



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

APPELLANT: Masarat Sultana
DOCKET NO.: 09-03454.001-R-1
PARCEL NO.: 18-15-429-020

The parties of record before the Property Tax Appeal Board are Masarat Sultana, the appellant, 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: \$27,345
IMPR.: \$126,973
TOTAL: \$154,318

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a 3-year old, two-story dwelling of frame and masonry construction containing 4,032 square feet of living area. The home features a full unfinished basement, central air conditioning, a fireplace and an attached three-car garage. The property is located in Lake in the Hills, Grafton Township, McHenry County.

The appellant's appeal is based on overvaluation of the subject property. In support of this market value argument,¹ the appellant submitted information on eight sales comparables located in Crystal Lake and Huntley. The appellant reported that comparables #1 through #5 were from 2.35 to 3.3-miles from the subject property; no proximity was reported for comparables #6 through #8. The properties were improved with two-story frame and masonry dwellings, although no exterior construction information was reported for comparable #4. The homes range in

¹ The bases of appeal marked in Section 2d of the Residential Appeal petition were "comparable sales" and "recent appraisal." While the appellant completed Section V of the petition and provided comparable sales data, there was no recent appraisal of the subject property submitted with this petition.

age from 1 to 8 years old.² The comparables range in size from 3,136 to 4,132 square feet of living area. Each home has a basement, but there was no data indicating if any included finished area. The comparables have central air conditioning and garages ranging in size from 400 to 676 square feet of building area. Seven of the comparables have one or two fireplaces. Comparable #1 also has a pool. The properties sold between April 2008 and June 2009 for prices ranging from \$257,000 to \$380,000 or from \$76.58 to \$97.20 per square foot of living area including land.

Based on this evidence, the appellant requested a reduction in the subject's total assessment to \$126,665 which would reflect a market value of approximately \$380,000 or \$94.46 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 \$154,318 was disclosed. The subject's assessment reflects an estimated market value of \$463,835 or \$115.30 per square foot of living area including land using the 2009 three-year median level of assessments for McHenry County of 33.27%.

In support of the subject's assessment, the board of review presented a two-page spreadsheet analysis with descriptions and sales data on five comparable properties located in Lake in the Hills and Algonquin. The comparables consist of two-story frame or frame and masonry dwellings that range in age from new to 4 years old. The dwellings range in size from 3,557 to 4,278 square feet of living area. Each comparable has a basement, central air conditioning and a garage ranging in size from 619 to 771 square feet of building area. Four of the properties have one or two fireplaces. These comparables sold between June 2008 and October 2010 for prices ranging from \$400,000 to \$540,000 or from \$109.41 to \$145.20 per square foot of living area including land. In the spreadsheet, the assessor reported that comparables #2 and #3 were "new house(s)," comparable #1 was "not advertised for sale," and comparable #4 was "relo[cation] sale."

Based on this evidence, the board of review requested confirmation of the subject's estimated market value based on its 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 not 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

² The dates of construction are analyzed relative to the assessment date of January 1, 2009.

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. *Official Rules of the Property Tax Appeal Board*, 86 Ill.Admin.Code §1910.65(c). The Board finds the evidence in the record does not support a reduction in the subject's assessment.

The parties submitted a total of 13 comparable sales for the Board's consideration. The Board has given less weight to the appellant's comparables #2, #4 and #8 due to differences in dwelling size. The Board also gave less weight to the board of review's comparables #1 and #4 for lack of being advertised/exposed on the open market according to the assessor and for having occurred 22 months after the assessment date of January 1, 2009, respectively. The Board finds the remaining eight comparables submitted by both parties were most similar to the subject in size, design, exterior construction, location 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 April 2008 and June 2009 for prices ranging from \$325,000 to \$540,000 or from \$91.97 to \$145.20 per square foot of living area including land. The subject's assessment reflects a market value of approximately \$463,835 or \$115.30 per square foot of living area, including land, which is within the range established by the most similar comparables on this record on a per-square-foot basis. After considering the most comparable sales on this record, the Board finds the appellant did not demonstrate the subject property's assessment to be excessive in relation to its market value 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.

Donald R. Cuit

Chairman

K. L. Fern

Member

Frank A. Huff

Member

Mario Morris

Member

J. R.

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: September 21, 2012

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.