



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

APPELLANT: American Metro 3817  
DOCKET NO.: 10-21610.001-C-1 through 10-21610.002-C-1  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are American Metro 3817, the appellant, by attorney Aron L. Bornstein, of Law Offices of Aron L. Bornstein 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
10-21610.001-C-1	14-20-105-016-0000	72,656	328,965	\$401,621
10-21610.002-C-1	14-20-105-017-0000	59,653	237	\$ 59,890

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 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 and part two-story, 7,518 square foot restaurant building that was constructed in 1951, with an addition in 1994. The property has a 14,113 square foot site and is located in Chicago, Lakeview Township, Cook County. The property is a class 5-17 property under the Cook County Real Property Assessment Classification Ordinance.

In support of the market value argument, the appellant submitted six properties suggested as comparable. They range: in size from

3,575 to 9,714 square feet of building area; in sale date from January 2007 to July 2008; and in sale price from \$41.18 to \$172.73 per square foot of building area, including land. Based on the evidence presented, the appellant requested a reduction in the subject's assessment.

The Cook County Board of Review submitted its "Board of Review-Notes on Appeal," wherein the subject's final assessment of \$561,011 was disclosed. This yields a market value of \$2,244,044, or \$298.49 per square foot, including land, when applying a 25% level of assessment. In support of the subject's assessment, the board of review submitted a property record card for the subject, and sales data for five restaurant properties located within five miles of the subject.

The comparables contain between 5,509 and 7,000 square feet of building area, and sold between January 2005 and September 2009 for \$820,000 to \$2,232,750, or \$117.14 to \$357.35 per square foot of building area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

At hearing, the appellant's attorney briefly reviewed the comparables while indicating that three of the board's sale comparables support an assessment reduction, while the board of review rested on their written submission.

#### **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 and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value to be the appellant's comparables #1 and #2 and the board of review's comparable #2. These comparables range from \$117.14 to \$172.73 per square foot, including land. The subject's market value is \$298.49 per square foot, including land, which is above the range established by the best comparables contained in the record. After making adjustments to these comparables based on similarities and differences as compared to the subject property, the Board finds that an assessment reduction to the appellant's request is granted.

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

*K. L. Ferr*

*Mark Morris*

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

*DR*

*Jerry White*

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Member

\_\_\_\_\_  
Acting 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: August 21, 2015

*Shirley*

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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.