



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

APPELLANT: Krueger Landscaping Inc.
DOCKET NO.: 10-31168.001-I-1 through 10-31168.003-I-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Krueger Landscaping Inc., the appellant, by attorney Brian S. Maher of Weis, DuBrock, Doody & Maher 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
10-31168.001-I-1	02-23-401-046-0000	34,259	53,392	\$87,651
10-31168.002-I-1	02-23-401-058-0000	5,603	14,414	\$20,017
10-31168.003-I-1	02-23-401-060-0000	7,383	33,699	\$41,082

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 is improved with a one-story masonry constructed light industrial/warehouse building with a gross building area of approximately 14,000 square feet. The subject property is part of a larger light/industrial warehouse that originally was built as four separate units with common party

walls. The subject has three of the units. Other features include five 14 foot overhead doors, 20 foot clearance in the warehouse area and air conditioning for the office area. The property has a 58,150 square foot site and is located in Rolling Meadows, Palatine Township, Cook County. The property is a class 5-93 industrial building 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 \$595,000 as of January 1, 2010. The appraisal was prepared by John B. Murphy, Certified Residential Real Estate Appraiser, and Mitchell J. Perlow, Certified General Real Estate Appraiser, of Property Valuation Services. Perlow also has the Member of the Appraisal Institute (MAI) designation. In estimating the market value of the subject property the appraisers developed the sales comparison approach using six sales that sold from December 2008 to October 2010 for prices ranging from \$382,500 to \$1,100,000 or from \$26.80 to \$46.08 per square foot of building area, including land.

The appellant also submitted a copy of the final decision issued by the board of review establishing a total assessment of \$181,997. The subject's assessment reflects a market value of \$727,988 when using the Cook County Real Property Assessment Classification Ordinance level of assessments for class 5-93 property of 25%. The appellant requested the subject's assessment be reduced to \$148,750 to reflect the appraised value.

The board of review did not submit its "Board of Review Notes on Appeal" or any evidence in support of its assessed valuation of the subject property.

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 meet this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the only evidence of market value in this record to be the appraisal submitted by the appellant estimating the subject property had a market value of \$595,000 as of January 1, 2010. The subject's assessment reflects a market value above the appraised value presented by the appellant. The board of review did not submit any evidence in support of its assessment of the subject property as required by section 1910.40(a) of the rules of the Property Tax Appeal Board and is found to be in default pursuant to section 1910.69(a) of the rules of the Property Tax Appeal Board. 86 Ill.Admin.Code §1910.40(a) & §1910.69(a). The Board has examined the information submitted by the appellant and finds the appraisal supports a reduction in the assessed valuation of the subject property.

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: April 24, 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.