



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

APPELLANT: Donald Hawkins
DOCKET NO.: 15-03525.001-C-1
PARCEL NO.: 08-24-128-026

The parties of record before the Property Tax Appeal Board are Donald Hawkins, the appellant; and the DeKalb 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 **DeKalb** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$11,927
IMPR.: \$78,073
TOTAL: \$90,000

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the DeKalb County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2015 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 commercial building with a steel clad or aluminum exterior containing a total building area of 7,650 square feet. The building was constructed in 1995. The property is described as having 2,000 square feet of office space and 5,650 square feet of warehouse space. The property is described as having a 7,650 square foot site and is located in DeKalb, DeKalb Township, Dekalb County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted information on five comparable sales described as being improved with one-story buildings of precast concrete, aluminum steel clad or aluminum clad construction that ranged in size from 5,230 to 17,692 square feet of building area. The appellant indicated that comparables #1 through #3 were constructed from 2002 to 2007. The appellant did not report the ages of comparables #4 and #5. The appellant indicated that comparables #1, #3 and #4 had been divided into separate units. The comparables had sites ranging in size from 5,329 to

105,851 square feet of land area resulting in land to building ratios ranging from 1.0:1 to 6.6:1. Comparables #1, #2, #3 and #5 were located in Sycamore while comparable #4 was located in DeKalb. The comparables were reported to have sold from October 2012 to May 2015 for prices ranging from \$200,000 to \$820,000 or from \$34.32 to \$46.35 per square foot of building area, including land. The appellant requested the subject's assessment be reduced to \$81,591, which would reflect a market value of approximately \$244,797 or \$32.00 per square foot of building area, including land, when applying the statutory level of assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$115,317. The subject's assessment reflects a market value of \$345,986 or \$45.23 per square foot of building area, land included, when using the 2015 three-year average median level of assessment for DeKalb County of 33.33% as determined by the Illinois Department of Revenue.

In response the board of review asserted it was not considering appellant's comparable #1 as it had a non-existent parcel number. It also contends that appellant's comparable #2 sold at over \$107 per square foot and is much smaller than the subject property. The board of review also stated appellant's comparable #4 is located in an older more industrial neighborhood and is of a lesser quality than the subject property. The board of review asserted it was considering appellant's comparables #3 and #5, with 15,922 and 14,398 square feet of warehouse space, respectively. These two properties sold in April 2015 and June 2014 for prices of \$820,000 and \$730,000 or \$46.35 and \$45.63 per square foot of building area, respectively. In its narrative the board of review indicated the average selling price was \$48.15 per square foot of building area which would yield a market value of \$368,347 and an assessment of \$122,782. However, the average selling price for comparables #3 and #5 is actually \$45.99 per square foot of building area.

In rebuttal the appellant stated he identified the correct address for comparable #1 but listed the incorrect parcel number. The appellant provided a copy of the PTAX-203 Illinois Real Estate Transfer Declaration associated with comparable #1 documenting the price of \$200,000. The appellant also conceded that comparable #2 is much smaller than the subject property and withdrew this property from consideration. The appellant further asserted that his comparable sale #3 is a multi-tenant property that is five years newer than the subject building. With respect to comparable sale #4, the appellant indicated this property is located approximately ½ mile west of the subject property and is a two-minute drive from the subject property. The appellant also noted that comparable sale #5 was a newer, built in 2007, and is a pre-cast concrete superior constructed building. In the rebuttal the appellant made purported adjustments to the comparables for differences from the subject property.

In rebuttal the appellant also noted the DeKalb County Board of Review submitted no actual market data. The appellant asserted that he would accept a revised assessment of \$84,728 reflecting a market value of \$254,209 or \$33.23 per square foot of building area.

The board of review responded that the adjustments made by the appellant were not consistent, noted the appellant does not appear to be an appraiser and questioned how he came up with the percentage adjustments. The board of review indicated it was willing to stipulate to a revised assessment of \$103,908.

The appellant responded and rejected the proposed assessment and reiterated his willingness to accept an assessment of \$84,728.

The board of review responded that it would stipulate to a revised assessment of \$107,355 based on appellant's comparable sale #3, which it asserts is the most comparable valid sale.

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 record contains information on five comparables sales submitted by the appellant to support the overvaluation complaint. The Board finds no weight is to be given comparable sale #2 as the record indicated this building was actually much smaller than the subject building and the appellant requested this comparable be withdrawn from consideration. The four remaining comparables ranged in size from 5,230 to 17,962 square feet of building area. Comparable #1 was most similar to the subject property in size but was superior to the subject in age, being constructed in 2007, has two units and was superior in exterior pre-cast concrete construction; these factors would require downward adjustments. This comparable sold for a price of \$200,000 or \$38.24 per square foot of building area. The three remaining comparables were significantly larger than the subject property, which would require adjustments for size. Comparable #3 was newer than the subject property and was reported to have 5 separate units, which would require downward adjustments. Comparable #4 was similar to the subject in exterior construction but is divided into four units each with a separate entrance, separate utilities and separate overhead doors, which would require downward adjustments. Comparable #5 was of superior exterior pre-cast concrete construction, which would require a downward adjustment. These three comparables sold for prices ranging from \$550,000 to \$820,000 or from \$34.38 to \$46.35 per square foot of building area, including land. The subject's assessment reflects a market value of \$345,986 or \$45.23 per square foot of living area, including land, which is within the range established by the best comparable sales in this record, but is significantly above that established by the comparable sale most similar to the subject in size. The board of review did not submit any market data to refute appellant's argument. After considering the sales provided by the appellant and the various adjustments that would need to be made to the comparables for differences from the subject property, 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. Pursuant to Section 1910.50(b) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(b)) 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



Acting 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: October 20, 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 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

AGENCY

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