



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

APPELLANT: Air Flow Company
DOCKET NO.: 13-03616.001-I-1
PARCEL NO.: 03-29-303-007

The parties of record before the Property Tax Appeal Board are Air Flow Company, the appellant, by attorney David Lavin of Robert H. Rosenfeld and Associates, LLC in Chicago; and the DuPage 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 DuPage County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$106,990
IMPR.: \$417,580
TOTAL: \$524,570

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the DuPage County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) contesting the assessment for the 2013 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 with approximately 25,350 square feet of building area. The building was constructed in 1974. Features of the building include a poured reinforced masonry foundation with spread footings and piers below the exterior walls; brick exterior walls; a flat roof; an 18 foot clear ceiling height in the warehouse; two interior recessed docks; two drive-in doors; 10% of the building area is office space; the office area has central air conditioning; the building has a sprinkler system throughout; two washrooms in the office space; and two washrooms in the warehouse. The property has a 55,053 square foot site resulting in a land to building ratio of 2.17:1.

The property is located in Addison, Addison Township, DuPage County.

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 \$1,460,000 as of July 11, 2013. The appraisal was prepared by Kestutis Puidokas, Certified General Real Estate Appraiser; Harry M. Fishman, Certified General Real Estate Appraiser; and Mitchell J. Perlow, Certified General Real Estate Appraiser, of Property Valuation Services.

The appraisal identified the client as American Chartered Bank. The appraisal indicated the report was to be used by the client in evaluating loan collateral. The appraisal also stated that there were no other authorized users of the report. (Appraisal page 2.)

In estimating the market value of the subject property the appraisers developed the sales comparison approach to value using five comparable sales located in Addison and Elmhurst. The comparable sales were improved with one-story buildings ranging in size from 12,844 to 33,000 square feet of building area. The buildings were constructed from 1968 to 1991. The properties had from 10% to 25.9% of the building area as office space; ceiling heights ranging from 16 to 20 feet; three of the comparables had one, two or six docks; three comparables had one or two drive-in doors; and two comparables had three or eight overhead doors. The properties had land to building ratios ranging from 2.14:1 to 2.73:1. The sales occurred from October 2011 to May 2013 for prices ranging from \$665,000 to \$1,700,000 or from \$42.42 to \$79.06 per square foot of building area. The appraisal stated that comparable sale #3 does not appear to have been marketed for sale as the seller wanted to dispose of it quickly after the tenant went bankrupt. In the adjustment process the appraisers were of the opinion that comparables sales #1 and #5 were superior to the subject property and required overall downward adjustments while the remaining comparables were inferior to the subject and required overall upward adjustments. Based on these sales the appraisers arrived at an estimated market value of \$57.50 per square foot of building area, including land, for an overall market value of \$1,460,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$524,570. The subject's assessment reflects a market value of \$1,574,340 or \$62.10 per square foot of building area, land included, when using the 2013 three year average median level of assessment for DuPage County of 33.32% as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment the board of review submitted evidence provided by Frank A. Marack, Jr., Chief Deputy Assessor of Addison Township. Marack provided information on six comparable sales located in Elmhurst, Addison

and Elk Grove that were improved with one-story buildings of masonry construction that ranged in size from 18,788 to 26,271 square feet of building area. The buildings were constructed from 1967 to 1995. The comparables had office space ranging from 2.92% to 10.99% of building area, building heights ranging from 17 to 28 feet and land to building ratios ranging from 1.60:1 to 3.08:1. Comparable #5 was described as containing two units. The evidence provided by Marack disclosed that comparables #2, #5 and #6 were either 50% or 100% occupied or leased at the time of sale and comparables #2 and #6 were not advertised. Furthermore, comparable sale #4 provided by Marack was the same property as appellant's appraisal comparable sale #1. The sales occurred from January 2011 to December 2013 for prices ranging from \$1,155,000 to \$1,700,000 or from \$60.90 to \$79.06 per square foot of building area, including land. Marack made adjustments to the comparables for differences from the subject to arrive at adjusted prices ranging from \$58.12 to \$73.58 per square foot of building area, including land. Based on these sales Marack was of the opinion the subject property had a market value of \$1,865,000 or \$73.57 per square foot of building area.

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 record contains an appraisal provided by the appellant containing five comparable sales and six comparable sales provided by the board of review, one of which was also contained in the appraisal.

The Board finds the appellant's appraisal was prepared for collateral purposes, the client was identified as American Chartered Bank, and the report indicated there were no other authorized uses or users. As a result of these statements the Board gives little weight to the conclusion of value contained in the appraisal but will review the comparable sales described in the report.

Of the ten sales in this record, the Board gives little weight to appellant's appraisal comparable sales #2 and #3 as each comparable had significantly more percentage of office space than the subject building, neither building was similar to the subject in size, comparable #3 was not similar to the subject in age and comparable #3 was not marketed. The Board gave little weight to comparable sales #2 and #6 submitted by the board of review due to the evidence indicating neither was advertised and each was 100% occupied or leased at the time of sale. The Board also gave

less weight to comparable sale #3 presented by the board of review as it was improved with a building superior to the subject in age being constructed in 1995 while the subject was constructed in 1974 and superior to the subject in building height with 28 feet while the subject has 18 feet of clear ceiling height.

The Board gave most weight to appellant's appraisal comparable sales #1, #4 and #5 as well as board of review sales #1, #4 and #5. Appellant's comparable sale #1 is the same property as board of review comparable sale #4. These comparables ranged in size from 17,202 to 25,025 square feet of building area and were constructed from 1967 to 1986. The comparables had office space ranging from 9.96% to 13.7% of total building area, ceiling heights ranging from 16 to 23 feet and land to building ratios ranging from 2.08:1 to 2.34:1. These properties sold from April 2012 to October 2013 for prices ranging from \$1,100,000 to \$1,700,000 or from \$55.72 to \$79.06 per square foot of building area, including land. Four of the comparables had a much narrower range from \$55.72 to \$64.10 per square foot of building area, including land. The Board finds the subject's assessment reflects a market value of \$1,574,340 or \$62.10 per square foot of building area, including land, which is well supported by the best comparable sales in this record. Based on this evidence 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.

Mario Albino

Chairman

K. L. Ferr

Member

JR

Member

Jerry White

Acting Member

Robert Hoffmann

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 22, 2016

A. Heston

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.