



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

APPELLANT: Danny Rains
DOCKET NO.: 23-04744.001-R-1
PARCEL NO.: 14-26-303-006

The parties of record before the Property Tax Appeal Board are Danny Rains, 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: \$36,792
IMPR.: \$175,178
TOTAL: \$211,970

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 2-story dwelling of brick and frame exterior construction with 4,646 square feet of living area. The dwelling was constructed in 1999. Features of the home include a walkout basement with finished area,¹ central air conditioning, two fireplaces, and a 3-car garage with 926 square feet of building area. The property has a one-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 sales located within the same assessment neighborhood code as the subject. The parcels range in size from 1.04 to 1.15 acres of land area and are improved with 2-story homes of frame or brick and frame exterior construction ranging

¹ Additional details regarding the subject not reported by the appellant are found in its property record card presented by the board of review and were not refuted by the appellant.

in size from 4,022 to 4,993 square feet of living area. The dwellings were built in 1994 and 2002. Each home has an English basement, one of which has finished area,² central air conditioning, one or two fireplaces, and a 3-car garage. The comparables sold from April 2020 to May 2022 for price ranging from \$455,000 to \$625,000 or from \$91.13 to \$135.50 per square foot of living area, including land. Based on this evidence the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$211,970. The subject's assessment reflects a market value of \$635,974 or \$136.89 per square foot of living area, land included, when using the statutory level of assessment of 33.33%.³

In support of its contention of the correct assessment the board of review submitted information on two comparable sales located within the same assessment neighborhood code as the subject. The comparables have 1.01 and 1.25 acre sites that are improved with 2-story homes of brick and frame exterior construction with 3,806 or 4,842 square feet of living area. The homes were built in 1994 and 2006 and feature a basement with finished area, one of which is a walkout and one of which is an English basement, central air conditioning, one or two fireplaces, and a 3-car garage with 748 or 845 square feet of building area. The comparables sold in June 2023 for prices of \$725,000 and \$790,000 or \$190.49 and \$163.15 per square foot of living area, including land.

The board of review submitted a brief from the township assessor's office contending that the subject last sold in April 2016 for a price of \$537,500. 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.Adm.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.Adm.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 five comparable sales and evidence of an April 2016 sale of the subject. The Board gives less weight to the subject's 2016 sale as it occurred more remote in time from the assessment date and is less likely to be indicative of market value as of that date. The Board gives less weight to the appellant's comparable #1, which sold less proximate in time to the assessment date than the other sales in this record, and to the appellant's comparable #3

² Additional details regarding the comparables not reported by the appellant are found in their property record cards presented by the board of review and were not refuted by the appellant.

³ Section 1910.50(c)(1) of the Board's procedural rules 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. Adm. Code § 1910.50(c)(1). As of the development of this Final Administrative Decision, the Department of Revenue has not published figures for tax year 2023.

and the board of review's comparable #2, which are less similar to the subject in dwelling size than the other sales in this record.

The Board finds the best evidence of market value to be the appellant's comparable #2 and the board of review's comparable #1, which sold more proximate in time to the assessment date and are similar to the subject in dwelling size, age, location, site size, and most features. These most similar comparables sold for prices of \$625,000 and \$790,000 or \$133.58 and \$163.15 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$635,974 or \$136.89 per square foot of living area, including land, which is bracketed by the best two comparable sales in this record. Based on this evidence and after considering appropriate 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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