



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

APPELLANT: Harold Story
DOCKET NO.: 10-34199.001-C-1
PARCEL NO.: 16-14-403-001-0000

The parties of record before the Property Tax Appeal Board are Harold Story, the appellant, by attorney George J. Relias, of Relias & Tsonis, LLC 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:

LAND: \$ 31,521
IMPR.: \$ 172,434
TOTAL: \$ 203,955

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-story 15,252 square foot auto repair/car wash building built in 1921. It is situated on a 15,283 square foot site, and is located in Chicago, West Township, Cook County. The property is a class 5-22 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 indicated on their

appeal form that the subject was purchased in July 2004 for \$335,000. No further evidence of overvaluation was submitted.

The board of review submitted its "Board of Review-Notes on Appeal" disclosing the total assessment for the subject of \$203,955. The subject's assessment reflects a market value of \$815,820 or \$53.49 per square foot of building area, 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 seven retail/auto repair properties located within three miles of the subject.

The comparables contain between 1,800 and 7,304 square feet of building area, and sold between January 2005 and December 2012 for \$345,000 to \$1,150,000, or \$84.88 to \$638.89 per square foot of building area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In written rebuttal, the appellant distinguished the board of review's comparables from the subject and submitted seven comparable sales that sold in the subject's neighborhood. The new sales evidence submitted by the appellant as rebuttal was not considered in the Board's analysis. 86 Ill.Admin.Code §1910.66(c).

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 finds the appellant's 2004 purchase date to be too far removed from the January 1, 2010 lien date to be reflective of the subject's current market value. Therefore, the Board finds the best evidence of market value to be the board of review's comparable #3, and comparables #5 through #7. These comparables sold for prices ranging from \$84.88 to \$176.47 per square foot of building area, including land. The subject's assessment reflects a market value of \$53.49 per square foot of building area, including land, which is below 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

K. L. Ferr

Mark Morris

Member

Member

JR

Jerry White

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

A. Proctor

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.