



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

APPELLANT: Marilyn Little
DOCKET NO.: 09-03290.001-R-1
PARCEL NO.: 14-31-276-019

The parties of record before the Property Tax Appeal Board are Marilyn Little, 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: \$11,991
IMPR.: \$26,336
TOTAL: \$38,327

Subject only to the State multiplier as applicable.

ANALYSIS

The subject parcel of approximately 8,276 square feet of land area is improved with a 54-year old, one-story dwelling of frame exterior construction containing 768 square feet of living area. The home features a full unfinished basement and a one-car garage. The property is located in Crystal Lake, Nunda Township, McHenry County.

The appellant's appeal is based on overvaluation of the subject property. In support of this market value argument, the appellant submitted information on three sales comparables located 1.5-miles from the subject property. The comparable parcels are improved with one-story frame dwellings that were 17 or 59 years old. The comparables range in size from 782 to 995 square feet of living area. Two of the comparables have full basements, one of which is finished, and one comparable has a crawl-space foundation. One home has central air conditioning and two comparables have a one-car garage. The sales occurred in May or June 2009 for prices ranging from \$107,000 to \$120,000 or from \$120.60 to \$136.83 per square foot of living area, including land. Based on this evidence, the appellant requested a reduction in the subject's total assessment to \$37,030 which

would reflect a market value of approximately \$111,090 or \$144.65 per square foot of living area, including land.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$41,829 was disclosed. The subject's assessment reflects an estimated market value of \$125,726 or \$163.71 per square foot of living area, including land, using the 2009 three-year median level of assessments for McHenry County of 33.27%.

As to the appellant's evidence, through the township assessor the board of review asserted that the appellant's comparables are dissimilar because they are not an "in-town" location and none of the comparables are located in Nunda Township.

In support of the subject's assessment, the board of review through the township assessor presented descriptions and sales data on three comparables property in addition to reiterating the appellant's three comparables with "in-town" locations along with presenting "adjusted sales prices" for each of the comparables. There was no substantive factual support in the submission for the purported time adjustment made to the comparable sales to bring the sale to the assessment date of January 1, 2009. The assessor wrote the 2008 sale was adjusted by ½% per month downward and the 2009 sale were adjusted by 1% per month upward "as is indicated by sales trends in Nunda Township."

The comparable sales presented by the township assessor to support the subject's estimated market value are parcels improved with one-story frame dwellings that range in age from 52 to 74 years old. The homes range in size from 968 to 1,138 square feet of living area. Two comparables have partial unfinished basements and one has a crawl-space foundation. Two of the homes have central air conditioning and a fireplace while each comparables has either a one-car or a two-car garage. The comparables sold between May 2008 and June 2009 for prices ranging from \$152,000 to \$175,000 or from \$137.87 to \$160.26 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

After reviewing the record 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 a reduction in the subject's assessment is warranted.

The appellant contends the assessment of the subject property is excessive and not reflective of its market value. 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). 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 §1910.65(c). The Board finds the evidence in the record does support a reduction in the subject's assessment.

The parties submitted a total of six comparable sales to support their respective positions before the Property Tax Appeal Board. The Board has given less weight to appellant's comparable #3 and board of review comparable #2 due to their crawl-space foundations when compared to the subject property. The Board finds the remaining four comparables submitted by both parties were most similar to the subject in size, design, exterior construction, foundation and/or age. Due to their similarities to the subject, these comparables received the most weight in the Board's analysis.

These comparables sold between May 2008 and May 2009 for prices ranging from \$119,100 to \$175,000 or from \$120.60 to \$160.26 per square foot of living area, including land. The subject's assessment reflects a market value of approximately \$125,726 or \$163.71 per square foot of living area, including land, which is above the range established by the most similar comparables on a per square foot basis and does not appear justified when considering the amenities of the subject dwelling. After considering the most comparable sales on this record along with adjustments for differences, the Board finds the appellant did demonstrate that the subject property's assessment is excessive in relation to its market value and a reduction in the subject's assessment 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: January 31, 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.