



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

APPELLANT: Gullo International
DOCKET NO.: 07-21039.001-I-1
PARCEL NO.: 08-27-300-054-0000

The parties of record before the Property Tax Appeal Board are Gullo International, the appellant, by attorney Anthony M. Farace, of Amari & Locallo in Chicago; and the Cook 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 Cook County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$ 33,719

IMPR.: \$ 129,455

TOTAL: \$ 163,174

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a one-story, masonry warehouse building constructed in 1991. It is situated on a 22,039 square foot site and located in Elk Grove Township, Cook County. It is classified under the Cook County Real Property Assessment Classification Ordinance as Class 5-93 with a level of assessment of 36% as designated for Class 5 industrial property.

The appellant indicated that the county understated the subject's square footage of building area as 7,615 square feet. The appellant contends the correct square footage is 8,300 square feet of building area on its grid sheet, however, no evidence in support of this contention was provided by the appellant.

The appellant submitted evidence before the Property Tax Appeal Board claiming unequal treatment in the assessment process as the basis of the appeal. In support of this argument, the appellant submitted a grid sheet detailing three suggested comparable properties. They are all class 5-93, one-story, masonry industrial buildings similar to the subject, located in Elk Grove

Village. They range in age from 19 to 37 years and in size from 6,120 to 7,484 square feet of building area. The comparables have improvement assessments ranging from \$100,845 to \$114,809 or from \$13.45 to \$18.76 per square foot of building area. Based on the evidence presented, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review-Notes on Appeal" disclosing the subject's final assessment of \$206,738 which reflects a market value of \$574,272 utilizing the Cook County Real Property Assessment Classification Ordinance level of assessment of 36% for Class 5 property. In support of this assessment, the board of review submitted five sales of industrial properties located within the subject's market area, all within a two and one-half mile radius of the subject property. They range in building size from 6,566 to 25,000 square feet and in age from 18 to 32 years. No information regarding age was provided for comparable #4. The sales occurred between December 1996 and December 2007 for prices ranging from \$385,000 to \$1,450,000 or from \$58.64 to \$205.67 per square foot, including land. No analysis or adjustment of the sales data was provided by the board.

In support of the subject's square footage, the board of review submitted the county's property record card indicating the building square footage for the subject is 7,615. The board of review also submitted a copy of a recorded Warranty Deed for the subject indicating the subject was purchased in August of 2002 for \$700,000, or \$91.92 per square foot, including land. Based on the evidence presented, the board of review requested confirmation of the subject's assessment.

At hearing, the appellant's attorney clarified his appeal basis then he, as well as the board of review's representative, rested on the evidence previously submitted.

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 appellant's argument was unequal treatment in the assessment process. The Illinois Supreme Court has held that 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). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. Having considered the evidence presented, the Board concludes that the appellant has met this burden and that a reduction is warranted.

The first issue before the Board is the subject's square footage. The Board finds the appellant failed to submit sufficient evidence to establish that the subject contains 8,300 square feet of building area, while the board of review submitted the county's property record card. Therefore, the Board finds that

the subject contains 7,615 square feet of building area. This reflects an improvement assessment of \$22.72 per square foot of building area.

The appellant presented assessment data on a total of three equity comparables. The Board finds these comparables similar to the subject. The properties are improved with a one-story, masonry, industrial building located in Elk Grove Village. The properties range: in building area from 6,120 to 7,484 square feet; in age from 19 to 37 years; and in improvement assessment from \$13.45 to \$18.76 per square foot of building area. In comparison, the subject's improvement assessment of \$22.72 per square foot of building area is above the range of comparables. The Board gives little weight to the board of review's evidence as the data is merely raw sales data that has not been adjusted for market conditions including time, location, age, size, land to building ratio, parking, zoning and other related factors.

After considering adjustments and the differences in the comparables when compared to the subject, the Board finds the subject's per square foot improvement assessment is not supported and a reduction in the subject's assessment is 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.



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: November 30, 2012



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.