



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

APPELLANT: Minooka CHSD No. 111  
DOCKET NO.: 10-00785.001-I-3  
PARCEL NO.: 03-03-100-014

The parties of record before the Property Tax Appeal Board are Minooka CHSD No. 111, the appellant, by attorney Michael T. Canna of Canna and Canna, Ltd., in Orland Park; and the Grundy County Board of Review<sup>1</sup>.

Based on the facts and exhibits presented in this matter, the Property Tax Appeal Board hereby finds **An Increase** in the assessment of the property as established by the **Grundy** County Board of Review is warranted. The correct assessed valuation of the property is:

**LAND:** \$ 70,940  
**IMPR.:** \$5,204,260  
**TOTAL:** \$5,275,200

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellant timely filed the appeal from a decision of the Grundy County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2010 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 one-story industrial warehouse that contains 456,479 square feet of building area. The building was constructed in 2005. Features include 45 exterior truck docks with levelers, two drive in doors, 5,626 square feet of office area, 30 foot clear ceiling heights in the warehouse area and a sprinkler fire suppression system. The subject property has a 35.35 acre site. The subject property is located in Aux Sable Township, Grundy County, Illinois.

The appellant, a taxing body, submitted evidence before the Property Tax Appeal Board claiming under-valuation as the basis of the appeal. In support of this argument, the appellant

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<sup>1</sup> The owner/taxpayer, Alberto-Culver USA, Inc., do not timely file a Request to Intervene in this appeal pursuant to Section 1910.60(c) of the rules of the Property Tax Appeal Board. (86 Ill.Admin.Code §1910.60(c)).

submitted an appraisal of the subject property estimating a market value of \$16,000,000 as of January 1, 2010. The appraisal was prepared by Eric Dost, a state licensed appraiser. The appraiser developed the three traditional approaches to value in arriving at the final opinion of value. Based on this evidence, the appellant requested an increase in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject property's final assessment of \$4,000,000 was disclosed. The subject's assessment reflects an estimated market value of \$12,132,241 when applying Grundy County's 2010 three-year average median level of assessment of 32.97%. 86 Ill.Admin.Code §1910.50(c)(1).

In response to the appeal, the board of review submitted a Real Estate Transfer Declaration disclosing the subject sold in October 2012 for \$17,500,000. Line 7 of the Real Estate Transfer Declaration shows the subject property was not advertised for sale. Based on this evidence, the board of review requested confirmation of the subject's assessment.

### **Conclusion of Law**

The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist of an appraisal of the subject property, a recent sale, comparable sales or construction costs. 86 Ill.Admin.Code §1910.65(c). The Board finds the appellant met this burden of proof.

The Board gave little weight to the subject's October 2012 sale price. The Board finds the subject sale price is not indicative of market as the transaction occurred over two years subsequent to the subject's January 1, 2010 assessment date. Moreover, the Board finds line 7 of the Real Estate Transfer Declaration shows the subject property was not advertised for sale on the open market to be considered an arm's-length transaction that is reflective of market value.

The Board finds the best evidence of market value contained in this record is the appraisal submitted by the appellant estimating a market value of \$16,000,000 as of January 1, 2010. The subject's assessment reflects an estimated market value of \$12,132,241, which is considerably less than the appraisal submitted by the appellant. Therefore, an increase in the subject's assessment is justified. Since fair market value has been established, Grundy County's 2010 three-year average median level of assessment of 32.97% shall apply.

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: \_\_\_\_\_

**CERTIFICATION**

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 22, 2016



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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.