



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

APPELLANT: Tele-Movers, Inc
DOCKET NO.: 06-26946.001-I-1
PARCEL NO.: 07-33-203-064-1003

The parties of record before the Property Tax Appeal Board are Tele-Movers, Inc, the appellant(s), by attorney Dennis M. Nolan, of Dennis M. Nolan, P.C. in Bartlett; the Cook 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 Cook County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$15,591
IMPR.: \$59,762
TOTAL: \$75,353

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 106,939 square foot parcel of land improved with a 16-year old, one-story, industrial condominium unit containing 3,457 square feet of building area. The appellant argued both unequal treatment in the assessment process and that the market value of the subject property is not accurately reflected in the property's assessed valuation as the bases of this appeal.

In support of the equity argument, the appellant, via counsel, submitted limited descriptions and assessment information on a total of four properties suggested as comparable and located within subject's neighborhood. The properties are described as industrial condominium units. The properties are 14 to 20 years old and have improvement assessments for the 2005 assessment year from \$34,533 to \$53,968. No square footage information was provided.

In support of the market value argument, the appellant submitted sales listings by Costar Comps Service and black and white

photographs for 14 properties. The listings have limited descriptive information on the properties, but do show that they contain between 7,920 and 15,000 square feet of building area. They sold between February 2004 to April 2005 for prices ranging from \$425,000 to \$816,000 or from \$30.00 to \$59.97 per square foot of building area, including land. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$75,353 was disclosed. This assessment reflects a market value of \$209,314 or \$60.55 per square foot of building area when the Cook County Real Property Assessment Classification Ordinance level of assessments of 36% for Class 5B properties is applied. In support of the subject's assessment, the board of review presented descriptions and sales information on a total of seven properties. The properties range in size from 10,000 to 60,248 square feet of building area and sold from October 2001 to October 2007 for prices ranging \$279,800 to \$440,000 or \$76.31 to \$130.77 per square foot of building area, including land.

In addition, the board submitted copies of a printout from the recorder of deeds office and the warranty deed showing the subject sold in February 2004 for \$260,000. Based on this evidence, the board of review requested confirmation of the subject's assessment.

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

The appellant contends unequal treatment in the subject's improvement assessment as the basis of the appeal. Taxpayers 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 (1989). After an analysis of the assessment data, the PTAB finds the appellant has not met this burden.

The appellant submitted a total of four properties suggested as comparable to the subject. The PTAB finds that although these properties are similar to the subject, the appellant failed to provide 2006 assessment information for a uniformity analysis. Without this information, the PTAB is unable to determine if the subject is inequitably assessed and a reduction in the subject's assessment is not warranted.

When overvaluation is claimed the appellant has the burden of proving the value of the property by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3rd Dist. 2002); Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179 (2nd Dist. 2000). Proof of market value may

consist of an appraisal, a recent arm's length sale of the subject property, recent sales of comparable properties, or recent construction costs of the subject property. 86 Ill.Admin.Code 1910.65(c). Having considered the evidence presented, the PTAB concludes that the evidence indicates a reduction based on market value is not warranted.

The PTAB finds the board of review did not submit any information to establish the arm's length nature of the subject's sale in 2003 and the PTAB, therefore, give less weight to this sale.

The parties presented sales information on a total of 21 suggested comparables. In reviewing the evidence, the PTAB finds the appellant's comparables #2, #7, #10, #12 and #14 and the board of review's comparables #6 and #7 are the most similar to the subject and, therefore, receive the most weight in the analysis. These properties sold between October 2001 and April 2005 for prices ranging from \$279,800 to \$730,000, or from \$35.42 to \$93.27 per square foot of building area, including land. In comparison, the subject properties assessment reflects a value of \$60.55 per square foot of building area, including land, which is within the range established by the most similar comparables. The PTAB finds that the appellant has failed to establish by a preponderance of the evidence that the subject is overvalued and a reduction is not warranted.

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

Frank A. Huff

Member

Mario Morris

Member

Shawn R. Lerbis

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: June 24, 2011

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.