



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

APPELLANT: Cindy Abitua  
DOCKET NO.: 24-03651.001-R-1  
PARCEL NO.: 19-26-176-042

The parties of record before the Property Tax Appeal Board are Cindy Abitua, 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:** \$78,853  
**IMPR.:** \$187,787  
**TOTAL:** \$266,640

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 2-story dwelling of frame and brick exterior construction with 3,865 square feet of living area.<sup>1</sup> The dwelling was constructed in 2017 and is approximately 7 years old. Features of the home include a basement, central air conditioning, two fireplaces, a 1,016 square foot attached garage, a 1,623 square foot detached garage and an inground swimming pool. The property has an approximately 68,923 square foot waterfront site and is located on Algonquin, Algonquin Township, McHenry County.

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<sup>1</sup> The Board finds the best description of the subject property is found in the subject's property information printout provided by the board of review, which contained schematic diagrams and dimensions of the improvements that were not refuted by the appellant. The aerial photo submitted by the board of review depicts the subject site as a waterfront property.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparable properties. The appellant did not provide the assessment neighborhood codes for the comparables, nor did the appellant provide the proximity of the comparables in relation to the subject property. The comparables have sites that range in size from approximately 21,344 to 57,499 square feet of land area. The comparables are improved with 1.5-story or 2-story dwellings of frame exterior construction ranging in size from 3,047 to 4,005 square feet of living area. The dwellings were built from 1957 to 2002. The comparables each have a basement, one of which has finished area. Each comparable has central air conditioning, a fireplace and a garage ranging in size from 475 to 837 square feet of building area. The comparables sold from September 2023 to June 2024 for prices ranging from \$382,500 to \$679,000 or from \$125.53 to \$195.79 per square foot of living area, including land.

In a summary in support of the petition, counsel for the appellant provided a copy of a sales grid prepared by the township assessor, suggesting a reduction in the subject's total assessment to \$258,581. Counsel requested a reduction be granted to the amount stated in the sales grid supplied by the Algonquin Township Assessor.

Based on this evidence, the appellant requested the subject's total assessment be reduced to \$172,619, which would reflect a market value of \$517,909 or \$134.00 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 \$266,640. The subject's assessment reflects a market value of \$800,000 or \$206.99 per square foot of living area, land included, when using the statutory level of assessment of 33.33%.<sup>2</sup>

In response to the appeal, the board of review submitted a memorandum arguing that the appellant did not list the inground pool or the second four-car garage for the subject property. The board of review asserted that none of the appellant's comparables are waterfront properties, like the subject. The board of review also revealed that the appellant's comparable #1 sold on December 30, 2024 for \$720,000 or \$207.61 per square foot of living area, including land, which is closer in time to the January 1, 2024 assessment date than the sale for this property provided by the appellant.

In support of its contention of the correct assessment the board of review, through the township assessor submitted information on five comparable properties. Comparables #1, #2 and #3 are waterfront properties on the Fox River in Algonquin Township, like the subject. Comparables #4 and #5 are waterfront properties on the Fox River that are located in Nunda Township, which is north of Algonquin Township. The comparables are located from .14 of a mile to 13 miles from the subject property. The comparables have sites that range in size from approximately 7,130 to 22,627 square feet of land area. The comparables are improved with 2-story dwellings of frame or frame and brick exterior construction ranging in size from 2,039 to 3,302 square feet

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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 2024.

of living area. The dwellings were built from 1931 to 2021. Comparable #1 has a basement. Each comparable has central air conditioning. Four comparables each have a fireplace. Comparables #1 through #3 each have a garage ranging in size from 420 to 625 square feet of building area. Comparables #4 and #5 each have a two-car garage. Comparable #5 has a coach house. The comparables sold from May 2023 to April 2024 for prices ranging from \$524,900 to \$950,000 or from \$219.84 to \$294.85 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In written rebuttal, counsel for the appellant pointed out differences in location, dwelling size and age between the board of review comparables and the subject. Counsel argued that the county has submitted nothing to properly refute the appellant's request for a reduction in 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 the appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted eight comparable sales for the Board's consideration. The Board has given less weight to the appellant's three comparables which are not waterfront properties, like the subject. The Board has given reduced weight to board of review comparables #1, #4 and #5 due to their distant locations from the subject being more than 2 miles away.

The Board finds board of review comparables #2 and #3 are waterfront properties on the Fox River and are located in closest proximity to the subject. However, the Board finds both comparables are inferior to the subject in that they have substantially smaller site sizes and dwelling sizes. The dwellings are also 41 and 68 years older than the subject and lack a basement foundation, a feature of the subject. The dwellings also differ from the subject in fireplace count, garage size and number of garages. Additionally, both comparables lack an inground swimming pool, a feature of the subject. These differences suggest upward adjustments would be required to make the comparables more equivalent to the subject. Nevertheless, the two comparables sold in May and June 2023 for a price of \$585,000 and \$599,999 or for \$219.84 and \$294.26 per square foot of living area, including land, respectively. The subject's assessment reflects a market value of \$800,000 or \$206.99 per square foot of living area, including land, which is greater than the two best comparables in the record in terms of overall value but is less than the comparables on a price per square foot of living area basis. The subject's higher overall market value appears to be logical, given the subject's substantially larger site size and dwelling size, as well as considering the dwelling's superior age and features. After considering adjustments to the best comparables for differences when compared to the subject, the Board finds the subject's estimated market value as reflected by its assessment is supported and 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

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

AGENCY

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