



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

APPELLANT: Mark Rajner
DOCKET NO.: 19-49925.001-C-1
PARCEL NO.: 03-23-406-024-0000

The parties of record before the Property Tax Appeal Board are Mark Rajner, 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: \$ 59,163
IMPR.: \$ 837
TOTAL: \$ 60,000

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) after receiving a decision from the Cook County Board of Review. The instant appeal challenges the assessment for tax year 2019. The Property Tax Appeal Board (the "Board") finds that it has jurisdiction over the parties and the subject matter of this appeal.

Findings of Fact

The subject consists of a one-story industrial building of masonry construction with 6,000 square feet of building area. The subject has 10% office space and a land-to-building ratio of 6.52:1. The building is 30 years old. The property's site is 39,727 square feet, and it is located in Wheeling Township, Cook County. The subject is classified as a class 5-93 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 \$240,000 as of January 1, 2019. The appraisal states that its conclusion of value is "subject to extraordinary assumptions and/or conditions." The report also states that a drainage ditch runs across a portion of the subject's land. The number of days that sale comparables #1, #3, and #4 were each listed for sale on the open market is listed as "N/A." Sale comparable #3 was listed as

an arm's-length transaction that the appraiser verified by checking the CoStar listing, and the records of the Cook County Assessor and the Cook County Recorder of Deeds. Additionally, this comparable was listed as being a metal building. The appraisal further states that sale comparables #5 and #6 contain 90% and 50% office space, respectively. Furthermore, sale comparables #5 #6 are listed as having 14,000 and 12,000 square feet of building area, respectively, and both were adjusted upward 5%. The sale comparables have land-to-building ratios ranging from 2.09:1 to 4.91:1, and no adjustments were made to any of the sale comparables for this factor. Based on this evidence, the appellant requested a reduction in the subject's assessment to \$60,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing that the total assessment for the subject is \$70,500. The subject's assessment reflects a market value of \$282,000 when applying the 2019 statutory level of assessment for class 5 property of 25.00% under the Cook County Real Property Assessment Classification Ordinance.

The board of review did not submit any evidence in support of the subject's current assessment.

At hearing, the appellant called Shawn Schneider to testify. After *voir dire*, the Board accepted Mr. Schneider as an expert in real estate valuation for properties such as the subject without objection from the board of review.¹ Mr Schneider testified that he completed the appraisal previously submitted by the appellant, that he inspected the subject property, and that he utilized the sales comparison approach in concluding that the subject's market value as of January 1, 2019 was \$240,000.

During cross-examination, Mr. Schneider testified that the value conclusion found in the appraisal was not actually subject to any extraordinary assumptions or conditions. The witness also testified that the drainage ditch limits the subject land's usage, which could be used for additional parking, including truck parking, or storage. When asked why the days on the market for sale comparables #1, #3, and #4 were listed as "N/A," Mr. Schneider testified that he was unable to determine this information. In response to a follow-up question from the board of review analyst, the expert witness testified that he verified that the sale was at arm's-length by looking at the CoStar listing, and the records of the Cook County Assessor and the Cook County Recorder of Deeds.

The board of review analyst asked Mr. Schneider a question about information on the deed for sale comparable #3, and Mr. Schneider was unable to answer the question without referring to the deed. The board of review analyst offered the deed into evidence for the limited purpose of refreshing the witness's recollection, and the Board did, in fact, accept the deed into evidence, over objection from the appellant's attorney. The deed was marked as board of review Exhibit #1. The board of review analyst then read the following sentence in the deed: "To have and to hold the same unto said party of the second part, and to the proper use, benefit, and behoove forever of said party of the second part." Next, the board of review analyst asked Mr. Schneider "That sentence means they are buying out their half, correct?" Mr. Schneider responded that he did not "understand or agree with" the board of review analyst's characterization, and that he

¹ *Voir dire* was conducted during the hearing for docket number 19-49921, which was conducted earlier on the same day as the hearing for the instant appeal.

believes the entire building was purchased and not just a half of the building. Finally, the expert witness testified that this comparable was a metal building, but was not a pole barn.

Mr. Schneider next testified that while sale comparable #5 has 90% office space, it could still have the same use, and that it still had some warehouse space. Next, the witness testified that a 5.00% upward adjustment was warranted for improvement size for sale comparables #5 and #6 based on market data. The appraiser then testified that no adjustments were made for land-to-building ratio because the subject had less usable land than the 39,727 square feet listed due to the drainage ditch. Mr. Schneider also testified that he adjusted sale comparables #5 and #6 downward as he considered them superior because they had more office space than the subject.

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 proven 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 meet 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. The appraiser credibly testified at the hearing regarding the appraisal. The board of review analyst asked several questions of the appraiser during cross-examination regarding various decisions and inputs that went into preparing the appraisal, and the appraiser competently testified as to each of these factors. Moreover, the board of review did not submit any evidence to rebut or challenge any portion of the appraisal. 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 \$240,000 as of the assessment date at issue. Therefore, based on this record, the Board finds the appellant has proven, by a preponderance of the evidence, that the subject is overvalued, and that a reduction in the subject's assessment is warranted. Since market value has been established, the 2019 statutory level of assessment for class 5 property under the Cook County Real Property Assessment Classification Ordinance of 25.00% shall apply.

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: _____

May 20, 2025



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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