



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

APPELLANT: Brian Palmer  
DOCKET NO.: 23-04763.001-R-1  
PARCEL NO.: 10-20-277-009

The parties of record before the Property Tax Appeal Board are Brian Palmer, 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:** \$108,147  
**IMPR.:** \$78,766  
**TOTAL:** \$186,913

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-story dwelling of aluminum siding exterior construction with 2,091 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,<sup>1</sup> central air conditioning, one fireplace, and a 2-car attached garage with 572 square feet of building area. The property has a 26,136 square foot lakefront site and is located in McHenry, McHenry 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 that are located in different

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<sup>1</sup> The parties disagree as to the description of the subject's basement; however, the Board finds the best description was found in the property record card presented by the board of review which disclosed the subject had a walkout basement with finished area and was unrefuted by the appellant.

neighborhood codes than the subject. The comparables have sites ranging in size from approximately 30,682 to 69,850 square feet of land area. The properties are improved with 1-story or 2-story dwellings ranging in size from 2,778 to 3,902 square feet of living area. The homes were built from 1910 to 1982. Each comparable has a 1,906 to 2,778 square foot basement, central air conditioning, and one fireplace. One comparable has a garage with 744 square feet of building area. The three properties sold from June 2021 to October 2022 for prices ranging from \$480,000 to \$652,000 or from \$158.89 to \$212.79 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's assessment be reduced to \$120,499, which would reflect a market value of \$361,533 or \$172.90 per square foot of living area, land included, 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 \$186,913. The subject's assessment reflects a market value of \$560,795 or \$268.19 per square foot of living area, land included, when using the statutory level of assessment of 33.33%.<sup>2</sup>

In support of its contention of the correct assessment the board of review submitted information on three comparable sales that are located from 0.21 of a mile to 3.82 miles from the subject property, one of which is located in the subject's assessment neighborhood. Comparable #1 was described as a lake front property while comparables #2 and #3 were identified as river front properties. The comparables have sites ranging in size from approximately 8,400 to 23,086 square feet of land area. The properties are improved with 1-story or 1-story/2-story, dwellings of frame or brick and vinyl siding exterior construction ranging in size from 1,614 to 2,304 square feet of living area. The homes range in age from 58 to 77 years old. Two comparables each have a basement, one of which is a walkout style with finished area, and one comparable is reported to lack a basement foundation. Each comparable has central air conditioning, one fireplace, and either one or two garages that range in size from 462 to 930 square feet of building area. The comparables sold from May 2022 to July 2023 for prices ranging from \$515,000 to \$625,000 or from \$240.21 to \$387.24 per square foot of living area, land included.

The board of review asserted the appellant's comparables were too large to be used as comparables while two of the three board of review comparables sold for higher sale prices than the subject (estimated market value based on its assessment) and "without basements." The board of review noted that the sale date for the appellant's comparable #2 occurred in 2021, "too far from the valuation date" and the appellant's comparable #3 was not a waterfront property. The board of review also provided a second grid with adjustments for some of the features of its comparables properties which differed from the subject and opined that based on these adjustments the "Indicated Value of Subject" was \$632,550. Based on this evidence, the board of review contends these sales support the assessment.

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<sup>2</sup> 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.

### **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 six comparable sales for the Board's consideration. The Board finds that only board of review comparable #1 is reported to be a lakefront property, like the subject, and located in the subject's assessment neighborhood. Nevertheless, the Board gives less weight to the appellant's comparables which are substantially larger homes than the subject. Further, the appellant's comparable #2 sold in 2021 occurring less proximate in time to the subject's January 1, 2023 assessment date at issue than the other comparables in this record.

The Board finds the best evidence of market value to be the board of review comparables which sold proximate in time to the January 1, 2023 assessment date at issue. The Board finds these comparables have varying degrees of similarity to the subject. Each comparable is a substantially older home than the subject, two comparables are riverfront properties, unlike the subject which is a lakefront property, one comparable lacks a basement foundation, two comparables each have a substantially smaller basement than the subject, and the comparable with the basement has substantially less basement finish than the subject suggesting upward adjustments for these differences would be necessary to make them more comparable to the subject. Conversely, one comparable has an additional garage and one comparable has a substantially larger garage than the subject suggesting downward adjustments for these differences would be appropriate for equivalency with the subject. These aforementioned adjustments would be in addition to any other adjustments deemed necessary. Nevertheless, these properties sold for prices ranging from \$515,000 to \$625,000 or from \$240.21 to \$387.24 per square foot of living area, land included. The subject's assessment reflects a market value of \$560,795 or \$268.19 per square foot of living area, land included land, which falls within the range established by the best comparables sales in this record. After considering adjustments to the best comparables for differences 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: \_\_\_\_\_

February 18, 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

AGENCY

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