



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

APPELLANT: Donna Matejka
DOCKET NO.: 22-03329.001-R-1
PARCEL NO.: 09-13-104-002

The parties of record before the Property Tax Appeal Board are Donna Matejka, 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: \$32,223
IMPR.: \$212,685
TOTAL: \$244,908

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 2022 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 part two-story dwelling of brick and vinyl siding exterior construction with 5,323 square feet of living area. The dwelling was constructed in 2008. Features of the home include a walk-out style basement with finished area, central air conditioning, two fireplaces, a 1,119 square foot garage, and an inground swimming pool.¹ The property has a 50,968 square foot site and is located in Johnsburg, McHenry Township, McHenry County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparable sales. The comparables consist of two-story or part one-story and part two-story dwellings of frame, vinyl siding, or vinyl siding and

¹ Details not reported by the appellant were drawn from the subject's property record card submitted by the board of review.

masonry exterior construction ranging in size from 2,916 to 4,623 square feet of living area. The homes were built from 1998 to 2003. Each dwelling has central air conditioning, a fireplace, a basement with finished area, one being an English basement and two being walk-out style, and a garage ranging in size from 704 to 1,110 square feet of building area. The comparables sold from January 2020 to April 2021 for prices ranging from \$368,000 to \$505,000 or from \$90.31 to \$131.13 per square foot of living area, including land. Based on this evidence, the appellant requested a reduced assessment of \$223,898, for an estimated market value of \$671,761 or \$126.20 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 \$244,908. The subject's assessment reflects a market value of \$734,797 or \$138.04 per square foot of living area, land included, when applying the statutory level of assessment of 33.33%.²

In support of its contention of the correct assessment the board of review submitted information on three comparable sales. The comparables consist of two-story dwellings of frame and brick or brick and stucco exterior construction ranging in size from 4,108 to 6,005 square feet of living area. The dwellings were built from 2002 to 2009. Each dwelling has central air conditioning, two or four fireplaces, a walk-out style basement with finished area, and a garage ranging in size from 974 to 1,538 square feet of building area. Two comparables each have an inground swimming pool. The parcels range in size from 55,076 to 214,751 square feet of land area. The comparables sold from December 2020 to September 2022 for prices ranging from \$766,000 to \$1,400,000 or from \$163.96 to \$233.14 per square foot of living area, including land. The board of review also submitted a memorandum arguing that the appellant's comparables differ from the subject in dwelling size or sold less proximate to the assessment date at issue. 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 parties submitted a total of six comparable sales to support their respective positions before the Property Tax Appeal Board. The Board finds the parties' comparables are not truly similar to the subject due to differences from the subject in dwelling size and/or inground swimming pool amenity. Nevertheless, the Board gives less weight to the appellant's comparables #1 and #3, as well as board of review comparable #3, which sold less proximate to the assessment date

² Procedural rule Sec. 1910.50(c)(1) provides that in all counties other than Cook, the three-year county wide assessment level as certified by the Department of Revenue will be considered. 86 Ill. Admin. Code §1910.50(c)(1). Prior to the drafting of this decision, the Department of Revenue has yet to publish figures for tax year 2022.

at issue in this appeal. The Board also gives reduced weight to board of review comparable #2, which differs from the subject in site size.

The Board finds the best evidence of market value to be the appellant's comparable sale #2 and board of review comparable sale #1, which sold proximate to the assessment date at issue and which have varying degrees of similarity to the subject. These most similar comparables sold in April 2021 and September 2022 for prices of \$505,000 and \$780,000 or for \$131.13 and \$189.87 per square foot of living area, including land. The subject's assessment reflects a market value of \$734,797 or \$138.04 per square foot of living area, including land, which is bracketed by the best comparable sales in this record, and appears supported given the subject's larger dwelling and inground swimming pool in relation to these two best comparables. Based on this evidence and after considering adjustments to the best comparables for differences when compared to the subject, the Board finds a reduction in 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: March 26, 2024



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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