



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

APPELLANT: Albert Gaudyn  
DOCKET NO.: 12-35853.001-C-1  
PARCEL NO.: 12-21-312-054-0000

The parties of record before the Property Tax Appeal Board are Albert Gaudyn, the appellant, by attorney George N. Reveliotis of Reveliotis Law, P.C. in Park Ridge; and the Cook County Board of Review.

Based on the facts and exhibits presented in this matter, 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:

**LAND:** \$14,538  
**IMPR.:** \$11,712  
**TOTAL:** \$26,250

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellant filed the appeal from a decision of the Property Tax Appeal Board pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185) 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 improved with a one-story masonry constructed industrial building being used as a warehouse/light manufacturing facility that contains 4,500 square feet of building area. The building was constructed in 1954. The building has a concrete slab foundation with interior walls that are exposed masonry. Lighting is mostly provided by florescent light fixtures and the building is heated by ceiling mounted gas fired heating units. The building has a small office and three overhead doors for vehicle access. The property has an 11,679-square foot site resulting in a land to building ratio of approximately 2.60:1. The property is located in Franklin Park, Leyden Township, Cook County. The subject is classified as 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 \$105,000

as of January 1, 2011. The appraisal was prepared by Eric Sladcik, a certified general real estate appraiser.

The purpose of the appraisal was to estimate the market value of the subject property. The intended use of the report was to obtain a reduction in the assessment of the subject property. The interest valued was the fee simple estate. The appraiser determined the highest and best use of the subject property is for industrial development.

In estimating the market value of the subject property, the appraiser developed the sales comparison approach to value using five comparable sales improved with industrial buildings of masonry construction ranging in size from 4,500 to 11,837 square feet of building area. The buildings range in age from 41 to 53 years old. The comparables have sites ranging in size from 6,058 to 43,993 square feet of land area resulting in land to building ratios ranging from 1.04:1 to 4.3:1. Four of the comparables were located in Franklin Park and one comparable was located in Berkley. Comparables #1 and #2 were located along the same street and within one block of the subject property. The comparables sold from December 2009 to September 2011 for prices ranging from \$105,000 to \$300,000 or from \$21.72 to \$39.66 per square foot of building area, including land. The appraiser adjusted the comparables for differences from the subject property to arrive at adjusted prices ranging from \$22.80 to \$41.64 per square foot of building area, including land. The appraiser concluded a value towards comparables #1 and #2 due to their proximity and similarities to the subject at \$23.00 per square foot of building area or \$105,000, rounded. Based on this evidence the appellant requested the subject's assessment be reduced to \$26,250 to reflect the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$29,250. The subject's assessment reflects a market value of \$117,000 or \$26.00 per square foot of building area, including land, when applying the Cook County Real Property Assessment Classification Ordinance level of assessment for class 5-93 property of 25%.

In support of its contention of the correct assessment the board of review submitted information on five comparable sales located in Franklin Park improved with one-story industrial/warehouse buildings that range in size from 3,500 to 5,215 square feet of building area. The comparables were constructed from 1961 to 1976. Four of these comparables have land to building ratios ranging from 1.50:1 to 8.71:1. The sales occurred from April 2006 to January 2011 for prices ranging from \$150,000 to \$390,000 or from \$41.00 to \$74.78 per square foot of building area, including land.

In rebuttal the appellant's counsel asserted the sales provided by the board of review had no adjustments. Counsel also critiqued each of the sales provided by the board of review noting that each comparable was newer than the subject property. Counsel also noted that comparables #1, #2 and #5 sold in 2006 and 2007.

### **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 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 the appraisal submitted by the appellant. The appraisal contained five comparable sales that had varying degrees of similarity to the subject in age, size and features. These properties also sold proximate in time to the assessment date. The appraiser also adjusted the comparables for differences from the subject. The Board finds the appraiser's estimate of market value of \$105,000 is credible and the best evidence in this record. Less weight was given the comparable sales provided by the board of review due to differences from the subject in age as comparables #1, #2 and #3 were significantly newer than the subject building; comparables #1, #2 and #5 did not sell proximate in time to the assessment date; comparable #3 had a significantly higher land to building ratio than the subject property; and comparable #4 is significantly smaller than the subject building. Based on this evidence the Board finds a reduction in the subject's assessment commensurate with the appellant's request is appropriate.

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. Pursuant to Section 1910.50(d) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(d)) the proceeding before the Property Tax Appeal Board is terminated when the decision is rendered. The Property Tax Appeal Board does not require any motion or request for reconsideration.



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 15, 2018



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 or years of the same general assessment period, as provided in Sections 9-125 through 9-225, 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 such subsequent year or years 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 OR YEARS. A separate petition and evidence must be filed for each of the remaining years of the general assessment period.

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.

PARTIES OF RECORD

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