



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

APPELLANT: Fred Schultz  
DOCKET NO.: 24-03245.001-R-1  
PARCEL NO.: 09-13-327-007

The parties of record before the Property Tax Appeal Board are Fred Schultz, 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:** \$38,656  
**IMPR.:** \$213,896  
**TOTAL:** \$252,552

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 2024 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 1-story dwelling of frame and masonry exterior construction with 2,998 square feet of living area. The dwelling was constructed in 1993 and is approximately 31 years old. Features of the home include a walk-out basement with finished area, central air conditioning, two fireplaces, an 884 square foot garage and an inground swimming pool. The channel front property has an approximately 26,910 square foot site and is located in Johnsburg, 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 located within 0.88 of a mile from the subject property.<sup>1</sup> The comparables have channel or river front sites that range in size from

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<sup>1</sup> Some property characteristics, not provided by the appellant, were found in a supplemental grid of the appellant's comparable properties, submitted by the board of review and not refuted by the appellant.

19,800 to 27,829 square feet of land area and are improved with 1-story dwellings of frame or masonry exterior construction ranging in size from 2,036 to 3,204 square feet of living area. The dwellings range in age from 54 to 72 years old. One comparable has a walk-out basement with finished area and two comparables have no basement foundation. Each dwelling has central air conditioning, one or two fireplaces and a garage ranging in size from 550 to 912 square feet of building area. Comparable #1 has an inground swimming pool<sup>2</sup> and comparable #3 has a greenhouse amenity. The properties sold from April to September 2023 for prices ranging from \$530,000 to \$612,000 or from \$191.01 to \$238.21 per square foot of living area, land included. Based on this evidence, the appellant requested the subject's total assessment be reduced to \$192,232 which reflects a market value of \$576,754 or \$192.38 per square foot of living area, land included, when applying the statutory level of assessment of 33.33%.

The board of review, through the McHenry Township Assessor, critiqued the appellant's comparables contending comparables #2 and #3 lack a basement foundation when compared to the subject's finished walk-out basement.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$252,312. The subject's assessment reflects a market value of \$757,012 or \$252.51 per square foot of living area, land included, when using the statutory level of assessment of 33.33%.<sup>3</sup>

In support of its contention of the correct assessment the board of review submitted three grids and photographs with information on four comparable sales located from 0.03 of a mile to 2.79 miles from the subject property. Board of review comparable #1 is the same property as the appellant's comparable #1. The comparables have channel, river or lake front sites that range in size from 11,033 to 71,232 square feet of land area and are improved with 1-story, 1.5-story or 2-story dwellings of with a combination of frame, brick, aluminum or stone exterior construction ranging in size from 2,131 to 4,450 square feet of living area. The homes range in age from 20 to 60 years old. Each comparable has a walk-out basement, three of which have finished area. Each dwelling has central air conditioning, one or two fireplaces and a garage ranging in size from 460 to 1,133 square feet of building area. Comparable #1 has an inground swimming pool and two comparables have a screen porch amenity. The properties sold from September 2023 to September 2024 for prices ranging from \$612,000 to \$1,250,000 or from \$191.01 to \$376.39 per square foot of living area, land included. Based on this evidence, the board of review requested the subject's assessment be confirmed.

In rebuttal, the appellant critiqued the board of review's comparables contending comparable #2 differs from the subject in dwelling size, comparable #3 is a lake front property and differs from the subject in design while comparable #4 has a superior number of bathrooms, a larger site size and is a 2-story design making this property an unsuitable comparable sale.

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<sup>2</sup> The Board finds appellant comparable #1/board of review comparable #1, based on photographs submitted by the board of review, has an inground swimming pool, which was not refuted by the appellant.

<sup>3</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 2024.

### **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 six comparable sales for the Board's consideration, as one property was common to both parties. The Board gives less weight to appellant comparables #2 and #3 which lack a basement foundation like the subject. The Board gives less weight to board of review comparables #3 and #4 which are less similar to the subject in site size, location and/or dwelling size than other properties in the record.

The Board finds the best evidence of market value to be appellant comparable #1 along with board of review comparables #1 and #2, including the parties common property, which are more similar to the subject in location, basement amenity and other features. However, one comparable is older in age relative to the subject, while the other comparable has a smaller dwelling size and lacks an inground swimming pool, suggesting an upward adjustments are needed to make these comparables more equivalent to the subject. These two comparables sold in September 2023 and August 2024 for prices of \$612,000 and \$750,000 or \$191.01 and \$351.95 per square foot of living area, including land. The subject's assessment reflects a market value of \$757,012 or \$252.51 per square foot of living area, including land, which falls just above the two best comparable sales in this record, on an overall market value basis and is bracketed by the two best comparables on a per square foot basis. 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 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



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: March 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

AGENCY

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