



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

APPELLANT: Tom Settles
DOCKET NO.: 24-03778.001-R-1
PARCEL NO.: 10-18-479-042

The parties of record before the Property Tax Appeal Board are Tom Settles, 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: \$80,066
IMPR.: \$271,057
TOTAL: \$351,123

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 two dwellings.¹ House #1 is a part 1.5-story and part 1-story dwelling of frame exterior construction with 4,072 square feet of living area that was built in 1988 and features a crawl space foundation with a 72 square foot basement area, central air conditioning, a fireplace and an 807 square foot attached garage. House #2 is a 2-story dwelling of frame exterior construction with 1,152 square feet of living area that was built in 1920 and features a crawl space foundation and a 690 square foot attached garage. The property has an approximately 36,100 square foot bay front site and is located on Pistakee Lake, a part of the Chain of Lakes in Johnsburg, McHenry Township, McHenry County.

¹ The Board finds the best evidence of the description of the subject property is found in the property record card provided by the board of review. The property record card depicts the subject property consisting of two separate dwellings shown as "House #1" and "House #2" and includes a schematic diagram, measurements and descriptions of each dwelling, which was unrefuted by the appellant.

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 20,080 to 44,795 square feet of land area. The comparables are improved with 2-story or 4-story dwellings ranging in size from 3,315 to 3,775 square feet of living area, two of which have masonry exterior construction. The dwellings were built from 1925 to 1999. Comparable #1 has a basement. No data was provided with respect to the foundations of comparables #2 and #3. Each comparable has central air conditioning, two comparables each have one or two fireplaces and two comparables each have a garage containing either 792 or 861 square feet of building area. The comparables sold from April 2022 to March 2023 for prices ranging from \$625,000 to \$900,000 or from \$176.85 to \$253.39 per square foot of living area, including land.

Based on this evidence and having described only "House #1" in the evidence, the appellant requested the subject's assessment be reduced to \$323,569 reflecting a market value of approximately \$970,804, 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 \$351,123. The subject's assessment reflects a market value of \$1,053,474, land included, when using the statutory level of assessment of 33.33%.² Given the two dwellings have a combined living area of 5,224 square feet, the subject has a market value of \$201.66 per square foot of living area, including land.

In response to the appeal, the board of review submitted a memorandum prepared by the township assessor. The assessor did not consider the appellant's comparables, since comparables #1 and #3 sold in 2023 and comparable #2 is a 2-story bi-level.³

In support of its contention of the correct assessment the board of review, through the township assessor submitted information on three comparables that are described as bay front properties that are located from .06 to .70 of a mile from the subject property. The aerial photographs included with the submission depict the locations of the comparables in relation to the subject property, all of which are on Pistakee Lake. The comparables have sites that range in size from 13,068 to 48,095 square feet of land area. The comparables are improved with two-story dwellings of frame and stone, frame or frame and brick exterior construction ranging in size from 4,606 to 5,253 square feet of living area. The dwellings are from 18 to 42 years old. The comparables each have a basement with finished area, central air conditioning, two fireplaces

² 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.

³ The parties differ as to what year the appellant's comparables #1 and #3 sold and as to the description of the appellant's comparable #2. The appellant reported these two properties sold in 2022, whereas the assessor's memorandum submitted by the board of review reported these two properties sold in 2023. The appellant described comparable #2 as a 4-story dwelling, whereas the board of review described the dwelling as a 2-story bi-level. Neither party submitted additional documentary evidence to support their contentions.

and two garages that range in size from 220 to 1,268 square feet of building area. Two comparables each have an inground swimming pool and pool enclosure. The comparables sold from July 2023 to October 2024 for prices ranging from \$1,500,000 to \$1,650,000 or from \$314.11 to \$347.37 per square foot of living area, including land.

The assessor submitted a supplemental grid analysis for its comparables, where the assessor made market value adjustments to the comparables for differences from the subject resulting in adjusted prices that range from \$1,238,655 to \$1,516,100.

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.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 suggested comparable sales for the Board's consideration. The Board finds neither party submitted comparables that were truly similar to the subject due to significant differences in location, number of dwellings, dwelling size, age and/or features. Nevertheless, the Board gives less weight to the comparables submitted by the appellant which sold in 2022, less proximate in time to the assessment date at issue than other sales in the record and/or they have dwellings that are significantly older in age, when compared to the subject.

The Board finds the best evidence of market value to be the three comparables submitted by the board of review comparables, which sold more proximate in time to the January 1, 2024 assessment date. Despite that none of these comparables have an additional dwelling like the subject property, these comparables are overall more similar to the subject in location. These three properties sold from July 2023 to October 2024 for prices ranging from \$1,500,000 to \$1,650,000 or from \$314.11 to \$347.37 per square foot of living area, including land. The subject's assessment reflects a market value of \$1,053,474 or \$201.66 per square foot of living area, when using the combined living area of the two dwellings including land, which is below the range established by the best comparable sales in this record both in terms of overall value and on a price per square foot of living area basis. Based on this record and after considering adjustments to the best comparable sales for differences when compared to the subject, the Board finds no reduction in the subject's estimated market value as reflected by its assessment is 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: _____

December 23, 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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