



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

APPELLANT: John & Beth Ann Duncan  
DOCKET NO.: 10-03371.001-R-1  
PARCEL NO.: 14-20-151-003

The parties of record before the Property Tax Appeal Board are John and Beth Ann Duncan, 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:** \$27,349  
**IMPR:** \$103,237  
**TOTAL:** \$130,586

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property is improved with a one-story single family dwelling of brick construction containing 3,383 square feet of living area. The dwelling was constructed in 1978. Features of the home include a partial unfinished basement, central air conditioning, one fireplace and a three-car attached garage. The property has a 1.33 acre site and is located in Crystal Lake, Nunda Township, McHenry County.

The appellants' appeal is based on overvaluation. In support of this argument the appellants submitted an appraisal estimating the subject property had a market value of \$360,000 as of June 28, 2010. The appraisal was prepared by Russell Plocke of CoreLogic Valuation Services, Bloomington, Minnesota. The client was identified as JP Morgan Chase Bank, NA. The property rights appraised were the fee simple interest and the appraisal was prepared for a refinance transaction. In estimating the market value of the subject property the appraiser developed the sales comparison approach to value.

Using the sales comparison approach the appraiser provided information on six comparables which included four sales, a pending sale and a listing. The comparables were described as including three one-story dwellings, two split level dwellings and a two-story home located in Crystal Lake within 1.10 miles of

the subject property.<sup>1</sup> The dwellings ranged in size from 2,092 to 3,600 square feet of living area. The dwellings were constructed from 1978 to 2003. Each comparable had a basement with four having finished area. Each property also had central air conditioning, one to three fireplaces and a two or three-car garage. The comparables had sites ranging in size from 1.0 to 1.74 acres. The four sales occurred from October 2009 to April 2010 for prices ranging from \$305,000 to \$450,000 or from \$129.72 to \$145.79 per square foot of living area, including land. Comparable #5 was a pending sale with a price of \$450,000 or \$125.00 per square foot of living area. Comparable #6 was active listing with a price of \$391,000 or \$113.27 per square foot of living area. After making adjustments to the comparables for differences from the subject the appraiser estimated the comparables had adjusted prices ranging from \$350,100 to \$389,900 or from \$99.86 to \$150.72 per square foot of living area, including land. Based on this data the appraiser estimated the subject had an estimated value under the sales comparison approach of \$360,000.

Based on this evidence, the appellants requested the subject's assessment be reduced to \$120,000.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$130,586 was disclosed. The subject's assessment reflects a market value of \$405,421 or \$119.84 per square foot of living area, including land, when applying the 2010 three year average median level of assessment for McHenry County of 32.21% as determined by the Illinois Department of Revenue.

In support of the subject's assessment the board of review submitted a grid analysis prepared by the township assessor using the six comparables contained in the appraisal and two additional sales. The additional sales were improved with ranch style dwellings of frame and brick construction that had 3,203 and 2,397 square feet of living area, respectively. The dwellings were constructed in 1988. Each comparable had a basement, central air conditioning, one or two fireplaces and a 4-car or a 2-car garage. The comparables have sites 1.00 and 1.06 acres. The comparables sold from January 2010 and June 2009 for prices of \$407,500 and \$402,000 or for \$127.22 and \$167.71 per square foot of living area, including land, respectively.

In rebuttal the assessor asserted appraisal comparable #3 was a two-story dwelling 15 years newer than the subject; comparable #4 was a split level dwelling with 1,408 square feet above grade, comparable #5 is a two-story dwelling 24 years newer than the subject and comparables #6 is a listing. The assessor provided copies of photographs of the comparable sales used in the appraisal. The photographs depicted appraisal comparable sale #6

---

<sup>1</sup> The photograph of comparable #5 depicts a two-story home rather than a one-story home as described in the appraisal.

as a two-story dwelling rather than a split-level home as described in the appraisal.

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 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 (3<sup>rd</sup> Dist. 2002); 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist of an appraisal of the subject property, a recent sale, comparable sales or construction costs. (86 Ill.Admin.Code §1910.65(c)). The Board finds the appellants did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board finds the best evidence of market value in the record to be the comparable sales improved with one-story dwellings contained in the appraisal submitted by the appellants and the two sales provided by the board of review. These comparables ranged in size from 2,360 to 3,203 square feet of living area and were built from 1979 to 1988. These comparables were all located in Crystal Lake and had sites ranging in size from 1.00 to 1.73 acres. The comparables had similar features as the subject property. The comparables sold for prices ranging from \$335,000 to \$407,500 or from \$127.22 to \$167.71 per square foot of living area, including land. The comparable most similar to the subject in size was board of review comparable #1 with 3,203 square feet of living area that sold in January 2010 for a price of \$407,500 or \$127.22 per square foot of living area, including land. The subject's assessment reflects a market value of \$405,421 or \$119.84 per square foot of living area, including land, which is within the range established by the best comparable sales in this record. Less weight was given the remaining comparables presented by the appellants' appraiser due to differences from the subject style, age and/or size. Based on this record the Board finds the appellants did not demonstrate by a preponderance of the evidence that the subject was overvalued and a reduction in the subject's assessment is not justified.

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.