



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

APPELLANT: T & S Trailer Repair, Inc.  
DOCKET NO.: 10-25299.001-C-1 through 10-25299.002-C-1  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are T & S Trailer Repair, Inc., the appellant, by attorney Brian P. Liston of the Law Offices of Liston & Tsantilis, P.C. in Chicago; and the Cook County Board of Review.

Based on the facts and exhibits presented, 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
10-25299.001-C-1	32-33-100-015-0000	10,028	412	\$10,440
10-25299.002-C-1	32-33-100-051-0000	3,310	0	\$3,310

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) contesting the assessment for the 2010 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 44,365 square foot site with minor improvements. The property is classified as a class 5-90 commercial property with a minor improvement 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 information disclosing the subject property was purchased in September 2007 for a price of \$55,000. On the appeal form the appellant indicated the property was advertised for sale but the property was sold in settlement of a contract for deed. The appellant also submitted a copy of the Cook County Real Estate Transfer Declaration disclosing a full consideration for the property of \$55,000. Additionally, the appellant submitted a copy of the PTAX-203 Illinois Real Estate Transfer Declaration disclosing the net consideration for the real estate of \$55,000. The Illinois Real Estate Transfer Declaration indicated, however, the property was not advertised for sale.

The appellant submitted a copy of the final decision issued by the board of review disclosing the total assessment for the subject property of \$30,592. The subject's total assessment reflects a market value of \$122,368 when using the Cook County Real Property Assessment Classification Ordinance level of assessment for class 5-90 property of 25%.

Based on this evidence, the appellant requested the subject's assessment be reduced to \$13,750.

The board of review did not submit its "Board of Review Notes on Appeal" and evidence in support of the assessment.

#### **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 Board finds the only evidence of market value in the record is the sale of the subject property presented by the appellant. The appellant provided documentation disclosing the subject property sold in September 2007 for a price of \$55,000. The Board finds the subject's assessment reflects a market value greater than the purchase price presented by the appellant. The Board recognizes that the appellant submitted conflicting

information as to whether or not the property had been advertised for sale. Nevertheless, the board of review did not submit any evidence to challenge the arm's length nature of the sale, to demonstrate the purchase price was not indicative of fair cash value or to support of the assessment of the subject property as required by section 1910.40(a) of the rules of the Property Tax Appeal Board. 86 Ill.Admin.Code §1910.40(a) Based on this lack of evidence, the board of review is found to be in default pursuant to section 1910.69(a) of the rules of the Property Tax Appeal Board. 86 Ill.Admin.Code §1910.69(a) Based on this record the Property Tax Appeal Board finds a reduction in the subject's assessment commensurate with the appellant's request is appropriate.

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.



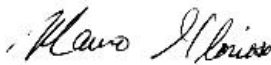
Chairman



Member



Member



Member



Member

DISSENTING: \_\_\_\_\_

C E R T I F I C A T I O N

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 20, 2015



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 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 the subsequent year 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.

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.