

How to File an Appeal

The following article is meant only to be a helpful tool in filling out your 2012 Assessment Appeal. This is NOT the appeal form. You must use the "2012 Residential Assessment Appeal Packet for McHenry County".

You have seen a "fair market value" of your property on your tax bill or on your assessor's notice of assessment. You think it is too high. What do you do?

Your first option should be to talk with your township assessor, who placed the value on your property as of January 1, 2012. They may be able to provide a reasonable explanation or agree with you and make a change at the local level. If you still disagree, you can file an appeal with the McHenry County Board of Review.

You should wait until you receive your 2012 notice of assessment letter before filing an appeal. You will need your 2012 assessment notice to determine its fairness in the current market.

The process starts with a properly completed appeal form – residential if you are disputing the assessment of your home, farm or small rental property, commercial if it is a larger apartment building, office building, retail space or industrial property. Since residential property owners represent the bulk of assessment appeals heard by the Board of Review, we will focus on that form:

MCHENRY COUNTY BOARD OF REVIEW ADMINISTRATION BUILDING – SUITE 106 NORTH OF COURTHOUSE COMPLEX 2200 N SEMINARY AVE. WOODSTOCK IL 60098-2698 TELEPHONE: (815) 334-4290	BOR DOCKET NO.: _____ 100K? _____ RECEIVED BY: _____ DOCKETED BY: _____
RESIDENTIAL ASSESSMENT APPEAL FOR 2012 ASSESSMENT YEAR	
County Property Index Number _____ - _____ - _____ - _____	
Property Address: _____	
Address	City
Appellant's Name _____	Attorney or Agent for Appellant _____
Mail To _____	Address _____
City _____ Zip Code _____	City _____ Zip Code _____
Telephone _____ E-Mail _____	Telephone _____ E-Mail _____
If represented by an agent, a separate Authorization Form is required (See attached form)	

Your property index number can be found on your tax bill or assessment notice. If possible, please print your e-mail address legibly, as it may help the county assessment office or local assessor contact you before your hearing. If you decide to get help from an attorney, real estate broker, appraiser, other professional or anyone else you want to represent you at the hearing, they must identify themselves

and provide contact information on the appeal form. You must also complete a separate authorization form found in the appeal packet.

PLEASE SELECT THE TYPE OF HEARING YOU WOULD LIKE:
If neither box is checked or if both boxes are checked, the Board of Review will NOT schedule a hearing.

I would like the Board of Review to make its decision based on the evidence provided (no oral hearing necessary).

I would like to present my case in person at a hearing. (Note: Location, date, and time will be determined by the Board of Review. Due to time restrictions, the hearing day or time cannot be rescheduled)

Do you own contiguous or multiple parcels? Yes No
 Was there an appeal or a State appeal filed on this parcel in the previous year? Yes No

You have one of two choices for hearing options.

- 1.) You may choose to submit your evidence to the board, who will make a decision based on your evidence as well as any assessor response. This option can save you a trip to the county office and time away from work or home.
- 2.) You may choose to be present at your hearing.

You are also asked if your property has contiguous or adjoining parcels. Most often, that is a home site and a vacant parcel. The board of review takes the entire property into consideration when reviewing the assessment.

You are also asked if you have appealed the assessment of this property last year, or if there is an appeal pending with the Property Tax Appeal Board.

THE "APPELLANT'S CLAIM OF VALUE" MUST BE COMPLETED IN ORDER TO PROCESS THE APPEAL!

2012 EQUALIZED ASSESSED VALUE:		APPELLANT'S CLAIM OF VALUE:	
Farm Land:		Farm Land:	
Farm Bldg:		Farm Bldg:	
Urban Land:		Urban Land:	
Urban Bldg:		Urban Bldg:	
Total:		Total:	

Are you requesting a decrease in assessed value of \$100,000 or more? Yes No
 This appeal is based on (You must check one or more boxes.): Comparable Assessments Comparable Sales
 Recent Sale Recent Construction Costs Recent Appraisal (must accompany appeal)

The next portion of the form requires values for what you believe to be a fair or reasonable assessment. Unless you have an appraisal or price opinion from a real estate professional, you will want to wait until you complete the assessment grid on the second page of the appeal form. Use the column on the left for the values that are on your assessment notice. The column to the right is to be completed by you, once you have determined what you believe the assessment should be.

Note that the basis of your appeal must be indicated. "Comparable assessments" means you believe that your property is assessed higher than it should be relative to assessments of similar properties. "Comparable sales" means similar homes that have sold for less than the assessor's certified values.

“Recent sale” should be chosen if you bought your property within 12 months of the assessment date. If you have a recent appraisal, you must include the entire report with your appeal. Missing pages or portions of pages may include critical information the Board of Review needs to review. As a result, incomplete appraisals are given little, if any, weight.

SECTION I – RECENT SALE INFORMATION
(Complete this section if your residence was recently purchased)

Full Consideration (Sale Price) \$ _____ Date of Sale ____/____/____
 Recorded Document Number _____ Date Recorded ____/____/____
 Contract Sale? Yes No. If Yes, provide complete copy of contract.

SECTION II – RECENT CONSTRUCTION INFORMATION ON YOUR RESIDENCE
 If your residence was constructed or remodeled within the past two (2) years a contractor's affidavit with a detailed listing of all costs must be provided. Date Construction completed: _____

If you purchased the property recently, fill out Section I. You will find all of the information on your HUD-1 or RESPA statement you received at the closing. Also include the HUD-1 or RESPA statement with your appeal.

We will discuss Section II in the future when the market conditions allow for new construction.

Do not turn the first page of the appeal form until you have signed under the oath.

OATH:

I do solemnly confirm that, to the best of my knowledge, the statements and facts set forth in the foregoing appeal are true and correct.

OWNER/AGENT SIGNATURE: _____ **DATE:** _____

Revised 6/22/2012


The form must be signed!


Now, turn the page, and the real work involved in appealing your property assessment begins. If you are basing your appeal entirely on an appraisal, you can note that in bold letters on the grid, and we will look at the appraisal report.

Many taxpayers rely on attorneys and other agents to handle their appeal and complete the report. Property owners can do it themselves, but it does require some homework on their part and an understanding of how the Board of Review develops its own opinion of value for properties.

ATTACHMENT TO MCHENRY COUNTY APPEAL FORM

**MCHENRY COUNTY BOARD OF REVIEW
 ADMINISTRATION BUILDING – SUITE 106
 NORTH OF COURTHOUSE COMPLEX
 2200 N. SEMINARY AVE. WOODSTOCK ILLINOIS 60098-2698
 TELEPHONE: (815) 334-4290**

BOR DOCKET NO. _____

**RESIDENTIAL COMPARABLE SALES/ASSESSMENTS INFORMATION
 THIS SHEET MUST ACCOMPANY ANY APPEAL BASED ON COMPARABLE SALES OR ASSESSMENTS**

Property Index Number: _____

Property Address: _____
Street City Zip

TYPE OF PROPERTY: Residential Apartment #Units _____ Farm

COMPARABLE SALES/ASSESSMENTS – Photos of Appellant’s and comparable properties should be attached.
“ADJ” column for official use only.

Subject	Comparable #1		Comparable #2		Comparable #3		
Property Index No.							
Address of Property							
Proximity to Appellant							
Sale Price							
		DESCRIPTION	ADJ	DESCRIPTION	ADJ	DESCRIPTION	ADJ
Date of Sale							
Location (subdivision)							
Lot Size or Dimensions							
Design							
Exterior Construction							
Age of Property							
Condition							
Total Room Count							
Bedroom Count							
Bathroom Count							
Living Area – Sq. Ft.							
Basement							
Bsmt.-Sq.Ft.Fin.							
Central Air							
Fireplace – How many							
Garage / Car Port-Sq.Ft.							
Porches/Decks/Patios							
Pool/Other							
Land Assessment							
Building Assessment							
Total Assessment							
Assessment per Sq.Ft.							
Net Adjustment							
Indicated Value of Subject							

OWNER/AGENT SIGN HERE: _____ **DATE:** _____

THIS FORM MUST BE ACCOMPANIED BY AN OFFICIAL MCHENRY COUNTY APPEAL FORM

Revised 6/22/2012

A properly completed comparable sales/assessment grid usually increases the chances of a successful appeal. Very often, an assessor or their deputy will agree that a reduction is in order after reviewing your completed grid. If an agreement or “stipulation” can be reached, a hearing can be avoided.

Before taking pen or pencil to paper, it is a good idea to decide which road you want to take. In the rapidly declining real estate market that McHenry County has endured in the past few years, “Comparable Sales” has been most effective in proving a property assessment is too high. The vast majority of appeals in recent years have been based on “Comparable Sales.”

The county’s comparable sales/assessment grid looks very similar to those found in property appraisals. The major difference is toward the bottom where land, building and total assessment information is needed.

A good start is to fill in the blanks for the “Subject Property,” which means your property. That information should come from the assessor’s property record cards, which are public information and are available from their office. Algonquin, Dorr, Dunham, Grafton, Hartland, McHenry, Nunda and Richmond townships have their property information available on their web sites. If your property is not located in one of these townships, you will have to call or visit your township assessor’s office to get the required information. Remember, information on MLS listing sheets is often inaccurate. The Board of Review makes decisions based on apples-to-apples comparisons of properties, and that includes basic information that comes from the same source – the township assessor’s property record cards.

Once you have information on your property listed, it is time to find...Comparable Sales.

A sale will prove itself to be comparable – or not – to your property as you list its characteristics in the appropriate column.

Let’s start at the top:

Address of Property							
Proximity to Appellant							
Sale Price							
		DESCRIPTION	ADJ	DESCRIPTION	ADJ	DESCRIPTION	ADJ
Date of Sale							
Location (subdivision)							
Lot Size or Dimensions							
Design							
Exterior Construction							
Age of Property							
Condition							
Total Room Count							
Bedroom Count							
Bathroom Count							
Living Area – Sq. Ft.							
Basement							
Bsmt.-Sq.Ft.Fin.							
Central Air							

After the address of the property, the proximity of the comparable sales is required. The distance can be expressed “as the crow flies,” or straight line, rather than driving distance. **As a general rule**, in fully

developed suburban areas, comparables should come from the same neighborhood AND be within 1 mile. However, those distances often must be expanded if suitable sales cannot be found within 1 mile. While more sales are occurring in the market (though not at the price levels we once saw), the Board of Review realizes finding comparables within those boundaries can be a challenge.

The next item is **Date of Sale**. That is the closing date of the sale of that property.

One of the most common problems appellants run into is that the assessment and appeal are **based on fair market value as of January 1 of the tax year**. By the time your Board of Review hears appeals, it may be late summer or early fall. We will continue hearing appeals into 2013. We understand that in a rapidly declining market the appellant's concern is "What is my property worth today?" For the purpose of this appeal, the question is "What was the property worth as of January 1, 2012?"

So, comparable sales should be chosen as close to January 1, 2012 as possible. Generally, the Board of Review advises sales should come from the previous six months – July through December 2011 – and first three months – January through March 2012. That may not be possible in every market, but every reasonable attempt should be made to stay as close to January 1, 2012 as possible.

Location (subdivision) can be important because even though a comparable sale is within 1 mile of your property, it can be in a neighborhood that has a much different market appeal than yours.

Lot size or dimensions should be expressed in square feet or acres.

Design can include ranch, split-level, 2-story or more specific types such as Colonial, bungalow, etc. It is very important to stay within the same design whenever possible. Ranch homes typically sell for more per square foot than other types not only because of their higher construction costs per square foot, but they are becoming a preferred model in the market, especially among move-up buyers.

Age of Property should not vary widely. For instance, a 26-year-old home should not be compared to a 47-year-old home.

Condition is subjective. Most homes, regardless of how proud individual homeowners are of them, are rated "average" by appraisers. "Good" condition implies some recent upgrades or rehabbing. "Fair" means it may require some repairs, but can be in move-in condition when the sale closed or shortly thereafter. "Poor" suggests the local building department has tagged the property as uninhabitable, in need of major rehab or considered unlivable by most buyers. *If you have a home in average condition, would you reasonably expect it to sell for the same price as a home in fair condition?*

Total room count, Bedroom Count and Bathroom Count are found on MLS sheets or property record cards. However, for the purposes of the grid and the appeal, the Board of Review is interested only in **ABOVE-GRADE** counts. If you have a two-story home with a first-floor powder room, two full baths upstairs and a bathroom in the basement, you have 2.5 baths on the grid. *The room counts do not have to match perfectly, but should be close in the eyes of a typical buyer.*

Living Area – Sq. Ft. comes from the assessor’s property record cards. Like room count, it is **ABOVE-GRADE** square footage. An English basement or walkout basement is below-grade square footage and not included in the living area.

Basement can be answered with “Full,” “Partial” or if available, the square footage from the assessor’s property record card.

Basement –Sq. Ft. Finished asks about those below-grade rooms.

Garage-Although assessors often express garage data in square feet, the Board of Review is most interested in the number of stalls (2 car, 3 car, etc.) that the subject and comparables offer.

Porches/Decks/Patios and **Pool/Other** are the other amenities your home and the comparables have to offer.

Whether your appeal is based on comparable sales or comparable assessments, the land, building and total assessments should be written on the form.

Living Area – Sq. Ft.							
Basement							
Bsmt.-Sq.Ft.Fin.							
Central Air							
Fireplace – How many							
Garage / Car Port-Sq.Ft.							
Porches/Decks/Patios							
Pool/Other							
Land Assessment							
Building Assessment							
Total Assessment							
Assessment per Sq.Ft.							
Net Adjustment							
Indicated Value of Subject							

OWNER/AGENT SIGN HERE: _____ **DATE:** _____

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Revised 6/22/2012

Land assessment, building assessment and total assessment are found on the updated property record cards (these are the 2012 assessment values). In deciding appeals based on comparable assessments, the Board of Review typically looks at the subject’s assessment per sq. ft. of the **BUILDING ASSESSMENT** compared to the comparables.

Your comparable selection for appealing based on Comparable Assessments does not depend on when, or if, the comparable properties sold. These comparables should be as close to yours as possible, in location as well as characteristics. A good example would be an appeal on a property in a neighborhood of exclusively ranch homes or a condominium project where all the units are two bedroom-two bath models. If your property is assessed unusually higher compared to others, you have a strong basis for an appeal. Going outside your neighborhood or using dissimilar properties is not an apples-to-apples comparison needed for comparable assessments.

Jumping back to the Comparable Sales track, notice that each comparable has a separate column for adjustments (ADJ). You will also note the bottom two rows on the grid are "Net Adjustment" and "Indicated Value of Subject." Appraisers, real estate brokers and agents would be comfortable completing these blanks. Others can feel free to stop here. You will have some idea based on the comparables, what your property value should be. It will be a range between the lowest and highest sale. Board of Review members routinely make adjustments to comparables; then look to the median indicated value to apply to the property in question.

Keeping that in mind whether you have made adjustments or not, you should have a fair market value in mind. You started this process by saying, "My property was not worth \$216,820 as of January. 1, 2012." After doing your homework, you think \$195,000 is a better number. It is time to go back to the first page.

THE "APPELLANT'S CLAIM OF VALUE" MUST BE COMPLETED IN ORDER TO PROCESS THE APPEAL!			
2012 EQUALIZED ASSESSED VALUE:		APPELLANT'S CLAIM OF VALUE:	
Farm Land:		Farm Land:	
Farm Bldg:		Farm Bldg:	
Urban Land:		Urban Land:	
Urban Bldg:		Urban Bldg:	
Total:		Total:	
Are you requesting a decrease in assessed value of \$100,000 or more? <input type="checkbox"/> Yes <input type="checkbox"/> No			
This appeal is based on (You must check one or more boxes.): <input type="checkbox"/> Comparable Assessments <input type="checkbox"/> Comparable Sales			
<input type="checkbox"/> Recent Sale <input type="checkbox"/> Recent Construction Costs <input type="checkbox"/> Recent Appraisal (must accompany appeal)			

Assessments in Illinois are based on 33.33% of fair market value. If you think your property was worth \$195,000 as of January 1, 2012, the **Total** under **Appellants claim of value** should be \$64,994 ($\$195,000 \times 0.3333 = \$64,994$).

For a few reasons including the lack of vacant land sales in the county, the Board of Review typically keeps land value the same on appeals of improved properties. For example, the assessor places an assessed value of \$14,890 on the land. Place that number in the **Urban Land** space, subtract that from the total of \$64,994 and place the balance of \$50,104 in the **Urban Bldg** space.

Now, be sure you file your appeal with the Supervisor of Assessments Office within the required time limits. There is a 30-day window in which to appeal your assessment every year. The 30 days begin from the date of your township's publication in the newspaper. Your publication date and newspaper is also printed on your assessment notice. If you are requesting a hearing, you will be notified of the date and time of your hearing by U.S. mail. With a properly completed appeal form, you are well prepared.

For any questions, please call our office at (815) 334-4290.

Here are some other resources to help you:

Ten Questions to a Fair Assessment:

<http://www.mchenrycountyil.gov/departments/assessments/PDFDocs/TEN%20STEPS%20TO%20A%20FAIR%20ASSESSMENT.pdf>

The 2012 Board of Review Rules can be found at:

<http://www.mchenrycountyil.gov/departments/assessments/Pages/FormsRules.aspx>

Assessor property search pages in:

Algonquin Township: <http://algonquin.northwoodsoft.com/display/PropertySearch.asp>

Dorr Township: <http://www.dorrtownship.com/Assessor/PropertySearch.aspx>

Dunham Township: <http://townships.toi.org/dunhamtownship/CustomPage.asp>

Grafton Township: <http://graftonsear.web709.discountasp.net/>

Hartland Township: <http://townships.toi.org/HARTLANDTOWNSHIP/CustomPage.asp>

McHenry Township: http://www.mchenrytownship.com/property_search/

Nunda Township: <http://www.nundatownship.com/assessor/search.htm>