



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

APPELLANT: David Ratkovich
DOCKET NO.: 23-03294.001-R-1
PARCEL NO.: 19-20-376-004

The parties of record before the Property Tax Appeal Board are David Ratkovich, the appellant; 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: \$14,266
IMPR.: \$106,981
TOTAL: \$121,247

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 2023 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 is improved with a 1.5-story dwelling of frame and brick exterior construction with 1,907 square feet of living area. The dwelling was built in 1988 and is approximately 35 years old. Features of the home include a full walkout style basement with finished area, central air conditioning, two fireplaces and a 2-car attached garage with 452 square feet of building area. The property has a 6,820 square foot lakefront site and is located in Lake in the Hills, Algonquin 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 that are located from .26 to .94 of a mile from the subject. Each comparable is described as having from 9,007 to 18,112 square feet of land area of either a "Deep lake/Pier," a "Deep lake/large Pier," or a "Deep lake" site. The properties are improved with 1-story, 1.5-story or 2-story dwellings of frame exterior construction ranging in size from 1,656 to 2,309 square feet of living area. The homes were built

from 1952 to 1973. Two comparables have a basement with finished area. Each comparable has central air conditioning and either an attached or a detached garage ranging in size from 216 to 560 square feet of building area. Three comparables have either one or two fireplaces. The comparables sold from August 2022 to June 2023 for prices ranging from \$285,000 to \$440,000 or from \$149.84 to \$265.70 per square foot of living area, including land.

The appellant also asserted the board of review did not consider the subject's external depreciation for commercial location/view, busy intersection and shallow lake location. The appellant provided a "19 February, 2024 5:18 PM" time-stamped photograph, purportedly of the subject's street view along with documentation concerning the subject's 2023 property tax appeal with the county board of review.

Based on this evidence, the appellant requested the subject's assessment be reduced to \$110,000, which would reflect a market value of \$330,033 or \$173.06 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 \$121,247. The subject's assessment reflects a market value of \$363,777 or \$190.76 per square foot of living area, land included, when using the statutory level of assessment of 33.33%.¹

In support of its contention of the correct assessment the board of review submitted information on six comparable sales located in the same neighborhood as the subject and from .04 to .65 of a mile from the subject property. Comparables #1, #3 and #4 are the same properties as the appellant's comparables #2, #4 and #3, respectively.² A map was also submitted depicting the locations of the board of review comparables #1, #2, #3, #4 and #6 in relation to the subject property along with a notation that the "Comparables used are located along the larger lake in Lake in the Hills Estates. Excluded Appellant's Comp 1 due to it is located along the smaller lake." The board of review's comparables contain sites ranging in size from 8,510 to 18,112 square feet of land area. The properties are described as being improved with 1-story, 1.5-story, 2-story or split-level dwellings of frame, frame and brick or stucco exterior construction ranging in size from 1,219 to 2,023 square feet of living area. The homes are from 48 to 72 years old. Comparables #2 through #6 have basements with finished area. Each comparable has central air conditioning, four comparables have either one or two fireplaces, and five comparables each have a garage ranging in size from 264 to 554 square feet of building area. The comparables sold from April 2022 to June 2023 for prices ranging from \$305,000 to \$455,000 or from \$160.65 to \$282.96 per square foot of living area, including land. Based on this evidence, the board of review contends these sales support the assessment.

¹ 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 Sec. 1910.50(c)(1). Prior to the drafting of this decision, the Department of Revenue has yet to publish figures for tax year 2023.

² The parties differ in the bathroom count, finished basement area and garage size of the appellant's comparable #3/board of review comparable #4.

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 seven comparable sales, including three common sales, for the Property Tax Appeal Board's consideration. The Board finds all of the comparables are lake properties, like the subject, but have varying degrees of similarity to the subject in other features. Nevertheless, the Board has given less weight to the appellant's comparable #1, appellant's comparable #2/board of review comparable #1, appellant's comparable #4/board of review comparable #3 and board of review comparables #5 and #6 which are less similar to the subject in design/story height, dwelling size, and/or lack of a basement foundation when compared to the subject property.

The Board finds the best evidence of market value to be the board of review comparable #2 and appellant's comparable #3/board of review comparable #4 that sold proximate in time to the January 1, 2023 assessment date at issue. The Board finds both comparables are similar to the subject in location and design. However, both dwellings are older in age, smaller in size, and have less basement finish, when compared to the subject, suggesting upward adjustments would be required to make the comparables more similar to the subject. Conversely, both comparables have larger site sizes and would require downward adjustments for this difference. These two comparables sold in April and June 2023 for prices of \$440,000 and \$455,000 or \$265.70 and \$278.46 per square foot of living area, including land. The subject's assessment reflects a market value of \$363,777 or \$190.76 per square foot of living area, including land, which falls below the two best comparables sales in this record. After considering adjustments to the best comparables for differences in location, site size, dwelling size, age and other features, 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: _____

November 19, 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

AGENCY

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COUNTY

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