FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Norman Larsen
DOCKET NO.: 09-03162.001-R-1
PARCEL NO.: 14-26-304-012

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

Based on the facts and exhibits presented, 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:	$22,402
IMPR.:	$96,248
TOTAL:	$118,650

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 43,560 square foot parcel improved with a two-story brick and frame dwelling containing 2,891 square feet of living area built in 2000. Features include a partial unfinished basement, central air conditioning, a fireplace and a 3-car garage. The subject is located in Nunda Township, Crystal Lake, Illinois.

The appellant appeared before the Property Tax Appeal Board claiming overvaluation and unequal treatment in the assessment process as the bases of the appeal. In support of these claims, the appellant submitted a grid analysis detailing seven comparable properties, property record cards and photographs.[1] The appellant's comparables are located from one block to four miles from the subject. The comparables are situated on lots ranging in size from 33,541 to 55,757 square feet of land area. The comparables are improved with two-story frame or frame and

[1] At hearing, the appellant requested the Property Tax Appeal Board to also use the board of review's comparables in support of his claim. For its equity analysis, the board of review utilized the appellant's comparables and added one additional comparable.

brick dwellings that ranged in age from 14 to 31 years old. The homes have central air conditioning; six have at least one fireplace and each has a partial basement and a 3-car garage. The comparables range in size from 2,596 to 4,260 square feet of living area. The comparables have land assessments ranging from $25,203 to $31,665. The subject has a land assessment of $22,402.[2] The comparables have improvement assessments ranging from $95,078 to $160,273 or from $30.70 to $40.08 per square foot of living area. The subject has an improvement assessment of $119,658 or $41.39 per square foot of living area.

Sales information provided by the appellant indicates the same comparables sold from October 1994 to September 2009 for prices ranging from $307,379 to $383,000 or from $77.09 to $127.12 per square foot of living area, including land. The subject's assessment of $142,060[3] reflects a market value of $426,223 or $147.43 per square foot of living area, including land, using the statutory level of assessments. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of $142,060 was disclosed. In support of the subject's assessment, the board of review submitted a letter from the Nunda Township Assessor, a sales grid analysis and an equity grid analysis. The six equity comparables are located in the same subdivision as the subject. The comparables are two-story frame or frame and brick dwellings built from 1993 to 2000. They have central air conditioning; five have at least one fireplace, partial unfinished basements and a 3-car garage. The comparables range in size from 2,940 to 4,260 square feet of living area and are situated on lots ranging from 1.00 to 1.46 acres of land area. They have improvement assessments ranging from $131,830 to $160,273 or from $33.06 to $52.07 per square foot of living area. The comparables have land assessments ranging from $22,402 to $30,804.

The board of review also submitted five sales comparables utilizing four of the appellant's comparables with the addition of one comparable. The additional sale comparable is a two-story frame and brick dwelling built in 2000. This property has a full unfinished basement, air conditioning, a fireplace and a 3-car garage. The sales grid analysis depicts all of the comparables sold from November 2008 to September 2009 for prices ranging from $315,000 to $422,500 or from $94.15 to $133.03 per square foot of living area, including land. Based on this evidence, the board of review requested the subject's assessment be reduced to $140,489 or $48.60 per square foot of living area, including land, which would reflect a market value of $421,509 or $145.80 per square foot of living area, including land.

[2] The record depicts the subject's land is assessed utilizing a site value method.
[3] The subject's total assessment was incorrectly reported to be $143,615.

After hearing the testimony and considering the evidence the Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The appellant contends assessment inequity as one basis of the appeal. The Illinois Supreme Court has held that taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessments by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. After an analysis of the assessment data, the Board finds the appellant has not met this burden on this basis.

The Board finds both parties utilized comparable presented by each party in support of their respective claims. A total of 10 equity comparables were submitted. The Board finds the equity comparables most similar to the subject were the appellant's #4, #5 and #6 and the board of review's #4, #5 and #6.[4] The Board finds these comparables were most similar to the subject in size, design, location, age and/or other features. These most similar comparables had improvement assessments ranging from $95,078 to $142,062 or from $30.70 to $52.07 per square foot of living area. The subject's improvement assessment of $119,658 or $41.39 per square foot of living area is within the established range, therefore, the Board finds no reduction is warranted for the subject improvement on this basis.

The record also depicts the subject has a land assessment equal to two of the comparables at $22,402. The Board further finds the subject's land assessment is less than all of the remaining comparables. The record depicts the subject's immediate area is assessed utilizing a site value method based on previous market values. Based on this record, the Board finds the subject's land assessment is justified, and no reduction in the subject's land assessment is warranted on this basis.

The appellant also argued overvaluation as a basis of the appeal. When market value is the basis of the appeal, the value 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). Proof of market value may consist of an appraisal, a recent arm's length sale of the subject property, recent sales of comparable properties, or recent construction costs of the subject property. 86 Ill.Admin.Code Sec. 1910.65(c). The Board finds the appellant has met this burden and based on the request of both parties, a reduction in the subject's assessment is warranted.

The Board finds the best sales presented by the appellant were comparable sales #4, #5 and #6. The remaining comparables submitted by the appellant were given reduced weight in the Board's analysis based on dissimilar features such as size and/or

[4] At hearing #4, #5 and #6 of the board of review's comparables were referred to as #1A, #2A and #3A respectively.

the date of sale being too remote in time to aid in a determination of the subject's estimated fair market value in 2009. The Board also gave less weight in its analysis to the board of review's sale comparables #3, #4 and the additional sale comparable added by the township assessor. The Board finds these comparables were dissimilar to the subject in size, basement finish, location and/or age when compared to the subject. The Board finds that the remaining sales, appellant #4, #5 and #6 and board of review #1 and #2 were most representative of the subject. These comparables sold for prices ranging from $315,000 to $383,000 or from $101.61 to $127.12 per square foot of living area, including land. The subject's assessment reflects a market value of $426,223 or $147.43 per square foot of living area, including land, which is above the range established by the most similar comparables in this record. Therefore, the Board finds the subject's assessment is excessive in relation to its estimated market value based on the testimony herein and the evidence in this record.

Based on this analysis, the Property Tax Appeal Board finds the appellant has not demonstrated a lack of uniformity in the subject's assessment by clear and convincing evidence. However, with regard to the appellant's overvaluation argument, the Board finds the appellant has demonstrated the subject property was overvalued by a preponderance of the evidence and a reduction 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.

Chairman

Member

Member

Member

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: July 19, 2013

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.