



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

APPELLANT: Stephen Poltera
DOCKET NO.: 23-04927.001-R-1
PARCEL NO.: 09-26-479-002

The parties of record before the Property Tax Appeal Board are Stephen Poltera, the appellant; and the McHenry County Board of Review.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **A Reduction** 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: \$30,000
IMPR.: \$82,000
TOTAL: \$112,000

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 parties appeared before the Property Tax Appeal Board on January 14, 2026, for a hearing at the McHenry County Administrative Building in Woodstock pursuant to prior written notice dated November 13, 2025. Appearing was Stephen Poltera, the appellant, and on behalf of the McHenry County Board of Review were members Michael Grebenick and Rebekkah Burtcher, along with the board of review's witnesses, Alejandro Benitez, Chief County Assessment Officer for McHenry County and Mary Mahady, McHenry Township Assessor.

The subject property consists of a 1-story dwelling of frame construction with 1,263 square feet of living area. The dwelling was constructed in 1930 and is approximately 93 years old. Features of the home include a crawl space foundation, central air conditioning and a 308 square foot 1-car garage. The property has an approximately 11,020 square foot site including 162 linear feet of riverfront 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 an appraisal estimating the subject property had a market value of \$336,000 as of January 1, 2023. The appraisal was prepared by Daniel Laino, a Certified Residential Real Estate Appraiser. The appraisal was developed to establish the fair market value of the property as of January 1, 2023. The appraiser described the subject's seawall as deteriorating and included photographs to support this condition.

In estimating the market value of the subject property, the appraiser developed the sales comparison and cost approaches to value.

For the sales comparison approach, the appraiser selected six comparable sales located from 0.03 of a mile to 3.07 miles from the subject property. The comparables have sites that range in size from 7,680 to 15,819 square feet of land area and river frontage ranging from 40 to 132 linear feet. The parcels are improved with ranch or 1.5-story dwellings of average quality construction that range in size from 1,125 to 2,111 square feet of living area. The homes range in age from 57 to 120 years old. Two comparables have unfinished basements and four comparables have no basement. Five properties have a 2-car or a 4-car garage, three homes have central air conditioning and three properties each have one fireplace. The comparables sold from January to September 2022 for prices ranging from \$230,000 to \$415,000 or from \$189.48 to \$316.91 per square foot of living area, land included.

After adjusting comparables #1, #2 and #4 for date of sale, the appraiser adjusted the comparables for differences with the subject in site size, river frontage, condition, dwelling size, basement area, garage capacity, fireplace count and condition of seawall arriving at adjusted sale prices for the comparables ranging from \$282,018 to \$372,916 and an opinion of market value for the subject of \$336,000 under the sales comparison approach. The appraiser indicated on page 5 of the report that more weight was given to comparable #2 due to its similar proximity to busy roadways and the same pump station.

In developing the cost approach to value, the appraiser selected four comparable land sales to conclude an opinion of the subject's site value of \$90,000. The appraiser determined the total replacement cost of the subject improvements, assuming an "Avg/Gd" quality rating, of \$387,636, physical depreciation was estimated to total \$116,291 and the cost of the "As-Is" value of the site improvements of \$4,000. Adding the land value, replacement costs less depreciation and site improvements, the appraiser arrived at an indicated value for the subject, under the cost approach of \$365,345.

In reconciling the two approaches to value, the appraiser stated the sales comparison analysis is given greatest consideration as it reflects current market participants with reduced consideration given to the cost approach, arriving at an estimated opinion of market value for the subject of \$336,000.

Mr. Poltera testified the subject site is located eight feet from a sewer pump station which can generate noise and odor; is located approximately 140 feet from State Highway 120 which has an average daily vehicle count of 19,300. Across the street from the subject is a used vehicle lot which the Poltera testified generates noise unloading vehicles, particularly at night or early morning hours, and which also has spot lights that are on all night. Poltera testified he purchased

a device to measure the noise level inside the subject dwelling which he stated averaged 67.5 decibels as compared to EPA guidelines of 40-50 decibels inside a home. Poltera testified appraisal comparable #2 is next door to the subject and suffers from the same external influences as the subject property, although he further stated this property is superior to the subject with a larger dwelling size, an additional bathroom, a larger garage and it does not require seawall repairs.

Based on this evidence, the appellant requested the subject's assessment be reduced to reflect the appraised value of the subject property.

Under cross examination Poltera responded to Mr. Grebenick, McHenry County Board of Review member, testifying he is a Real Estate Broker and listed the subject property for \$599,000 which he lowered to \$550,000, in an effort to test the market. Poltera testified that after 30 days he received no calls and no showings and cancelled the listing. Ms. Burtcher, McHenry County Board of Review member, asked if the appellant resided at the subject property, Poltera testified he occasionally stays there, which is why he is aware of the site influences previously described.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$119,988. The subject's assessment reflects a market value of \$360,000 or \$285.04 per square foot of living area, land included, when using the 2023 three-year average median level of assessment for McHenry County of 33.33% as determined by the Illinois Department of Revenue. The board of review's Notes included an offer to stipulate to a total assessment for the subject property of \$115,988 which was rejected by the appellant by letter dated September 16, 2024.

In support of its contention of the correct assessment the board of review submitted information on four comparables located from 0.60 of a mile to 3.07 miles from the subject property. Board of review comparables #1 and #2 are the same properties as appraisal comparables #3 and #4. The comparables have sites that range in size from 8,811 to 10,942 square feet of land area and are improved with 1-story or 1.5-story dwellings of vinyl or aluminum exterior ranging in size from 1,008 to 1,456 square feet of living area. The homes range in age from 69 to 98 years old. Each comparable lacks a basement foundation and has central air conditioning. Three dwellings each have one fireplace and three comparables have a garage ranging in size from 300 to 960 square feet of building area. The comparables sold from June 2022 to July 2023 for prices ranging from \$325,912 to \$405,000 or from \$263.26 to \$401.79 per square foot of living area, land included.

The board of review also submitted a table labeled "waterfront lot sales data" reporting eight land sales which range in riverfront footage from 50 to 129 linear feet. Three of the land sales were also used by the appraiser. The sites sold from September 2020 to March 2024 for prices ranging from \$62,000 to \$225,000 or from \$543 to \$3,750 per linear foot of shoreline.

Mr. Grebenick, called his witness Mary Mahady, McHenry Township Assessor. Mahady testified she has been a Certified Illinois Assessing Officer since 1977 and a Real Estate Broker since 1987. In both written comments and oral testimony Mahady critiqued appraisal comparables #1 and #2 arguing the dwellings are more than 800 square feet larger than the

subject property. Mahady testified she disagreed with the appraiser's adjustments listing her own adjustments for various elements. Mahady testified she has extensive knowledge of riverfront property and noted the appraiser made no adjustment to the comparables to account for the site influences alleged by the appellant.

Based on this evidence, the board of review requested the subject's assessment be confirmed.

In response to questions from the ALJ, Mahady testified she is not an appraiser and that she bases her adjustments on other appraisal reports she has analyzed. With respect to appraisal comparable #2, located next door to the subject, Mahady reiterated the property has a substantially larger dwelling size and that she considers more similar sized dwellings to be better comparables.

Grebenick added that he researched the appraisal comparables and found appraisal comparable #1 sold at an estate sale and that he believes the best comparables are those provided by the board of review.

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 met this burden of proof and a reduction in the subject's assessment is warranted.

The appellant submitted an appraisal, and the board of review submitted four comparable sales, two of which were also selected by the appraiser, for the Board's consideration. The parties also submitted evidence to support the land value of the subject property.

The Board finds the subject property has unique site elements, specifically its proximity to a busy street, a sewer pump station and commercial property, which was not refuted by the board of review. Furthermore, the subject's seawall is documented to be in need of repair, which also was not refuted by the board of review. The Board gives less weight to the board of review's comparables which represent unadjusted sales when compared to the appraisal comparables which are adjusted to reflect differences from the subject property. The Board also gives less weight to the board of review land sales table, three of which were also used by the appraiser in developing an opinion of land value for the subject property.

The Board finds the best evidence of market value to be the appraisal submitted by the appellant. The appraiser made adjustments to the selected comparables to account for differences from the subject in age, condition, dwelling size, river frontage and other features. The subject's assessment reflects a market value of \$360,000 or \$285.04 per square foot of living area, including land, which falls above the appraised value. The Board finds the subject property had a market value of \$336,000 with a land value of \$90,000 as of the assessment date at issue. Therefore, the Board finds a reduction, commensurate with the appellant's request, is warranted.

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

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 17, 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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