

**PROPERTY TAX APPEAL BOARD'S DECISION**

APPELLANT: Century 21 Dustan-Herman, Inc.  
DOCKET NO.: 03-25758.001-C-1  
PARCEL NO.: 07-36-412-041-0000

The parties of record before the Property Tax Appeal Board are Century 21 Dustan-Herman, Inc., the appellant, by attorney Dennis M. Nolan of the Law Office of Dennis M. Nolan, P.C., Bartlett, Illinois; and the Cook County Board of Review.

The subject property consists of a single-story, commercial multi-tenant strip/shopping center building that contains approximately 7,200 square feet of building area. The building is approximately 21 years old. The improvements are located on a 39,139 square foot parcel in Elk Grove Village, Schaumburg Township, Cook County.

The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. In support of the overvaluation argument the appellant provided information on 23 comparable properties improved with commercial buildings that are multi-tenant or strip shopping centers. The comparables ranged in size from 6,695 to 19,200 square feet of building area. The data also indicated the buildings were constructed from 1959 to 1993. The sales occurred from October 1995 to January 2004 for prices ranging from \$500,000 to \$1,350,000 or from \$70.00 to \$79.91 per square foot of building area. The appellant also submitted a copy of the final decision issued by the Cook County Board of Review wherein its final assessment of the subject totaling \$266,454 was disclosed. The subject's assessment reflects a market value of \$701,195 or \$97.39 per square foot of building area using the Cook County Real Property Assessment Classification Ordinance level of assessments for class 5a property of 38%. Based on this data the appellant requested the subject's assessment be reduced to reflect a market value of \$504,000 to reflect a market value of \$70.00 per square foot of building area.

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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:

LAND:	\$	78,082
IMPR.:	\$	129,854
TOTAL:	\$	207,936

Subject only to the State multiplier as applicable.

The board of review did not submit its "Board of Review Notes on Appeal" nor any evidence in support of its assessed valuation of the subject property.

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The Board further finds the evidence in the record supports a reduction in the subject's assessment.

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. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3<sup>rd</sup> Dist. 2002). The Board finds the appellant met this burden of proof and a reduction in the subject's assessment is warranted.

The appellant in this appeal submitted information on 23 comparable sales. These sales had varying degrees of similarity to the subject property. The sales occurred from October 1995 to January 2004 for prices ranging from \$500,000 to \$1,350,000 or from \$70.00 to \$79.91 per square foot of building area. The subject's total assessment of \$266,454 reflects a market value of \$701,195 or \$97.39 per square foot of building area using the Cook County Real Property Assessment Classification Ordinance level of assessments for class 5a property of 38%, which is above the range of value on a per square foot basis established by the comparables. The board of review did not submit any evidence in support of its assessment of the subject property or to refute the appellant's argument as required by Section 1910.40(a) of the Official Rules of the Property Tax Appeal Board. The Board has examined the information submitted by the appellant and finds that it supports a reduction in the assessed valuation of the subject property.

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: December 7, 2007



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

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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.