

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Richard C. Hoskins, Jr.
DOCKET NO.: 04-26312.001-I-1
05-25812.001-I-1
PARCEL NO.: 08-21-202-048

The parties of record before the Property Tax Appeal Board (hereinafter PTAB) are Richard C. Hoskins, Jr., the appellant, by attorney Michael E. Crane with the law firm of Crane and Norcross in Chicago and the Cook County Board of Review.

The subject property consists of a 14,000 square foot parcel land containing a one-story, masonry constructed, industrial building with 4,467 square feet of building area. The appellant, via counsel, argued that there was unequal treatment in the assessment process of the improvement as the basis of this appeal.

The PTAB finds that these appeals are within the same assessment triennial, involve common issues of law and fact and a consolidation of the appeals would not prejudice the rights of the parties. Therefore, under the *Official Rules of the Property Tax Appeal Board, Section 1910.78*, the PTAB consolidates the above appeals.

In support of the equity argument, the appellant submitted assessment data and descriptions of three properties suggested as comparable to the subject. Colored photographs of the subject

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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 Cook County Board of Review is warranted. The correct assessed valuation of the property is:

<u>DOCKET #</u>	<u>PIN</u>	<u>LAND</u>	<u>IMPRVMNT</u>	<u>TOTAL</u>
04-26312.001-I-1	08-21-202-048	\$21,420	\$50,945	\$72,365
05-25812.001-I-1	08-21-202-048	\$21,420	\$50,945	\$72,365

Subject only to the State multiplier as applicable.

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property and the suggested comparables as well as a brief from the appellant's attorney were also included. The data of the suggested comparables reflects that the properties are located within two miles of the subject and improved with a one-story, masonry, industrial building. The improvements range: in age from 35 to 37 years; in size from 4,467 to 5,938 square feet of building area; and in improvement assessments from \$11.09 to \$12.92 per square foot of living area. Based upon this analysis, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted "Board of Review-Notes on Appeal" wherein the subject's improvement assessment was \$69,989 or \$15.67 per square foot of building area. The board also submitted raw sale information for eight properties suggested as comparable to the subject. These comparables are all located within the subject's market and are improved with one-story, masonry or mixed construction, industrial buildings. These buildings ranged in age from 24 to 33 years, with one age unknown, and in size from 4,600 to 5,175 square feet of building area. The comparables sold from April 2001 to June 2006 for prices ranging from \$290,000 to \$475,000 or from \$58.00 to \$95.00 per square foot of building area. As a result of its analysis, the board requested confirmation of the subject's assessment.

In rebuttal, the appellant submitted the property characteristic printouts for four of the board of review's sales comparables. This documentation shows that these properties have improvement assessments ranging from \$3.87 to \$4.84 per square foot of building area.

After considering the evidence and reviewing the record, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal.

Appellants who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessment valuations by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill. 2d 1, 544 N.E.2d 762 (1989). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. Proof of assessment inequity should include assessment data and documentation establishing the physical, locational, and jurisdictional similarities of the suggested comparables to the subject property. *Property Tax Appeal Board Rule 1910.65(b)*. Mathematical equality in the assessment process is not required. A practical uniformity, rather than an absolute one is the test. Apex Motor Fuel Co. v. Barrett, 20 Ill. 2d 395, 169 N.E.2d 769 (1960). Having considered the evidence presented,

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the PTAB concludes that the appellant has met this burden and that a reduction is warranted.

Both parties presented assessment data on a total of 11 equity comparables. The PTAB finds the appellant's comparables and the board of review's comparable #3 from the 2004 evidence are the most similar to the subject. These four comparables contain a one-story, masonry, industrial building located within two miles of the subject. The improvements range: in age from 35 to 37 years; in size from 4,467 to 5,938 square feet of building area; and in improvement assessments from \$4.84 to \$12.92 per square foot of living area. In comparison, the subject's improvement assessment of \$15.67 per square foot of living area falls above the range established by these comparables. The PTAB accorded less weight to the remaining properties due to a disparity in location and lack of information.

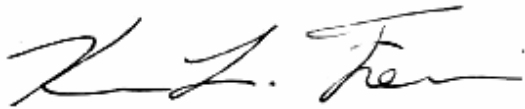
As a result of this analysis, the PTAB further finds that the appellant has adequately demonstrated that the subject's dwelling was inequitably assessed by clear and convincing evidence and that a reduction is warranted.

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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 25, 2008



Clerk of the Property Tax Appeal Board

IMPORTANT NOTICE

Section 16-185 of the Property Tax Code provides in part:

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"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.