



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

APPELLANT: Adam LeFebvre
DOCKET NO.: 10-23104.001-I-1 through 10-23104.002-I-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Adam LeFebvre, the appellant(s), by attorney Brian P. Liston, of Law Offices of Liston & Tsantilis, 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 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
10-23104.001-I-1	10-29-102-008-0000	87,964	238,387	\$ 326,351
10-23104.002-I-1	10-29-102-016-0000	8,649	0	\$ 8,649

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 (the "Board") finds that it has jurisdiction over the parties and the subject matter of the appeal.

Findings of Fact

The subject consists of a one-story building of masonry construction with 72,850 square feet of building area. The building is 45 years old. The property has a 101,176 square foot site, and is located in Niles, Niles Township, Cook County. The PIN ending in -008 is classified as class 6-63 property under the Cook County Real Property Assessment Classification Ordinance. The PIN ending in -016 is classified as class 1-00

property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal estimating the subject property had a market value of \$2,700,000 as of January 1, 2010. The appraisal states that the subject was purchase by 6250 West Howard Street, LLC in June 2009 for \$3,350,000. The appraisal states that this sale was not believed to "be a true market sale" because the buyer was expanding its business operations to the subject, which was located on the same block as the buyer's current business location. Furthermore, the appraisal used five sales in the sale comparison approach to value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$335,000. The subject's assessment reflects a market value of \$3,350,000, or \$45.98 per square foot of building area, including land, when applying the 2010 statutory levels of assessment for class 6 and vacant land property under the Cook County Real Property Assessment Classification Ordinance of 10.00%.

In support of its contention of the correct assessment, the board of review submitted information on six comparable sales from the CoStar Comps Service.

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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board does not find the value conclusions found in the appraisal persuasive. "[A] contemporaneous sale between parties dealing at arm's length is not only relevant to the question of fair cash market value, (citations) but would be practically conclusive on the issue of whether an assessment was at full value." People ex rel. Korzen v. Belt Ry. Co. of Chi., 37 Ill.

2d 158, 161 (1967). The appraiser stated that the sale of the subject in June 2009 for \$3,350,000 was not a true indication of the subject's fair cash value. However, under Belt Ry., a contemporaneous, arm's length sale is "practically conclusive" as to the subject's fair cash value. Id. The appraiser provided no evidence to overcome the "practically conclusive" standard set forth in Belt Ry. As such, the Board finds that the appraisal's adjustments and conclusion of value are flawed, and shall not be considered in this appeal. However, the Board will look at the raw sales data submitted by the parties, including the raw sales data found in the sales comparison approach of the appellant's appraisal.

The Board finds the best evidence of market value to be appellant's comparables #1, #3, #4, and #5 found in the sales comparison approach in the appraisal, and board of review comparable #3. These comparables sold for prices ranging from \$27.73 to \$51.93 per square foot of building area, including land. The subject's assessment reflects a market value of \$45.98 per square foot of building area, including land, which is within the range established by the best comparables in this record. Based on this record, the Board finds a reduction in the subject's assessment is not justified.

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

Acting 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: November 20, 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.