



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

APPELLANT: James Schulte
DOCKET NO.: 13-36317.001-C-1
PARCEL NO.: 23-25-213-016-0000

The parties of record before the Property Tax Appeal Board are James Schulte, the appellant, by attorney Arnold G. Siegel, of Siegel & Callahan, P.C. 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 **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: \$50,625
IMPR.: \$39,420
TOTAL: \$90,045

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a 2012 Final Administrative Decision of the Property Tax Appeal Board pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185) in order to challenge 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 1-story masonry commercial building. The building was built in 1992 and contains approximately 3,015 square feet of building area. The site is approximately 22,500 square feet in size and is located in Palos Heights, Palos 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 the market value of the subject property is not accurately reflected in its assessed valuation. In support of this overvaluation argument the appellant submitted an Appraisal Report estimating the subject property had a market value of \$345,000 or approximately \$114.43 per square foot of building area including land as of January 1, 2011. The appraiser developed the sales comparison approach to value in which the appraiser analyzed 5 comparable sales of commercial buildings. The comparables sold from August 2008 through

December 2010 for prices ranging from \$204,000 to \$815,000 or from \$101.24 to \$164.43 per square foot of building area including land.

The appellant also submitted a copy of the 2012 Property Tax Appeal Board Final Administrative Decision (Docket #12-35664.001-C-1) in which both parties agreed to an assessed value of \$90,045 for the subject. The assessment reflects a market value of \$360,180 or \$119.46 per square foot of building area, including land, at the 25% level of assessment for class 5 properties. Based on this evidence, the appellant's attorney requested the subject's 2013 assessment be set at \$86,250.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$94,216. The subject's assessment reflects a market value of \$376,864 or approximately \$125.00 per square foot of building area including land. In support of its contention of the correct assessment, the board of review submitted evidence in the form of printouts from the Cook County Assessor's Office on five comparable sales. The properties are described as commercial buildings or office condominiums ranging in age from 2 to 43 years old¹ and ranging in size from 1,500 to 6,000 square feet of building area. The comparables sold from December 2010 through August 2014 for prices ranging from \$225,000 to \$2,091,000 or from \$129.31 to \$348.50 per square foot of building area including land. Comparable #1 is described as a tear down with the sale price reflecting the land value. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In written rebuttal, the appellant's attorney cites the 2012 decision of the Property Tax Appeal Board.

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 appellant submitted an appraisal report that developed the sales comparison approach to value in estimating the market value of the subject property to be \$345,000 or approximately \$114.43 per square foot of building area including land as of January 1, 2011, twenty-four months prior to the subject's assessment date. The appraiser used three dated sales from 2008 in the analysis. In support of the subject's assessment, the board of review submitted information on five comparable sales, one of which was a tear down, one of which was significantly larger and newer than the subject, and two of which were described as office condominiums.

Based on this evidence, considering the sales provided by the board of review and the appraisal submitted by the appellant, the Board finds a reduction in the subject's assessment commensurate with the assessment established in the prior tax year is appropriate.

¹ Age was not provided for one comparable.

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: March 19, 2019



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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