



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

APPELLANT: Open Kitchens  
DOCKET NO.: 09-26693.001-I-1 through 09-26693.006-I-1  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Open Kitchens, the appellant(s), by attorney Joseph G. Kuser, of Storino Ramello & Durkin in Rosemont; 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:

<b>DOCKET NO</b>	<b>PARCEL NUMBER</b>	<b>LAND</b>	<b>IMPRVMT</b>	<b>TOTAL</b>
09-26693.001-I-1	17-20-438-016-0000	22,584	0	\$22,584
09-26693.002-I-1	17-20-438-019-0000	12,628	0	\$12,628
09-26693.003-I-1	17-20-438-027-0000	5,760	0	\$5,760
09-26693.004-I-1	17-20-438-028-0000	5,760	0	\$5,760
09-26693.005-I-1	17-20-438-029-0000	5,760	0	\$5,760
09-26693.006-I-1	17-20-438-033-0000	20,328	0	\$20,328

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 six vacant parcels of land containing 30,342 square feet of land area. The property is located in Chicago, West Township, Cook County.

The appellant contends assessment inequity as the basis of the appeal. In support of this argument, the appellant submitted information on seven equity comparables.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total/land assessment for the subject of \$72,820 or \$24.00 per square foot of land area. In support of its contention of the correct assessment, the board of review submitted information on seven sale comparables.

At hearing, the appellant reaffirmed the evidence previously submitted. The appellant's attorney stated that two of the seven comparables are classified as commercial and the remaining comparables are industrial.

The board of review analyst rested on the evidence previously submitted.

#### Conclusion of Law

The taxpayer contends assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board finds that the appellant's comparables are not similar to the subject in classification. The seven properties are classified as 5-93 and 5-17 properties. Whereas, the subject is a class 1 property. In addition, the Board accorded diminished weight to the properties submitted by the board of review as the evidence provided is unconfirmed, raw data on sales. Therefore, the Board finds this argument unpersuasive and a reduction in the subject's assessment is not 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.

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Chairman



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Member



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Member

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Member



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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: April 24, 2015



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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.