



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

APPELLANT: Donn Grambo
DOCKET NO.: 21-06659.001-R-1
PARCEL NO.: 10-20-126-005

The parties of record before the Property Tax Appeal Board are Donn Grambo, 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: \$73,228
IMPR.: \$224,795
TOTAL: \$298,023

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 part one-story and a part two-story dwelling of masonry and frame exterior construction with 3,417 square feet of living area.¹ The dwelling was constructed in 2018. Features of the home include a basement with 2,096 square feet of finished, central air conditioning, two fireplaces and a 622 square foot attached garage. The property also has a 1,178 square foot detached garage and a 168 square foot shed. The property has an approximately 29,185 square foot site with 99 feet of water frontage and is located in McHenry, McHenry Township, McHenry County.

¹ Descriptive information regarding the subject not provided by the appellant is found in the subject's property record card presented by the board of review, which contained a detailed schematic diagram with dimensions of the improvements.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on five comparable sales that were described as bay front or river front properties. The appellant did not disclose the proximity of the comparables in relation to the subject. The comparables have sites that range in size from 17,496 to 69,850 square feet of land area. The comparables are improved with one-story, part one-story and part two-story, two-story, and part two-story and part one-story dwellings of frame or masonry exterior construction ranging in size from 2,627 to 4,004 square feet of living area. The dwellings were built from 1910 to 1995. Each comparable has a basement and either one or two fireplaces. Three comparables have central air conditioning and two comparables each have a garage with 576 or 672 square feet of building area. The comparables sold from March 2020 to June 2021 for prices ranging from \$512,500 to \$652,000 or from \$147.35 to \$221.39 per square foot of living area, including land. Based on this evidence, the appellant requested the subject's assessment be reduced to \$207,277, which would reflect a market value of \$621,893 or \$182.00 per square foot of living area, including land, when using 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 \$298,023. The subject's assessment reflects a market value of \$894,695 or \$261.84 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 prepared by the township assessor. The assessor described the subject as a 3,417 square foot part one-story and part two-story home located on Pistakee Bay, part of the Chain of Lakes in unincorporated McHenry Township. The assessor contended that Pistakee Bay is the most prestigious part of the Fox River with homes there generally commanding the highest prices on the water. With respect to the appellant's comparables, the assessor argued that comparables #1 and #2 are not similar in quality, improvements or condition when compared to the subject; comparable #3 includes several parcels with additional buildings, and the quality and condition are inferior; comparable #4 is a river front property when there are several bay front sales; and comparable #5 was in extremely dated condition, and the quality and improvements are inferior.

In support of its contention of the correct assessment the board of review, through the township assessor, submitted information on four bay front comparable sales that are located within .60 of mile from the subject property. The comparables have sites that range in size from 39,204 to 44,867 square feet of land area and from 63 to 185 feet of water frontage. The comparables are improved with one-story or part two-story and part one-story dwellings of masonry or frame and masonry exterior construction ranging in size from 2,304 to 4,884 square feet of living area.² The dwellings were built from 1927 to 2006. The comparables each have a basement, three of which have from 1,522 to 2,384 square feet of finished area and two are walk-outs. Each comparable has central air conditioning, one or two fireplaces and a 2-car to a 6-car garage. Two comparables each have an inground swimming pool. The comparables sold from August 2020 to

² The board of review submitted exterior photographs of its comparables depicting the dwellings have masonry or frame and masonry exterior constructions.

August 2021 for prices ranging from \$820,500 to \$2,100,000 or from \$244.93 to \$572.68 per square foot of living area, including land.

The assessor indicated that its comparable #2 is an older home that was totally remodeled to compare with the quality construction of the subject and sold again in October 2021 for \$1,625,000. The assessor also reported that its comparable #4 is used to show the higher prices on the bay by even smaller homes, since the home sold in July 2020 for \$427,000, was remodeled and updated, and sold in excellent condition at the price used in the review of \$820,000. The assessor adjusted the comparables for differences from the subject resulting in adjusted sale prices of \$1,012,950 and \$1,989,670, and a median adjusted sale price of \$1,076,560.

The board of review contended the appellant's comparables are truly inferior to the subject. The board of review argued that while the assessor's comparables are from 24% to 34% larger than the subject, they have more modern updates that might better compare to a new home built in 2018 on Pistekee [sic] Bay.

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 record contains a total of nine comparable sales for the Board's consideration. The Board has given less weight to the appellant's comparables, as well as board of review comparables #2 and #4 due significant differences in age and/or dwelling size.

The Board finds the best evidence of market value to be board of review comparables #1 and #3, which are overall more similar to the subject in location and age. However, these two comparables have varying degrees of similarity when compared to the subject in site size, dwelling size, design and features. Nevertheless, these two comparables sold in August 2020 and April 2021 for prices of \$1,100,000 and \$2,100,000 or for \$244.93 and \$572.68 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$894,695 or \$261.84 per square foot of living area, including land, which is less than the two best comparable sales in the record in terms of overall market value and bracketed by these comparables on a price per square foot basis. Based on this record, and after considering adjustments to the best comparables for differences from the subject, the Board finds no reduction in the subject's estimated market value as reflected by its 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: December 19, 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

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