



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

APPELLANT: Alex Sabos
DOCKET NO.: 21-06300.001-R-1
PARCEL NO.: 10-07-478-004

The parties of record before the Property Tax Appeal Board are Alex Sabos, the appellant, by attorney Gregory Riggs, of Tax Appeals Lake County, 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: \$27,890
IMPR.: \$58,060
TOTAL: \$85,950

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 2021 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 single-family dwelling of frame exterior construction with 1,776 square feet of living area. The dwelling was constructed in 1960 and is approximately 61 years old. Features of the home include a concrete slab foundation,¹ central air conditioning, a fireplace and a two-car garage. The property has an approximately 13,262 square foot channel site and is located in McHenry, McHenry Township, McHenry County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on four comparable sales, two of which have lake water and river front characteristics. Included with the submission were copies of listing sheets;

¹ The appellant reported a concrete slab foundation whereas the property record card submitted by the township assessor sets forth a crawl-space foundation in the description, but denotes a slab foundation in the schematic drawing of the home.

comparable #1 noted that a deeded boat slip was available; comparable #3 is described as on McCullum Lake with a family room with a water view; and comparable #4 was noted as a waterfront property. The parcels have reported lot sizes ranging from 2,500 to 28,596 square feet, each of which is improved with a one-story dwelling of frame, vinyl siding or brick exterior construction. The homes range in age from 17 to 68 years old and range in size from 1,875 to 2,388 square feet of living area. Two comparables each have basements with finished area and two comparables have either a concrete slab or a crawl-space foundation. Three of the dwelling have central air conditioning. Each dwelling features a fireplace and either a 2-car or a 3.5-car garage. The comparables sold from December 2019 to May 2021 for prices ranging from \$245,000 to \$278,000 or from \$110.97 to \$139.28 per square foot of living area, including land.

Based on this evidence, the appellant requested a reduced total assessment of \$69,669 which would reflect a market value of \$209,028 or \$117.70 per square foot of living area, including land, when applying the statutory level of assessment of 33.33%.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$93,420. The subject's assessment reflects a market value of \$280,456 or \$157.91 per square foot of living area, land included, when using the 2021 three year average median level of assessment for McHenry County of 33.31% as determined by the Illinois Department of Revenue.

In response to the appeal, the board of review submitted a memorandum and data gathered by Mary Mahady, the McHenry Township Assessor. The assessor argued that appellant's comparables #1 and #2 are not waterfront properties and thus, not comparable to the subject (aerial photos were included to support the assertion). The assessor also criticized appellant's comparable #3, which is located on McCullom Lake, arguing the property does not have access to the Fox River or Chain of Lakes and thus, is also not comparable to the subject "as large boats/motors are not allowed and the access to water is extremely limited."

In support of its contention of the correct assessment, the board of review through the township assessor, submitted information on four comparable sales, where board of review comparable #1 is the same property as appellant's comparable #4. In addition, the assessor submitted three comparable sales described as riverfront properties. The comparables are located from 1.35 to 2.46-miles from the subject property and are described as lot sizes ranging in size from 7,240 to 11,910 square feet. Each lot is improved with a one-story dwelling ranging in age from 52 to 94 years old. The homes range in size from 1,280 to 1,996 square feet of living area. Three of the comparables each have central air conditioning. Each home features a fireplace and either a two-car or a three-car garage. The comparables sold from October 2020 to May 2021 for prices ranging from \$278,000 to \$389,900 or from \$139.28 to \$299.00 per square foot of living area, including land.

As prepared by Mahady, the grid also depicts various adjustments. While there is no information supporting the basis for any of these adjustments, one noted adjustment was a downward \$20,000 to each of the comparables for its river location as compared to the subject's channel location. The assessor reported adjusted sales prices for the comparables ranging from \$256,400 to \$378,060 or from \$128.46 to \$289.92 per square foot of living area, including land.

Based upon the foregoing evidence and argument, the board of review requested confirmation of the subject's estimated market value as reflected by its 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 record evidence indicates that a reduction in the subject's assessment is warranted.

The parties submitted a total of seven comparable sales, one of which was common to both parties, to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to appellant's comparables #1 and #3 due to their larger dwelling sizes and superior finished basement foundations when compared to the subject dwelling. The Board has given reduced weight to appellant's comparable #2 due to its newer age and lack of a location on water. The Board has also given reduced weight to board of review comparables #2 and #4 due to their older dates of construction and smaller dwelling sizes when compared to the subject.

On this record, the Board finds the best evidence of market value to be appellant's comparable sale #4/board of review comparable sale #1 and board of review comparable sale #3. These most similar comparables each have river front locations, which, based on information submitted by the township assessor, suggest a downward adjustment is appropriate. Additionally, the two comparables bracket the subject dwelling in age and size along with having a similar foundation type to the subject along with some similar amenities, although the common comparables lack central air conditioning, a feature of the subject. These two properties sold for prices of \$278,000 and \$370,500 or for \$139.28 and \$246.18 per square foot of living area, including land. The subject's assessment reflects a market value of \$280,456 or \$157.91 per square foot of living area, including land. Giving most weight to the parties' common comparable which sold for \$278,000. The Board further notes that the township assessor made significant downward adjustments to each of its own comparables for their river front location in comparison to the subject's channel front location. Considering adjustments to the best comparables for differences with the subject and based on this limited record, the Board finds the subject dwelling is overvalued as reflected by its assessment. Therefore, 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.



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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

Alex Sabos, by attorney:
Gregory Riggs
Tax Appeals Lake County
830 West IL Route 22
Suite 286
Lake Zurich, IL 60047

COUNTY

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