



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

APPELLANT: Aileen Haan  
DOCKET NO.: 23-03334.001-R-1  
PARCEL NO.: 09-21-226-002

The parties of record before the Property Tax Appeal Board are Aileen Haan, the appellant, by attorney Michael Elliott, of Elliott & Associates Attorneys, PLLC in Des Plaines; and the Kane 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 **Kane** County Board of Review is warranted. The correct assessed valuation of the property is:

**LAND:** \$49,995  
**IMPR.:** \$252,191  
**TOTAL:** \$302,186

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellant timely filed the appeal from a decision of the Kane County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2024 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 parties appeared before the Property Tax Appeal Board for a hearing at the Kane County Government Center in Geneva pursuant to a prior written notice. Appearing on behalf of the appellant was attorney, Melissa Whitley, along with the witness, Nicholas P. Gonio, and appearing on behalf of the Kane County Board of Review were Kane County Deputy Supervisor of Assessments, Michelle Abell, Saint Charles Township Assessor, Diane Hemmingsen and Deputy Township Assessor, Dave Medlin.

The subject property consists of a 2-story dwelling of brick exterior construction with 5,173 square feet of living area. The dwelling was constructed in 2002 and is approximately 21 years old. Features of the home include a full walkout basement with finished area, central air conditioning, two fireplaces, an inground swimming pool, and a 1,033 square foot 4-car garage.

The property has a 66,168 square foot site and is located in St. Charles, St. Charles Township, Kane County.

The appellant appeared before the Property Tax Appeal Board through counsel claiming overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a retrospective market value of \$840,000 as of January 1, 2023. The appraisal was prepared by Nicholas P. Gonio, a Certified Residential Real Estate Appraiser licensed in Illinois. The appraiser considered the subject property to be in average to good condition with no significant areas of deferred maintenance present at the time of inspection and there is no functional or external obsolescence. In estimating the market value of the subject property, the appraiser developed the sales comparison approach.

Under the sales comparison approach to value, the appraiser selected four suggested comparables sales located within .87 of a mile from the subject property. The comparables have sites ranging in size from 23,799 square feet to 1.94 acres of land area that are improved with traditional style dwellings ranging in age from 20 to 35 years old and in size from 4,035 to 5,417 square feet of living area. Each comparable has a basement with finished area, central air conditioning, one to three fireplaces, and a 3-car garage. Two comparables have inground swimming pools. The comparables sold February 2021 or September 2022 for prices ranging from \$675,000 to \$875,000 or from \$148.48 to \$186.41 per square foot of living area, including land. After applying time adjustments to comparables #3 and #4 and considering adjustments to the comparables for differences in room count, gross living area, basement size, basement finish, garage amenity, pool, and upgrades when compared to the subject, the appraiser arrived at adjusted sale prices ranging from \$837,942 to \$849,366. Based on these adjusted sale prices, the appraiser concluded an estimated market value for the subject property of \$840,000 as of January 1, 2023.

The appellant's counsel called real estate appraiser Nicholas Gonio as a witness. Prior to the hearing the parties stipulated that Gonio was accepted as an expert witness. Gonio testified that he inspected the subject property and briefly described the subject property as an all brick 2-story home with some cosmetic updating such as painting of the kitchen cabinets. Gonio further testified that subject has a full walkout basement and an inground swimming pool.

Gonio then testified about the selection and adjustment processes used for the comparable sales that were chosen. Gonio testified that time adjustments were applied for the two comparables that sold in 2021 as homes prices appeared to be going up in 2021 and mostly steadied out for portions of 2022 and 2023. Gonio further testified that dominant features such as location, gross living area, number of bedrooms, and number of bathrooms, were considered when choosing the comparable sales for the subject property.

Under cross examination, the appraiser testified that the kitchen was also updated with new counter tops, lighting and appliances but the appliances were considered personal property because they were not built-in. The appraiser further testified that the baths had some cosmetic updates that were similar to the kitchen and had some exterior updates that included an inground swimming pool and patio areas. The appraiser further answered questions about adjustments to the comparables that were made for time and other differences when compared to the subject. Abell then asked the appraiser why he selected comparable #4 which sold in August 2021 for

\$675,000 which is \$85,000 less than what the subject sold for in 2019. The appraiser testified that there were a lack of sales and this sale was added as additional support but it would have probably been given less weight anyways.

Based on this evidence, the appellant requested a reduction in the subject property's total assessment to reflect the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$302,186. The subject's assessment reflects a market value of \$907,465 or \$175.42 per square foot of living area, land included, when using the 2023 three year average median level of assessment for Kane County of 33.30% as determined by the Illinois Department of Revenue.

In reference to this appeal the board of review provided four comparables similar to the subject property, the subject's property record card, and old MLS listing for the subject's sale in 2019 that has color photos of the subject's home, a line graph showing a large increase in the median sale price in St. Charles zip code 60175 over the past 5 years and MLS listing sheets of both parties comparable sales.

In written documentation and at the hearing, the board of review disclosed the subject sold in 2019 for \$755,000 and there was a 32.4% increase in the median sale price of homes from January 2020 to January 2023. The St. Charles Township Assessor reports that after the sale in 2019 the subject had permits taken out for, "a new inground pool, slate stone patios and stone terracing all around the home and pool area." The Board finds the subject's property record card disclosed that the three permits issued in 2022 totaled \$215,000. The board of review also argued based on MLS photos from 2019, the subject's kitchen appears to be updated.

The board of review further critiqued the appraisal comparable sales noting comparable #1 is inferior to the subject in site size, bathroom count, exterior construction, garage amenity, and features such as walkout basement and inground swimming pool. The board of review noted appraisal comparable #3 has resold in October 2023 for \$975,000 and has a reported gross living area of 4,053 square feet per the assessor's property record card not 4,372 as reported by the appraiser.<sup>1</sup> The board of review asserted appraisal sale #4 is an inferior property due to differences in size size, bathroom count, exterior construction, garage amenity, and features such as walkout basement and inground swimming pool.

In support of its contention of the correct assessment the board of review submitted information on four comparable sales located from .15 of a mile to 3.09 miles from the subject property. Comparable #1 was a subsequent sale of appellant's appraisal comparable #3. The comparables have sites ranging in size from 25,075 to 91,911 square feet of land area and are improved with 2-story dwellings of a combination of brick, stone, fiber and/or cedar exterior construction ranging in size from 4,053 to 5,210 square feet of living area. The dwellings were constructed from 1988 to 2007 and have basements, three with finished area. Each comparable has central air conditioning, one or three fireplaces and a garage ranging in size from 718 to 1,311 square feet

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<sup>1</sup> The Board finds the best evidence of dwelling size for this comparable was the property record card submitted by the board of review.

of building area. The comparables sold from October 2020 to October 2023 for prices ranging from \$860,000 to \$1,050,000 or from \$175.27 to \$240.56 per square foot of living area, including land.

In rebuttal, the appraiser explained why the board of review comparables were not considered in his analysis. Gonio testified that board of review comparable #1 sold after the January 1, 2023 assessment date, board of review comparable #2 was a John Hall custom built home, board of review comparable #3 is located over 3 miles from the subject and board of review comparable #4 sold in 2020.

In closing, appellant's counsel stated they met their burden of proof in establishing the subject's fair market value of \$840,000 as of January 1, 2023. Counsel contends expert testimony from the appraiser who prepared the report was heard and the board of review had an opportunity to cross examine the appraiser. The appraiser explained his reasons for not considering the board of review comparable sales that were not adjusted. For these reasons, appellant's counsel requests the Board give no weight to the board of review comparable sales and reduce the subject's assessment to reflect the appraiser's conclusion of value.

In closing the board of review contends the subject is fairly assessed when considering the prior sale of the subject and the increasing market from January 2020 to January 2023.

### **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 Board finds the record contains an appraisal submitted by the appellant and four comparable sales submitted by the board of review for consideration.

As to the appellant's appraisal, the Board finds appraisal comparables #3 and #4 sold 22 months and 16 months prior to the January 1, 2023 assessment date and are less likely to be reflective of market value as of that date. Furthermore, the Board finds it problematic that the appraiser did not consider the subsequent sale of appraisal comparable #3 submitted by the board of review which sold more proximate to the January 1, 2023, assessment date. For these reasons the Board gives less weight to the appraiser's conclusion of value.

The Board also gives less weight to board of review comparable #3 which is located over 3 miles away from the subject and to board of review comparable #4 which sold over 2 years prior to the assessment date at issue.

The Board finds the best evidence of market value to be appraisal comparables #1 and #2 along with board of review comparables #1 and #2 which sold proximate in time to the assessment date at issue and overall are more similar to the subject in location, dwelling size and some features.

However, adjustments would have to be considered to the comparables for differences from the subject in site size, age, finished basement area and/or inground swimming pool. The comparables sold from June 2022 to September 2023 for prices ranging from \$735,000 to \$975,000 or from \$148.48 to \$240.56 per square foot of living area, including land. The subject's assessment reflects a market value of \$907,465 or \$175.42 per square foot of living area, including land, which falls within the range established by the best comparable sales in the record. After considering adjustments to the best comparable sales for differences from the subject, the Board finds subject's market value as reflected by the assessment is supported. Based on this record the Board finds the appellant did not prove by a preponderance of the evidence that a reduction in the subject's assessment is justified based on overvaluation.

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:

April 21, 2026



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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