



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

APPELLANT: ERA Industries Inc
DOCKET NO.: 10-31172.001-I-1 through 10-31172.006-I-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are ERA Industries Inc, 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 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
10-31172.001-I-1	12-21-311-008-0000	4,571	1,364	\$ 5,935
10-31172.002-I-1	12-21-311-009-0000	4,571	38,457	\$ 43,028
10-31172.003-I-1	12-21-311-010-0000	4,571	38,457	\$ 43,028
10-31172.004-I-1	12-21-311-043-0000	3,291	19,351	\$ 22,642
10-31172.005-I-1	12-21-311-044-0000	13,075	97,806	\$ 110,881
10-31172.006-I-1	12-21-311-053-0000	24,230	160,961	\$ 185,191

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. The building is 53 years old. The property has a 45,738 square foot site, and is located in Franklin Park, Leyden Township, Cook County. The subject is classified as a class 5-93 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant's evidence states that the subject's improvement size is 34,909 square feet of building area without any supporting evidence.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on four comparable sales.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$434,058. The subject's assessment reflects a market value of \$1,736,232 when applying the 2010 statutory level of assessment for industrial property under the Cook County Real Property Assessment Classification Ordinance of 25.00%.

The board of review's evidence states that the subject's improvement size is 25,000 square feet of building area without any supporting evidence.

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

Conclusion of Law

Initially, the Board finds that the subject's improvement size is 25,000 square feet of living area. "Standard of proof. Unless otherwise provided by law or stated in the agency's rules, the standard of proof in any contested case hearing conducted under this Act by an agency shall be the preponderance of the evidence." 5 ILCS 100/10-15. The appellant submitted no evidence in support of the assertion that the subject's improvement size was 34,909 square feet of building area. Therefore, the Board finds that the appellant has failed to prove, by a preponderance of the evidence, that the subject's improvement size is 34,909 square feet. The Board further finds that the subject's improvement size is 25,000 square feet of building area, and that the subject's market value is \$69.45 per square foot of building area, including land, when applying the 2010 statutory level of assessment for industrial property under the Cook County Real Property Assessment Classification Ordinance of 25.00%.

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 meet 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 appellant's comparables #3 and #4, and board of review comparables #1, #3, and #4. These comparables sold for prices ranging from \$45.95 to \$65.00 per square foot of building area, including land. The subject's assessment reflects a market value

of \$69.45 per square foot of building area, including land, which is above the range established by the best comparables in this record. Based on this record, the Board finds a reduction in the subject's assessment to that requested by the appellant is 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



Acting Member



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.