



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

APPELLANT: Christopher Reed  
DOCKET NO.: 21-06684.001-R-1  
PARCEL NO.: 20-18-427-004

The parties of record before the Property Tax Appeal Board are Christopher Reed, the appellant, by attorney 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:** \$30,672  
**IMPR.:** \$49,573  
**TOTAL:** \$80,245

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 1-story dwelling of masonry exterior construction with 1,008 square feet of living area. The dwelling was constructed in 1961. Features of the home include a walk-out style basement with 806 square feet of finished area, central air conditioning and a 266 square foot garage. The property has an approximately 7,399 square foot site with frontage on the Fox River and is located in Fox River Grove, Algonquin Township, McHenry County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on five comparable sales located within 0.84 of a mile from the subject property. The comparables have sites that range in size from 7,521 to 12,450 square feet of land area and are improved with 1-story dwellings ranging in size from 945 to 1,144 square feet of living area. The dwellings were built from 1955 to 1958. Each comparable is reported to have an unfinished basement and a garage ranging in size from 280 to 400 square feet of

building area. Three dwellings have central air conditioning and two homes each have one fireplace. The properties sold from August 2020 to August 2021 for prices ranging from \$125,000 to \$187,000 or from \$109.27 to \$188.51 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's total assessment be reduced to \$71,332 which reflects a market value of \$214,017 or \$212.32 per square foot of living area, land included, 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 \$80,783. The subject's assessment reflects a market value of \$242,519 or \$240.59 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.

The board of review critiqued the appellant's comparables arguing none are located on the Fox River like the subject property although appellant comparable #4 is located on a small channel which the board of review contends is not comparable to river front property. The board of review asserted each of its comparables have river frontage. The board of review also noted its comparable #1 sold in 2019 for \$129,900 in "as is" condition then sold again in June 2022 for \$286,500 after being renovated. The board of review's notes on appeal included an offer to stipulate to a total assessment for the subject of \$80,245.

In support of its contention of the correct assessment the board of review submitted information on five comparable sales located from 0.05 of a mile to 1.75 miles from the subject property and where each site has a river front location. The comparables have sites that range in size from 4,216 to 20,533 square feet of land area and are improved with 1-story dwellings ranging in size from 845 to 980 square feet of living area. The homes were built from 1922 to 1954. Two comparables have a walk-out style basement, with one having 367 square feet of finished area. Two dwellings have central air conditioning and three homes each have a garage ranging in size from 188 to 485 square feet of building area. The properties sold from June 2019 to November 2021 for prices ranging from \$129,900 to \$240,000 or from \$152.11 to \$260.36 per square foot of living area, land included. Based on this evidence, the board of review requested the subject's assessment be revised to \$80,245.

The appellant rejected the board of review's offer to stipulate. In rebuttal, appellant's counsel critiqued the board of review's comparables arguing none are comparable to the subject due to differences in age, dwelling size, older sale date, lack of garage and/or locations greater than one mile from the subject property. Counsel argued the subject's land assessment was not challenged and asserted the sale prices for the appellant comparables could be adjusted by applying the difference in the market value of the land based on assessment, relative to the subject's indicated market value of land based on assessment, in order to account for the subject's riverfront location. Counsel submitted two rebuttal grids, one grid with both parties' comparables and one grid containing its suggested "best comparable sales for further clarity."

### **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 a reduction in the subject's assessment is warranted.

The parties submitted ten comparable sales for the Board's consideration. The Board gives less weight to the appellant's comparables which lack river frontage like the subject. The Board gives less weight to board of review comparables #1, #4 and #5 which lack a basement foundation, are located more distant from the subject and/or sold in 2019, less proximate to the January 1, 2021 assessment date than other properties in the record.

The Board finds the best evidence of market value to be board of review comparables #2 and #3 which are more similar to the subject in location, river frontage, dwelling size and presence of a basement. However, these best comparables present varying degrees of similarity to the subject in age, site size, basement finished area and garage amenity, suggesting adjustments are needed to make these properties more equivalent to the subject. These two best comparables sold in June and November 2021 for prices of \$217,000 and \$240,000 or for \$229.39 and \$244.90 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$242,519 or \$240.59 per square foot of living area, including land, which falls above the two best comparable sales in this record on an overall market value basis and is bracketed by the two best comparables on a per square foot basis. After considering appropriate adjustments to the comparables for differences from the subject, the Board finds the subject's assessment is supported, however, the Board further finds the board of review suggested a revision to the subject's total assessment and therefore, a reduction in the subject's assessment to reflect the board of review's suggested total 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

AGENCY

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