



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

APPELLANT: Marilyn Little  
DOCKET NO.: 09-04105.001-R-1 through 09-04105.002-R-1  
PARCEL NO.: See Below

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 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
09-04105.001-R-1	09-22-155-019	12,257	44,283	\$56,540
09-04105.002-R-1	09-22-155-018	12,257	0	\$12,257

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject parcels total approximately 14,742 square feet of land area. One of the parcels is improved with a 69-year old, 1.5-story dwelling of frame exterior construction containing 1,888 square feet of living area. The home features a partial unfinished basement and a detached two-car garage. The property is located in McHenry, McHenry 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 in the same neighborhood code assigned by the assessor to the subject property. The comparable single-parcel lots range in size from 6,250 to 7,000 square feet of land area and are improved with a one-story, a 1.5-story and a two-story frame dwelling, respectively. The homes range in age from 59 to 79 years old. The comparables range in size from 821 to 1,440 square feet of living area. Each comparable has a basement, one of which includes finished area. The sales occurred between April and September 2008 for prices ranging from \$106,000 to \$140,000 or from \$93.40 to \$129.11 per square foot of living area, including land. Based on this evidence, the appellant

requested a reduction in the subject's total assessment to \$42,590 which would reflect a market value for both the improved and the vacant lot of approximately \$127,770 or \$67.67 per square foot of living area, including all of the land.

The board of review submitted its "Board of Review Notes on Appeal" wherein the final assessment of both parcels totaling \$68,797 was disclosed. The subject's assessment reflects an estimated market value of \$206,784 or \$109.53 per square foot of living area, including the land of both parcels, 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 subject lots due to their size are classified as McCullom Lake Premium. To support the land value, the assessor provided data on land sales used in the 2007 revaluation of the area. The assessor's eight vacant land sales occurred from May 2004 to June 2007 for prices ranging from \$4.04 to \$6.83 per square foot of land area. Based on this data, a premium lot like the subject parcels was revalued in 2007 at a market value of \$5.19 per square foot of land area.

As to the subject dwelling, while it was originally built in 1940, the assessor reported there were remodel permits issued in 1987 and 1989 and a garage was built in October 1987 along with a driveway permit issued in August 2004. The assessor also pointed out the appellant's comparables are single-lot properties, "located in densely populated area of the Village," and differ from the subject in number of bathrooms, basement size and garage size. In support of the subject's estimated market value as reflected by its assessment, the board of review through the township assessor presented the appellant's three comparables as compared to the improved subject parcel only. Based on this analysis, the improved parcel has a market value of approximately \$169,620 or \$89.84 per square foot of land area (of only the improved parcel) whereas the comparables sold for prices ranging from \$93.40 to \$129.11 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 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 of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3<sup>rd</sup> 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 not support a reduction in the subject's assessment.

The record contains a total of three comparable sales. None of the parcels is similar to the subject two-lot land area of more than 14,000 square feet. The Board has given less weight to appellant's comparable #1 due to its smaller dwelling size when compared to the subject. The Board finds the remaining two comparables 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 in July and November 2008 for prices ranging of \$134,500 and \$140,000 or for \$93.40 and \$120.69 per square foot of living area, including land. The subject's total two-parcel assessment reflects a market value of approximately \$206,784 or \$109.53 per square foot of living area, including land, which is within the range established by the most similar comparables on a per square foot basis. After considering these most comparable sales on the record along with adjustments for differences, the Board finds the appellant did not demonstrate that the subject property's assessment is 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.



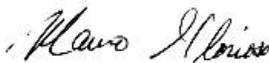
Chairman



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.