



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

APPELLANT: Downers Grove National Bank
DOCKET NO.: 09-21549.001-C-1
PARCEL NO.: 16-19-231-035-0000

The parties of record before the Property Tax Appeal Board are Downers Grove National Bank, the appellant, by attorney Leonard Schiller, of Schiller Klein PC in Chicago; and 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: \$ 26,790
IMPR.: \$ 87,444
TOTAL: \$ 114,234

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Cook County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2009 tax year. The Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of the appeal.

Findings of Fact

The subject property consists of a 10,991 square foot parcel of land improved with an 80-year old, one-story, storefront commercial building containing 8,549 square feet of building

area. It is located in Berwyn Township, Cook County, and is classified under the Cook County Real Property Assessment Classification Ordinance as Class 5-17 with a level of assessment of 25% as designated for commercial property.

The appellant's grid sheet states that the subject contains 8,250 square feet of building area, however, the evidence provided by the board of review indicates that the subject contains 8,589 square feet of building area. No evidence of building square footage was provided by the appellant.

The appellant submitted evidence claiming unequal treatment in the assessment process as the basis of the appeal. In support of this argument, the appellant submitted a grid sheet with limited data listing three suggested comparable properties. They are commercial buildings that range in age from 22 to 84 years and in size from 3,381 to 6,060 square feet of building area. The comparables have improvement assessments ranging from \$16,751 to \$54,137 or from \$3.23 to \$16.00 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 "Board of Review-Notes on Appeal" wherein the subject's improvement assessment was \$87,444, or \$10.18 per square foot of building area, with a total assessment of \$114,234. The board also submitted a memorandum authored by Kathleen Flynn, Cook County Board of Review Analyst, indicating the subject was purchased in June 2005 for \$580,000, or \$67.84 per square foot, including land. The board also submitted a black and white photograph of the subject, the subject's property record card, as well as raw sales data on four retail storefront properties suggested as comparable. These comparables sold for prices ranging from \$450,000 to \$1,000,000, or from \$64.62 to \$164.10 per square foot of building area. These properties are all located within a three mile radius of the subject. The board's memo indicated that these sales have not been adjusted for market conditions such as time, location, age, size and other related factors. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In written rebuttal, the appellant indicated that the board of review failed to address the equity argument.

Conclusion of Law

The appellant's argument was based on 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 not met this burden and that a reduction is not warranted.

The appellant presented assessment data on a total of three equity comparables. They range in improvement assessment per square foot value from \$3.23 to \$16.00. The subject's improvement assessment per square foot value of \$10.18 is within the range of the comparables submitted by the appellant. Furthermore, 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 and fails to address the appellant's equity argument.

After considering the evidence submitted, the Board finds the subject's per square foot improvement assessment is supported and a reduction in the subject's assessment 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.

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: May 22, 2015



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.