



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

APPELLANT: Jeffery & Theresa Lichte
DOCKET NO.: 08-03523.001-R-1
PARCEL NO.: 09-26-128-044

The parties of record before the Property Tax Appeal Board are Jeffery & Theresa Lichte, the appellants; and the McHenry County Board of Review.

Based on the facts and exhibits presented, 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: \$12,721
IMPR.: \$69,197
TOTAL: \$81,918

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of an 8,750 square foot parcel improved with a 1.5 story frame dwelling that was built in 1986. The subject contains 2,413 square feet of living area, a partial finished basement, air-conditioning and a 2.5 car garage.

The appellants appeared before the Property Tax Appeal Board contending the market value of the subject property is not accurately reflected in its assessed valuation. In support of this overvaluation argument, the appellants submitted a grid analysis of three comparable sales located in close proximity to the subject and a comparable sales analysis containing 10 sales comparables. Comparable #1 in each grid analysis is the same property and the size and date of sale for comparable #2 and #3 of the appellant's grid was not reported. Therefore, the Board will only consider the market analysis comparable sales in this decision. The comparables were one-story or split level frame or brick and frame dwellings that were described as ranging in age from 11 to 50 years old. Each comparable was described as having a full or partial basement with seven having some finished basement area. Six of the comparables were reported as ranging

in size from 1,952 to 2,520 square feet of living area. Four of the comparables sold from November 2009 to July 2010 for prices ranging from \$182,000 to \$200,000 or from \$75.83 to \$94.26 per square foot of living area, including land. The six other comparables were active sale listings which ranged from \$174,900 to \$229,900. The appellants submitted the final decision issued by the McHenry County Board of Review establishing a total assessment for the subject of \$81,918, which reflects a market value of approximately \$246,444 or \$102.13 per square foot of living area, including land, using the 2008 three-year median level of assessments for McHenry County of 33.24% as determined by the Illinois Department of Revenue. Based on this evidence the appellants requested the subject's total assessment be reduced to \$79,340 or a market value of \$238,688.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$81,918 was disclosed. In support of the assessment, the board of review submitted a grid analysis detailing six suggested comparable sales. The comparables were split-level, 1.5 story or 2 story frame dwellings built from 1986 to 1989. Proximity of the comparables to the subject was not disclosed, however, three of the comparables are located on the same street as the subject. The homes ranged in size from 1,388 to 2,113 square feet of living area. Three of the comparables have a partial basement. Information regarding the parcel size for each comparable was not disclosed. The homes sold from May to December 2007 for prices ranging from \$185,000 to \$241,000 or from \$99.33 to \$133.29 per square foot of living area, including land.

After hearing the testimony and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The Board further finds the evidence in the record does not support a reduction in the subject's assessment.

The appellants contend 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. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3rd Dist. 2002). The Board finds the appellants have not met this burden of proof and a reduction in the subject's assessment is not warranted.

The appellants in this appeal submitted ten comparables for consideration, four of which were actual sales. The board of review submitted six comparable sales. The Board gave less weight to the appellants' comparables #7, #8 and #10 because the sale dates were from 15 to 19 months after the January 1, 2008 assessment date and are not indicative of the subject's fair market value on the assessment date in question. In addition, the Board gave less weight to the appellants' comparable #9 because this property is significantly older than the subject. The Board also gave less weight to the board of review's

comparables #1, #4, #5 and #6 because these properties were dissimilar to the subject in size, basement and/or design when compared to the subject. The Board finds the board of review's comparable #2 and #3, located on the same street as the subject are the most similar comparables in this record. These properties sold in July or December 2007 for \$209,000 and \$241,000 or for \$99.33 and \$114.06, respectively, per square foot of living area, including land. The subject's assessment reflects a market value of \$246,444 or \$102.13 per square foot of living area, including land, which only slightly higher than the established range, but is within the range on a per-square-foot basis. After considering the adjustments and differences between these properties and the subject, the Board finds the subject's assessment is reflective of its fair market value. Based on this analysis, the Board finds the subject's estimated market value as reflected by its assessment is not excessive.

In conclusion, the Board finds the appellants have not demonstrated the subject property was overvalued by a preponderance of the evidence. Therefore, the Board finds the subject property's assessment as established by the board of review is correct and a reduction 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.

Ronald R. Cuit

Chairman

K. L. Fern

Member

Frank A. Huff

Member

Mario Morris

Member

J.R.

Acting Member

DISSENTING: _____

C E R T I F I C A T I O N

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, 2011

Allen Castrovillari

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 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 the subsequent year 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.

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.