



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

APPELLANT: Roger Keaton
DOCKET NO.: 18-44599.001-C-1
PARCEL NO.: 17-28-124-030-0000

The parties of record before the Property Tax Appeal Board are Roger Keaton, the appellant(s), by attorney George N. Reveliotis, of Reveliotis Law, P.C. in Park Ridge; 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: \$154,975
IMPR.: \$107,525
TOTAL: \$262,500

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) challenging the assessment for the 2018 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 consists of a gas station with a Dunkin' Donuts/Baskin Robbins retail establishment. The subject is a one-story building of masonry construction with approximately 4,695 square feet of building area. The building was constructed in approximately 1999. The improvement is situated on a 30,995 square foot site and is located in Chicago, South Chicago Township, Cook County. The subject is classified as a class 5-23 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant asserts overvaluation as the basis of the appeal. In support of this argument, the appellant submitted an appraisal estimating that the subject property had a market value of \$1,050,000, or \$223.64 per square foot of building area, land included, as of January 1, 2018. A complete interior and exterior inspection of the subject property was done on October 17, 2018. The appraiser used the Sales Comparison Approach as the primary approach to value. The Cost

Approach was also presented but was considered supportive of the Sales Comparison Approach by the appraiser. The Income Capitalization Approach to value was not presented in this report. The appraiser relied on ten suggested comparable properties that sold between June 2013 and September 2017, for amounts ranging from \$100,000 to \$800,000 or between \$95.24 and \$210.61 per square foot of living area, land included, in the sale prices. The appraiser adjusted the sales prices to account for differences between the comparables and the subject. Based on this submission, the appellant requested a reduction in the subject's assessment to \$262,500.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$325,447. The subject's assessment reflects a market value of \$1,301,788 or \$277.27 per square foot of living area, land included, when using the Cook County Real Estate Classification Ordinance level of assessment for class 5 property of 25%.

The board of review sought and received an extension of time to file its evidence. The record does not contain evidence from the board of review in support of the assessment. The matter was set for a hearing before the Property Tax Appeal Board on July 21, 2023. Prior to hearing the parties entered into a written agreement to waive the hearing and have the matter decided on the evidence that had been submitted.

In a written rebuttal the Appellant argued that the submitted appraisal, written by a Certified Illinois Appraiser, reflected the accurate value of the subject property for the lien year. He argued that the appraiser relied on a review, analysis and adjusted sales of comparable properties in calculating the accurate value of the subject property.

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.

Since the record contains no evidence from the board of review, this Board finds the best and only evidence of market value to be the appraisal submitted by the appellant. That appraisal relied primarily on the sales comparison approach, relying upon ten suggested sales comparables.¹ The appraisal stated that the sale prices of the suggested comparable properties were adjusted to account for differences between them and the subject and the appraiser determined that the subject's market value was \$1,050,000 or \$223.64 per square foot of building area, land included, as of January 1, 2018. The subject's assessment reflects a market value above the best evidence of market value in the record. The Board finds the subject property had a market value of \$1,050,000 as of the assessment date at issue. Based on this evidence the Board finds a reduction in the subject's assessment is justified.

¹ The board notes that several of the comparable sales relied upon by the appraiser in calculating the market value of the subject were given substantially less weight due to the remoteness of the sale date (between 2013 and 2015) of those comparables in relation to the 2018 lien year of this appeal.

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: October 17, 2023



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.

Docket No: 18-44599.001-C-1

PARTIES OF RECORD

AGENCY

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