



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

APPELLANT: Bonnie Stephens
DOCKET NO.: 23-04533.001-R-1
PARCEL NO.: 14-26-304-016

The parties of record before the Property Tax Appeal Board are Bonnie Stephens, 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: \$27,593
IMPR.: \$145,041
TOTAL: \$172,634

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 consists of a two-story dwelling of frame exterior construction with 3,733 square feet of living area. The dwelling was constructed in 2001. Features of the home include an English style basement that is unfinished, central air conditioning, two full bathrooms, one half bathroom, two fireplaces and a three-car garage.¹ The property has an approximately 1-acre site and is located in Crystal Lake, Nunda 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 properties that have the same assessment neighborhood code as the subject, one of which is located on the same street as the subject

¹ The subject's property record card provided by the board of review revealed the subject has an English style basement and an additional half bathroom, as well as a 1-acre site, which were not reported by the appellant nor were they refuted by the appellant.

property.² The appellant reported the comparables have sites that range in size from 3,596 to 4,679 square feet of land area. The comparables are improved with two-story dwellings of frame or frame and brick exterior construction ranging in size from 3,806 to 4,679 square feet of living area. The dwellings were built in 1994 or 2002. The comparables each have a basement, two of which have finished area. Each comparable has central air conditioning, three or four full bathrooms, a fireplace and a three-car garage. The comparables sold from May 2021 to May 2022 for prices ranging from \$456,500 to \$625,000 or from \$119.94 to \$135.50 per square foot of living area, including land. Based on this evidence, the appellant requested the subject's total assessment be reduced to \$166,201, which would reflect a market value of \$498,653 or \$133.58 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 \$172,634. The subject's assessment reflects a market value of \$517,954 or \$138.75 per square foot of living area, land included, when using the statutory level of assessment of 33.33%.³

In response to the appeal, the board of review submitted evidence prepared by the township assessor, which included a letter and the Property Tax Appeal Board's (PTAB's) grid analysis with information on two comparable properties. The assessor argued that there were errors on the appellant's comparable sales grid. The assessor provided a corrected grid analysis of the appellant's comparables, as well as the property record cards for each of these properties which identifies the appellant's comparable #1 by PIN 14-26-303-001 and depicts the three comparables with sites ranging from 1.07 to 1.25 acres of land of land area. Additionally, the property record cards disclosed each comparable has one or two half bathrooms and one or two fireplaces. The property record card for the appellant's comparable #3 revealed the property sold in June 2023 for \$725,000 or \$190.49 per square foot of living area, including land.⁴ The assessor also provided two maps depicting the locations of both parties comparables in relation to the subject. The board of review indicated in a letter that it adopts the attached evidence prepared by the township assessor.

In support of its contention of the correct assessment, the board of review submitted information on two comparable properties that have the same assessment neighborhood code as the subject and are located within .41 of a mile from the subject property. The board of review's evidence included property record cards for each comparable. The comparables have sites that contain 1 or 1.01 acres of land area. The comparables are improved with two-story dwellings of frame and brick exterior construction with 2,941 or 4,842 square feet of living area. The dwellings were built in 2000 or 2006. The comparables each have a basement with finished area, and one is a walk-out. Each comparable has central air conditioning, two or three full bathrooms, one or two

² The appellant indicated in the grid analysis that comparable #1 has the same property index number (PIN) as the subject, however, the property address and property characteristics differ from the subject.

³ 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.

⁴ The Board finds the property record card for the appellant's comparable #3 provided by the board of review does not depict a May 2021 sale of this property, as reported by the appellant.

half bathrooms, a fireplace and a three-car garage. The comparables sold in May and June 2023 for prices of \$565,000 and \$790,000 or for \$192.11 and \$163.16 per square foot of living area, including land, respectively. 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 a reduction in the subject's assessment is not warranted based upon the evidence in the record.

The record contains six comparable sales for the Board's consideration, as the appellant's comparable #3 reportedly sold twice. The Board has given less weight to the appellant's comparable #1 and the two comparables submitted by the board of review, which differ from the subject dwelling in size. The Board has also given reduced weight to the May 2021 sale of the appellant's comparable #3, which occurred less proximate in time to the January 1, 2023 than the other sales in the record.

The Board has given most weight to the appellant's comparable sale #2 and the June 2023 sale of the appellant's comparable #3. The Board finds these two sales occurred more proximate in time to the assessment date at issue and the comparables are relatively similar to the subject in location, site size, age, dwelling size, design, age and some features. These two properties sold in January 2022 and June 2023 for prices of \$545,000 and \$725,000 or for \$135.50 and \$190.49 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$517,954 or \$138.75 per square foot of living area, including land, which falls below the two best comparables sales in the record in terms of overall value but is bracketed by the best comparable sales in the record on a price per square foot basis. Based on this record and after considering adjustments to the best comparables for differences from 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: _____

January 21, 2025



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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