



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

APPELLANT: Dana & Patricia Pulvino  
DOCKET NO.: 23-04428.001-R-1  
PARCEL NO.: 18-24-128-021

The parties of record before the Property Tax Appeal Board are Dana & Patricia Pulvino, the appellants, 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:** \$10,043  
**IMPR.:** \$139,420  
**TOTAL:** \$149,463

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellants 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.

**Preliminary Matter**

As background for this pending appeal, the Property Tax Appeal Board issued a favorable decision for tax year 2022 to the appellants known as to Docket No. 22-03076.001.R-1 which was dated January 16, 2024. Thereafter, the appellants received a Notice of Final Decision for this property for tax year 2023 from the McHenry County Board of Review dated March 8, 2024. The appellants argue, in part, that the 2023 assessment of the property “does not consider the value of the PTAB 2022 decision.”

In response to this argument, the board of review noted that 2023 is the first year of a new quadrennial, “therefore the 2022 PTAB decision does not qualify for a rollover.” (See, 35 ILCS 200/16-185).

The Board further finds and the record reveals as reported by the board of review, that 2023 was the first year of the new general assessment cycle in McHenry County. Thus, to the extent that

the appellants seek to have the prior decision of the Property Tax Appeal Board either “carried forward” or “considered,” the Board finds the appellants’ argument lacks merit.

Section 16-185 of the Property Tax Code, in relevant part, provides:

If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel on which a residence occupied by the owner is situated, such reduced assessment, subject to equalization, **shall remain in effect for the remainder of the general assessment period** as provided in Sections 9-215 through 9-225, unless that parcel is subsequently sold in an arm's length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or unless the decision of the Property Tax Appeal Board is reversed or modified upon review. [Emphasis added.] (35 ILCS 200/16-185)

Instead, for tax year 2023, the assessing officials are mandated under the Property Tax Code to “view and determine as near as practicable the value of each property listed for taxation as of January 1 of that year . . . .” (35 ILCS 200-9-155). As such, the focus for the remainder of this decision will address the lack of assessment equity argument raised herein by the appellants.

### **Findings of Fact**

The subject property consists of a two-story owner-occupied dwelling of frame exterior construction with 2,998 square feet of living area. The dwelling was constructed in 1996 and is approximately 27 years old. Features of the home include a basement, 3½ bathrooms, central air conditioning, one fireplace, and a 530 square foot garage.<sup>1</sup> The property has an approximately 20,269 square foot site and is located in Crystal Lake, Grafton Township, McHenry County.

The appellants contend assessment inequity concerning the improvement as the basis of the appeal. In support of the argument, the appellants submitted information on three equity comparables located within the same subdivision and same assessment neighborhood code as the subject. The appellants completed the Section V grid analysis with information on three equity comparables consisting of two-story dwelling of brick and siding exterior construction. The appellants contend the homes were built by the same developer/builder and were built within 3 years of one another (i.e., mid to late 90’s). The homes are either 28 or 29 years old and range in size from 2,949 to 3,231 square feet of living area. Each comparable has a basement, 3 or 3½ bathrooms, central air conditioning, a fireplace and either a two-car or a three-car garage. The comparables have improvement assessments ranging from \$128,866 to \$131,326 or from \$43.30 to \$44.53 per square foot of living area. The appellants further argue that the subject has a higher improvement assessment on a per-square-foot basis than these larger homes which also include brick exterior construction when the subject lacks any exterior masonry feature with only a two-car garage.

Based on this evidence and given the average of the three comparables presented, the appellants request a reduced improvement assessment of \$130,021 or \$43.37 per square foot of living area.

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<sup>1</sup> Garage size has been determined based on the schematic drawing shown on the subject’s property record card.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$149,463. The subject property has an improvement assessment of \$139,420 or \$46.50 per square foot of living area.

In a letter in response to the appellants' evidence, the board of review noted appellants' comparables #1 and #3 are larger than the subject. While appellants' comparable #2 is similar in size to the subject, the board of review argued it is "not the same builder's model as the subject" and carries a lower assessment on a per-square-foot basis than the subject.

In support of its contention of the correct assessment, the board of review through the township assessor submitted information on four equity comparables which are "all the same builders' model," similar in size and utility to the subject, and have per-square-foot assessments that are higher than the subject property. In a letter from the Grafton Township Assessor, it was argued that while the appellants' comparables were from the subject's subdivision, the appellants did not "use any model matching." The subject's neighborhood includes over 40 Hunter's Models.

Using model matching, the township assessor provided a grid analysis of four suggested comparables located in the subject's neighborhood code and with the same "building classification" of "Hunter" as the subject dwelling. The comparables consist of two-story dwelling of frame and masonry exterior construction which range in age from 24 to 28 years old. The homes range in size from 2,847 to 2,977 square feet of living area. Each comparable has a basement, 3 or 4½ bathrooms, central air conditioning, a fireplace and a garage ranging in size from 619 to 694 square feet of building area. The comparables have improvement assessments ranging from \$138,861 to \$142,072 or from \$46.64 to \$48.90 per square foot of living area.

Based on the foregoing evidence and arguments, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellants address the board of review arguments of both "model matching" and "comparables." As to the model matching argument, the appellants contend at the time of purchase in 1996, nine differing home plans (with differing elevations) were offered. As the appellants did not care for any of the available designs, the appellants were allowed to provide their own building plans that complied with minimum size requirements and met the appellants' budget. Thus, the subject is a "Custom Two Story" dwelling which had a base sales price of \$262,610, which the appellants assert was well below the starting price of homes offered by the builder. Thus, the appellants contend that "model matching" is not possible as the subject's floor plan does not exist in any of the other dwellings in the subdivision.

As to the board of review's suggested comparable homes, the appellants argue that three of the four homes consist of three-car garages, superior to the subject's two-car garage. Three of the dwellings have brick facia whereas the subject is a frame dwelling. The appellants further noted differences in bedroom and bathroom count. Given the superior nature of several of these homes, the appellants question how the subject's overall improvement assessment can be higher than board of review comparables #1 and #4.

### **Conclusion of Law**

The taxpayers contend assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted a total of seven equity comparables to support their respective positions before the Property Tax Appeal Board which present varying degrees of similarity to the subject. Both parties presented dwellings of frame and masonry exterior construction whereas the subject has only frame exterior construction. Each of the comparables are similar to the subject in living area square footage, age, foundation type with finished area, central air conditioning and a fireplace. The primary differences appear to be in bathroom count and garage capacity.

The comparables presented by the parties have improvement assessments ranging from \$128,866 to \$142,072 or from \$43.30 to \$48.90 per square foot of living area. The subject's improvement assessment of \$139,420 or \$46.50 per square foot of living area falls within the range established by the comparables in this record both in terms of overall improvement assessment and on a per-square-foot of living area basis. In part, the appellants questioned the subject's improvement assessment given what the appellants determined to be inferior exterior construction, fewer bathrooms and/or lesser garage capacity when compared to several of the comparables in the record. The subject's improvement assessment and higher per square foot assessment appears logical when recognizing the principle of the economies of scale, where accepted real estate valuation theory provides that all factors being equal, as the size of the property increases, the per unit value decreases and vice versa. Based on this record and after considering appropriate adjustments to the comparables for differences in bathroom count, garage capacity and/or dwelling size when compared to the subject, the Board finds the appellants did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and 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: \_\_\_\_\_

December 17, 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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