



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

APPELLANT: Raju Mathew
DOCKET NO.: 07-30747.001-C-1
PARCEL NO.: 10-20-100-026-0000

The parties of record before the Property Tax Appeal Board are Raju Mathew, the appellant, by attorney Arnold G. Siegel, of Siegel & Callahan, P.C. 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: \$ 56,521
IMPR.: \$ 68,879
TOTAL: \$ 125,400

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of 13,544 square feet of land improved with a 36-year old, one-story, masonry, commercial building with 600 square feet of building area used as a gas station.

The appellant argued that the market value of the subject property is not accurately reflected in the property's assessed valuation as the basis of this appeal.

In support of the market value argument, the appellant's pleadings included a summary appraisal of the subject property with an effective date of January 1, 2007 undertaken by Leslie Allan, associate real estate appraiser, and Mitchell Perlow, who holds the designations of certified general real estate appraiser and Member of the Appraisal Institute. The appraisers estimated a market value for the subject of \$330,000.

As to the subject, the appraisals indicated that the subject's site was inspected by the appraisers on February 22, 2010 with interior and exterior photographs submitted. The appraisal

stated that the client requested that the cost and income approaches to value not be performed.

The appraisers indicated that the subject's highest and best use as vacant was for commercial development, while the highest and best use as improved was for its current use.

As to the subject, the appraisal stated that the subject was purchased by the current owners in August, 2004, for a price of \$1,290,000. Which they assert included business value and trade fixtures.

The appraisers developed one of the three traditional approaches to value, the sales comparison approach. Under this approach to value, the appraisers utilized six sale comparables, which are located in suburbs neighboring the subject property. These comparables sold from March, 2004, through December, 2008, for prices that ranged from \$269.66 to \$569.08 per square foot. The properties were improved with a one-story, masonry, commercial building used as a gas station or a service station. They ranged in improvement size from 600 to 8,912 square feet of building area. After making adjustments to the suggested comparables, the appraisers estimated that the subject's market value was \$550.00 per square foot or \$330,000, rounded, as of the assessment date. As a result of this analysis, the appellant requested a reduction in the subject's valuation.

The board of review submitted "Board of Review-Notes on Appeal" wherein the subject's total assessment was \$164,072 for tax year 2007. The subject's assessment reflects a market value of \$431,768 using the Cook County Ordinance Level of Assessment for Class 5A, commercial property of 38%.

In support of the subject's market value, raw sales data was submitted for 11 properties. The data from the CoStar Comps service sheets reflect that the research was licensed to the assessor's office, but failed to indicate that there was any verification of the information or sources of data. The properties sold from January, 2003, to February, 2005, for prices that range from \$395,000 to \$1,400,000. The properties contained one-story, masonry buildings that ranged in size from 375 to 4,800 square feet and in age from 1 to 48 years.

In addition, the board of review submitted an unsigned, multi-page printout with hand-written statements thereon relating to 27 properties. As a result of its analysis, the board requested confirmation of the subject's assessment.

After considering the arguments and reviewing the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. After submission of the parties' evidence, they waived their right to a hearing.

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, 331Ill.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 Board concludes that the appellant has met this burden and that a reduction is warranted.

The Board finds the best evidence of the subject's market value to be the appellant's appraisal, which utilized one of the three traditional approaches to value in developing the subject's market value. The Board also finds the appraisal to be persuasive for the appraisers: have experience in appraising and assessing property; personally inspected the subject property; estimated a highest and best use for the property; and utilized market data in undertaking the sales comparison approach to value, while making adjustments to the comparables where necessary.

Therefore, the Board finds that the subject property contained a market value of \$330,000. Since the market value of the subject has been established, the Cook County Ordinance level of assessment for Class 5a, commercial property of 38% will apply. Therefore, the Board finds that a reduction 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.

Donald R. Cuit

Chairman

K. L. Fern

Member

Frank 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: July 19, 2013

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.