



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

APPELLANT: James Schlichting  
DOCKET NO.: 10-03676.001-R-1  
PARCEL NO.: 19-07-327-004

The parties of record before the Property Tax Appeal Board are James Schlichting, 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:** \$20,596  
**IMPR.:** \$49,300  
**TOTAL:** \$69,896

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property is improved with a contemporary two-story style single family dwelling of aluminum and stone exterior construction containing 2,552 square feet of living area. The dwelling is approximately 32 years old. The subject property has an unfinished basement, central air conditioning, a fireplace and a two-car garage. The property has a 9,600 square foot site and is located in Crystal Lake, Algonquin Township, McHenry County.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$217,000 as of January 1, 2010. The appraisal was prepared by Kathleen Schaid, a State of Illinois Certified General Real Estate Appraiser. In estimating the market value of the subject property the appraiser developed the sales comparison approach to value.

The appraisal identified the clients as James and Mary Schlichting. The property rights appraised were the fee simple interest and the purpose of the report was to estimate the market value as of January 1, 2010 for taxation purposes.

Using the sales comparison approach the appraiser provided information on five comparable sales described as two-story dwellings of aluminum or aluminum and brick exterior construction

that range in size from 2,283 to 2,586 square feet of living area. The dwellings ranged in age from 20 to 32 years old. Four comparables had basements with three having finished area. Each comparable had central air conditioning, one fireplace and a two-car attached garage. The comparables have sites ranging in size from 9,038 to 15,868 square feet of land area. The comparables were located in Crystal Lake from .07 to .86 miles from the subject property. The comparables sold from June 2009 to October 2010 for prices ranging from \$192,000 to \$246,000 or from \$79.18 to \$95.94 per square foot of living area, including land. After making adjustments to the comparables for differences from the subject the appraiser estimated the comparables had adjusted prices ranging from \$202,580 to \$222,140 or from \$83.54 to \$97.14 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 \$217,000 or \$85.03 per square foot of living area, including land. Based on this analysis the appraiser estimated the subject property had a market value of \$217,000 as of January 1, 2010.

The appellant requested the subject's assessment be reduced to \$72,333.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$79,992 was disclosed. The subject's assessment reflects a market value of \$248,345 or \$98.55 per square foot of living area, including land, when applying the 2010 three year average median level of assessments 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 information on five comparable sales identified by the township assessor that were improved with four two-story dwellings and a split-level dwelling frame or frame and brick exterior construction that range in size from 2,074 to 2,452 square feet of living area. Comparable sale #1 was the same sale as appraisal comparable sale #1. The dwellings range in age from 14 to 33 years old. Each comparable has a basement with two being partially finished. Additionally, each comparable has central air conditioning, two comparables have a fireplace and each has a garage ranging in size from 400 to 528 square feet of building area. The comparables were described as having sites ranging in size from .193 to .364 acres. Each comparable is described as being in the same subdivision as the subject property. The comparables sold from January 2009 to November 2009 for prices ranging from \$212,500 to \$249,000 or from \$93.12 to \$119.60 per square foot of living area, including land. The assessor made adjustments to the sales for differences from the subject property and arrived at adjusted prices ranging from \$217,600 to \$265,800. Based on this evidence the assessor stated that the indicated value by the sales comparison approach was \$246,500.

In rebuttal the appellant asserted board of review comparable sale #2 sold approximately one year prior to the January 1, 2010 assessment date. The appellant further asserted that comparables #2 through #5 were all located farther from the subject than the comparable sales contained in the appellant's appraisal. The appellant further stated that comparable sale #1 sold for \$212,500 in November 2009, is on the subject's block and was built about the same time as the subject property.

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 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 appellant met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value to be the appraisal of the subject property submitted by the appellant. The appellant's appraiser developed the sales comparison approach using five comparable sales. The sales utilized by the appraiser were similar to the subject in location, size, style, construction, features, age and land area. These properties also sold most proximate in time to the assessment date at issue. The appraised value of \$217,000 is below the market value reflected by the assessment. Less weight was given the comparable sales #2 through #5 presented by the board of review due to differences from the subject in location, style, size, age and/or dates of sale not being as proximate in time to the assessment date at issue as were the sales in the appellant's appraisal. The Board further finds a common sale presented by the parties sold in November 2009 for a price of \$212,500. The appraiser estimated this property had an adjusted price of \$222,140 while the assessor estimated the property had an adjusted price of \$217,600. The Board finds this common sale supports the conclusion the subject property was overvalued for assessment purposes as of January 1, 2010, and lends credence to the appraiser's conclusion of value. Based on this record the Board finds the subject property had a market value of \$217,000 as of January 1, 2010. Since market value has been established the 2010 three year average median level of assessments for McHenry County of 32.21% as determined by the Illinois Department of Revenue shall apply. (86 Ill.Admin.Code §1910.50(c)(1)).

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: July 19, 2013

*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.