



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

APPELLANT: Roger Keaton
DOCKET NO.: 19-52796.001-C-1
PARCEL NO.: 17-28-124-030-0000

The parties of record before the Property Tax Appeal Board are Roger Keaton, the appellant, 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 2019 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 20-year-old, one-story, concrete and masonry constructed, gas station with a Dunkin Donuts/Baskin Robbins containing 4,695 square feet of building area. The property has 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 land value and subject property had a market value of \$1,050,000 as of January 1, 2018. The appraisal used the cost and sales comparison approaches.

For the cost approach, the appraiser first estimated the land value as if vacant and ready for development to its highest and best use. The appraiser relied on five land sales that ranged from \$2.15 to \$12.27 per square foot. The appraiser adjusted the sales prices to account for differences between the comparables and the subject and determined the subject's land value was \$10.00 per square foot, which was multiplied by the actual square footage (30,995 sq ft) to arrive at a \$310,000 (rounded) total land valuation.

Next, the appraiser added the land valuation to the depreciated value of all improvements. He estimated cost of reconstruction new less all accrued depreciation in terms of the subject's physical deterioration and functional obsolescence, and external obsolescence. After deducting depreciation and obsolescence from the building improvements cost new and the site improvements cost new, the appraiser found the value of the subject property utilizing the cost approach was \$1,045,000 (rounded).

For the sales approach, the appraiser relied on ten suggested sales comparables 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 building area, land included in the sale prices. The appraiser adjusted the sales prices to account for differences between the comparables and the subject. After applying the adjustments, the appraiser determined that the subject's value was \$220.00 per square foot of building area, for a total of \$1,050,000 (rounded). Reconciling the cost and sales comparison approach results, the appraiser determined that the subject's value was \$1,050,000.

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 building 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 did not submit any evidence in support of its Notes on Appeal. The board of review requested confirmation of the subject's assessment.

A virtual hearing was conducted regarding this appeal before one of the Board's Administrative Law Judges on October 25, 2024. The appellant was represented by counsel, and the board of review was represented by one of its analysts.

The appellant called appraiser, Shawn Schneider, as a witness. Schneider testified that he is a Certified General Real Estate Appraiser in Illinois, and he has been appraising property for ad valorem tax purposes since 1995. Schneider was admitted as an expert witness with no objection. He inspected the property on October 17, 2018, and his appraisal report was completed October 26, 2018.

Schneider used the cost and sales comparison approaches in his appraisal. Schneider utilized data from five land sales, in addition to relying on Marshall & Swift Valuation Service in estimating the replacement cost. In performing a sales analysis, Schneider relied upon sales data from ten sales comparables.

On cross-examination, Schneider was questioned regarding the conditions of sale for the sales comparables. He was also questioned regarding the adjustment amounts he applied.

Conclusions 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 taxpayer must prove the value of the property by a preponderance of the evidence. 86 Ill. Admin. Code §1910.63(e); Winnebago County Bd. of Review v. Property Tax Appeal Bd., 313 Ill. App. 3d 1038, 1043 (2d Dist. 2000). 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 Board finds that the best and only evidence of the subject's market value was the appraisal submitted by the appellant. The ten suggested sales comparables from the appraisal support the appraiser's determination of the subject's market value, as does the appraisal's cost approach. In contrast, the board of review submitted no evidence supporting their valuation contained in its Notes on Appeal. Accordingly, appellant has shown by a preponderance of the evidence that the subject property is overvalued, and a reduction is therefore warranted.

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: January 21, 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

AGENCY

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