



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

APPELLANT: Burlington Coat Factory  
DOCKET NO.: 13-31841.001-C-1  
PARCEL NO.: 30-19-300-012-0000

The parties of record before the Property Tax Appeal Board are Burlington Coat Factory, the appellant(s), by attorney Abby L. Strauss, of Schiller Strauss & Lavin PC in Chicago; and the Cook County Board of Review.

Based on the facts and exhibits presented in this matter, 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:** \$ 146,921  
**IMPR.:** \$ 552,029  
**TOTAL:** \$ 698,950

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 2013 tax year. The Property Tax Appeal Board (the "Board") finds that it has jurisdiction over the parties and the subject matter of the appeal.

**Findings of Fact**

The subject consists of a one-story building of masonry construction with 79,200 square feet of building area. The building is 26 years old. The property has a 111,940 square foot site, and is located in Lansing, Thornton Township, Cook County. The subject is classified as a class 5-17 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 submitted an appraisal estimating the subject property had a market value of \$2,600,000 as of January 1, 2008. The appellant also included a letter from the appraiser stating that the opinion of value for the subject as of January 1, 2009 would be the same as the opinion of value as of January 1, 2008. Based on this evidence, the appellant requested a reduction in the subject's assessment to 25.00% of the appraisal's estimate of market value.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$698,950. The subject's assessment reflects a market value of \$2,795,800, or \$35.30 per square foot of building area, including land, when applying the 2013 statutory level of assessment for commercial property under the Cook County Real Property Assessment Classification Ordinance of 25.00%.

In support of its contention of the correct assessment, the board of review submitted information on eight comparable sales from the CoStar Comps Service.

In rebuttal, the appellant argued that the board of review's evidence should be given no weight because it was raw sales data.

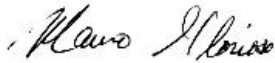
### **Conclusion of Law**

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 does not find the appraisal submitted by the appellant persuasive. The appraisal has an effective date of January 1, 2008, and the letter from the appraiser has an effective date of January 1, 2009. The relevant lien date in this appeal is January 1, 2013. 35 ILCS 200/9-155. Since the appraisal and the letter from the appraiser are five years and four years, respectively, removed from the lien date, the Board finds that the appraisal and the letter from the appraiser are both too remote in time to accurately depict the subject's market value as of January 1, 2013. For this reason, the appellant's appraisal and the letter from the appraiser were given no weight in the Board's analysis.

The Board finds the best evidence of market value to be board of review comparables #2, #7, and #8. These comparables sold for prices ranging from \$44.55 to \$200.54 per square foot of building area, including land. The subject's assessment reflects a market value of \$35.30 per square foot of building area, including land, which is below the range established by the best comparables in this record. The raw sales data for the comparables submitted in the sales comparison approach to value in the appraisal were considered by the Board, but were given no weight. These sales took place between January 2004 and September 2007, which, the Board finds, is too far remote in time from the relevant lien date of January 1, 2013. Based on this record, the Board finds the subject is not overvalued, and 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



Member



Member



Member



Acting 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: \_\_\_\_\_

January 27, 2017



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.