



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

APPELLANT: 6019 W. Howard, LLC
DOCKET NO.: 13-30047.001-I-1
PARCEL NO.: 10-29-303-018-0000

The parties of record before the Property Tax Appeal Board are 6019 W. Howard, LLC, the appellant, by attorney Scott Shudnow of Shudnow & Shudnow, Ltd. 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:

LAND: \$159,313
IMPR: \$508,187
TOTAL: \$667,500

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) 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 with mezzanine industrial building with 102,650 square feet of above grade building area. The building was constructed in stages in 1970 and 2006. The building has steel framing and brick and concrete block exterior walls. The building has approximately 11,500 square feet of office space. The first floor of the building is

used for manufacturing and storage. The office is heated and cooled by roof mounted package units while the manufacturing and storage areas are heated by unit heaters. The building has a ceiling hung wet automatic sprinkler system. The subject building also has eight interior depressed truck docks with overhead doors and one drive-in-door. Site improvements include a concrete approach apron and asphalt paved parking for approximately 100 cars. The property has a 149,942 square foot site and is located in Niles, Niles Township, Cook County. The property 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 \$2,670,000 as of January 1, 2013. In estimating the market value of the subject property the appraiser developed the cost approach to value, the income approach to value and the sales comparison approach to value.

The appellant also submitted one comparable sale of a property located approximately .1 mile from the subject property that sold in December 2010 for a price of \$3,500,000 or \$23.41 per square foot of building area, including land. A review of the appraisal disclosed this property was used as appraisal comparable sale #2.

The appellant submitted a copy of the final decision issued by the Cook County Board of Review disclosing the total assessment for the subject property of \$683,284. The subject's assessment reflects a market value of \$2,733,136 using the Cook County Real Property Assessment Classification Ordinance level of assessment for class 5-93 property of 25%.

Based on this evidence the appellant requested the subject's assessment be reduced to either \$601,786 using a building value of \$23.45 per square foot of building area based on the comparable sale or \$667,500 using the appraised value.

The board of review did not submit its "Board of Review Notes on Appeal" or any evidence in support of its contention of the correct assessment.

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 estimating the subject property had a market value of \$2,670,000 as of January 1, 2013. The subject's assessment reflects a market value above the best evidence of market value in the record. The Board gave less weight to the comparable sale submitted by the appellant as this comparable was used by the appellant's appraiser who noted that this property was somewhat inferior to the subject property for size. The board of review did not submit any evidence in support of its assessment of the subject property or to refute the appellant's argument as required by section 1910.40(a) of the rules of the Property Tax Appeal Board and is found to be in default pursuant to section 1910.69(a) of the rules of the Property Tax Appeal Board. (86 Ill.Admin.Code §1910.40(a) & §1910.69(a)). Based on this evidence the Board finds a reduction in the subject's assessment 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.