



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

APPELLANT: Richard Hoff, Sr.
DOCKET NO.: 12-21570.001-R-1
PARCEL NO.: 08-27-300-026-0000

The parties of record before the Property Tax Appeal Board are Richard Hoff, Sr., 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 **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: \$173,564
IMPR.: \$138,932
TOTAL: \$312,496

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 2012 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 a 30 year-old, one-story warehouse building of masonry construction containing 21,644 square feet of building area. Features of the building include office space and a loading dock. The property has a 106,809 square foot site and is located in Elk Grove Township, Cook County. The property is a Class 5 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends overvaluation as the basis of the appeal. The appellant argued in a brief that 53,375 square feet of the land is “excess” and should be assessed at a 10.00% level of assessment under the Cook County Real Property Assessment Classification Ordinance. The appellant submitted an appraisal using the income and sales comparison approaches. The appraisal estimated the subject property had a reconciled market value of \$1,250,000 as of January 1, 2010. This appraisal valued the portion of the land the appellant characterized as “excess” at an estimated market value of \$345,000 and the rest of the subject at an estimated market value of \$907,375, for a total estimated market value of \$1,250,000. The appellant requested a total assessment reduction to \$261,250.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$312,496. The subject's assessment reflects a market value of \$1,250,000 when applying the 2012 level of assessment of 25.00% for Class 5 property under the Cook County Real Property Assessment Classification Ordinance.

In support of its contention of the correct assessment, the board of review submitted information on five unadjusted suggested sales comparables.

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 appellant's argument is predicated on the notion that a portion of the land is “excess” because it is not marketable, and would be so only if an easement were negotiated. The record is devoid of any evidence as to why the land is “excess” other than the fact that the appellant has not used it. The Board finds that the appellant has failed to submit evidence in support of his argument that this portion of the land is “excess” and should, therefore, be assessed at the favorable level of 10.00%.

The Board finds the appraisal submitted by the appellant estimating the subject's market value at \$1,250,000 confirms the board of review's total assessment of \$312,496 after applying the 2012 level of assessment of 25.00% for Class 5 property under the Cook County Real Property Assessment Classification Ordinance. Based on this evidence, the Board finds that no reduction in the assessment is warranted.

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: _____

CERTIFICATION

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: May 20, 2016



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.