



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

APPELLANT: Harris Trust & Savings Bank  
DOCKET NO.: 10-03833.001-R-1  
PARCEL NO.: 14-34-153-057

The parties of record before the Property Tax Appeal Board are Harris Trust & Savings Bank, 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:** \$18,046  
**IMPR.:** \$77,344  
**TOTAL:** \$95,390

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property is improved with a two-story dwelling of frame and masonry construction containing 2,253 square feet of living area. The dwelling was constructed in 1998. Features of the home include a partial basement, central air conditioning and a 2-car garage. The property has a 0.19-acre square foot site and is located in Crystal Lake, Nunda Township, McHenry County.

The appellant appeared before the Property Tax Appeal Board alleging overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on three comparable sales described as two-story dwellings of frame or frame and masonry construction that ranged in size from 2,065 to 2,473 square feet of living area. The dwellings were either 7 or 12 years old. Two comparables are located in the same neighborhood code as the subject property. Features of the comparables include a partial basement, central air conditioning, a fireplace and a 2-car garage. The comparables

have sites ranging in size from 7,800 to 16,592 square feet of land area. The comparables sold from September 2009 to June 2010 for prices ranging from \$203,000 to \$239,500 or from \$82.09 to \$115.98 per square foot of living area, including land. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$95,390 was disclosed. The subject's assessment reflects a market value of \$286,199 or \$127.03 per square foot of living area, including land, when applying the 2010 three-year average median level of assessment for McHenry County of 33.33% as determined by the Illinois Department of Revenue. The board of review presented information on three comparable sales improved with two-story dwellings of frame and masonry construction that range in size from 2,296 to 2,432 square feet of living area. The dwellings were constructed from 1990 to 2003. Features of the comparables include a full or partial basement, central air conditioning, a fireplace and a 2-car or 3-car garage. The comparables have sites ranging in size from 0.22-acres to 0.29-acres of land area. The comparables sold from July 2009 to August 2011 for prices ranging from \$235,000 to \$290,000 or from \$96.63 to \$125.87 per square foot of living area, including land.

Karen Sawyer, Chief Deputy Assessor of Nunda Township testified that the appellant's comparable #2 backed to high tension wires, was a foreclosure sale and needed repairs. Based on this evidence, the board of review requested confirmation of the subject's assessment.

After hearing the testimony 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 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 did not meet this

burden of proof and a reduction in the subject's assessment is not warranted.

The Board gave less weight to the appellant's comparables because the Board finds they are dissimilar to the subject in location, land area, condition and/or basement style. The subject has a full, partially finished walkout basement, while the comparables have a partial basement with a crawl space. Appellant's comparable #2 is located in close proximity to high tension wires, was a foreclosure sale and needed repairs. The Board finds the board of review's comparables are more similar to the subject in size, style, exterior construction, features, age and/or basement. Due to the similarities to the subject, these comparables received the most weight in the Board's analysis. These most similar comparables sold for prices ranging from \$235,000 to \$290,000. The subject's assessment reflects a market value of \$286,199, which is within the range established by the best comparable sales in this record. After considering adjustments and the differences in both parties' suggested comparables when compared to the subject property, the Board finds the subject's assessment is supported by the most comparable properties contained in this record and a reduction in the subject's assessment is not warranted.

Based on this record the Board finds the appellant 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.

*Ronald R. Cuit*

Chairman

*K. L. Fern*

Member

*Tracy 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: February 21, 2014

*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.