are Raymond & Janet Layshock, the appellants, by Jessica Hill-Magiera, Attorney at Law in Lake Zurich; and the McHenry County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds a reduction 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:** \$40,183  
**IMPR.:** \$50,410  
**TOTAL:** \$90,593

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellants 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 frame exterior construction<sup>1</sup> with 2,008 square feet of living area. The dwelling was constructed in 1976. Features of the home include a walk out basement with finished area, central air conditioning, two fireplaces and a garage with 676 square feet of building area. The property has a 28,393 square foot site and is located in Cary, Algonquin Township, McHenry County.

The appellants contend overvaluation as the basis of the appeal. In support of this argument, the appellants submitted information on five comparable sales located in the same neighborhood as the subject and within 0.42 of a mile from the subject. The comparables are reported to be improved with 2-story dwellings ranging in size from 2,186 to 2,493 square feet of living area that were built from 1968 to 1986. Each comparable is reported to have a basement, central air

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<sup>1</sup> The Board finds the best description of the subject is found in the property record card provided by the board of review.

conditioning, a fireplace and a garage ranging in size from 406 to 535 square feet of building area. The comparables sold from May 2019 to November 2020 for prices ranging from \$220,000 to \$303,750 or from \$95.57 to \$135.24 per square foot of living area, including land. Based on this evidence, the appellants requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$104,431. The subject's assessment reflects a market value of \$313,043 or \$155.90 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 asserted that the appellants' evidence lacks critical information, such as view, basement finished and basement exposure and that the subject has an exceptional view due to the elevation and 100-foot drop to the river. The board of review, through the township assessor, submitted a grid analysis of both parties comparables. The grid analysis disclosed that the appellants' comparables #2, #3 and #4 have sites ranging in size from 10,436 to 22,908 square feet of land area and each has a basement with finished area, with comparable #3 having a walk out basement.

In support of its contention of the correct assessment, the board of review submitted information on three comparable sales<sup>2</sup> with one comparable located in the same neighborhood as the subject and within 0.55 of a mile from the subject. The comparables have sites ranging in size from 16,706 to 41,314 square feet of land area. The comparables are improved with either 1.5-story or 2-story dwellings ranging in size from 2,550 to 2,592 square feet of living area. The dwellings were built from 1960 to 1991. Each comparable has a basement with finished area, with one of walk out design, central air conditioning, one or two fireplaces and a garage ranging in size from 430 to 630 square feet of building area. The comparables sold in March and July 2020 for prices ranging from \$317,000 to \$350,000 or from \$124.31 to \$136.56 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellants argued the board of review comparables should be given less weight due to their dissimilar dwelling size when compared to the subject.

### **Conclusion of Law**

The appellants contend 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 appellants met this burden of proof and a reduction in the subject's assessment is warranted.

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<sup>2</sup> The grid analysis identifies the board of review, through the township assessor, comparables as #4 through #6, the Board has renumbered the comparables as #1 through #3.

The record contains eight suggested comparable sales for the Board's consideration. The Board has given less weight to the appellants' comparables #4 and #5 along with the board of review comparables due to their dissimilar dwelling size when compared to the subject.

The Board finds the best evidence of market value to be the appellants' comparables #1, #2 and #3. The Board finds these comparables are relatively similar to the subject in location, design, age, dwelling size and some features. The comparables sold for prices ranging from \$220,000 to \$303,750 or from \$95.57 to \$135.24 per square foot of living area, including land. The subject's assessment reflects a market value of \$313,043 or \$155.90 per square foot of living area, including land, which is greater than the best comparable sales in the record. After considering adjustments to the best comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is excessive. Therefore, based on this record the Board finds a reduction in the subject's assessment is 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.



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Chairman



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Member



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Member

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Member



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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 27, 2023



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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

Raymond & Janet Layshock, by attorney:  
Jessica Hill-Magiera  
Attorney at Law  
790 Harvest Drive  
Lake Zurich, IL 60047

COUNTY

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