

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Nasser Meherally
DOCKET NO.: 04-23491.001-R-1
PARCEL NO.: 04-03-401-018-0000

The parties of record before the Property Tax Appeal Board (PTAB) are Nasser Meherally, the appellant, by attorney Mitchell L. Klein of Schiller, Klein & McElroy, P.C., Chicago, and the Cook County Board of Review (board).

The subject property consists of a 41,257 square foot parcel of vacant land, or class 1-00 property, located in Northfield Township, Cook County.

The appellant, through counsel, submitted evidence before the PTAB claiming unequal treatment in the assessment process as the basis of the appeal. In support of this argument, the appellant submitted assessment information and descriptive data on four suggested comparable properties located within the subject's neighborhood. Two of the comparables are located on the same street and block as the subject. Two of the comparables submitted by the appellant consist of improved residential parcels and two comparables consists of vacant land, like the subject. The four suggested comparables range in size from 19,200 to 43,207 square feet with land assessments ranging from \$0.44 to \$0.60 per square foot. The subject's assessment is \$49,920 or \$1.20 per square foot. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the subject's final assessment of \$49,920. The board of review also submitted a memorandum from the county assessor's office which disclosed that the subject's 2004 assessed value of \$49,920 yielded a market value of \$226,909 or \$5.50 per square foot. The board submitted evidence in support of its assessed valuation of the subject property. As evidence, the board offered four sales ranging in size from 34,960 to 42,889 square feet of land with sales that occurred between

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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: \$ 24,754
IMPR.: \$ 0
TOTAL: \$ 24,754

Subject only to the State multiplier as applicable.

January 2004 and June 2005 for prices ranging from \$400,000 to \$485,000 or from \$9.33 to \$13.25 per square foot. No analysis or adjustment of the sales data was provided by the board. Based on the evidence presented, the board of review requested confirmation of the subject's assessment.

In rebuttal, the appellant's attorney submitted a one-page letter disclosing that only one of the board's sales consists of a vacant residential lot, whereas, the other sales are assessed as being improved with single-family homes. The letter disclosed that the assessed values for these parcels range from \$0.44 to \$0.68 per square foot.

After reviewing the record and considering the evidence, the Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The Illinois Supreme Court has held that taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessment valuations by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). The evidence must demonstrate a consistent pattern of assessment inequities within the assessment jurisdiction. After an analysis of the assessment data, the Board finds the appellant has overcome this burden.

The Property Tax Appeal Board finds the appellant's comparables are similar overall to the subject in size and location. These properties have land assessments ranging from \$0.44 to \$0.60 per square foot. The subject's per square land assessment of \$1.20 falls above this range of properties. After considering the similarities in the appellant's suggested comparables when compared to the subject property, the Board finds the evidence submitted is sufficient to cause a change in the subject's assessment.

The Board gives less weight to the board's sales evidence because it lacks analysis and a supported conclusion of value and the appeal was based on inequity not comparable sales. As a result of this analysis, the Property Tax Appeal Board finds the appellant has adequately demonstrated that the subject property was inequitably assessed by clear and convincing evidence and a reduction is 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.



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: October 31, 2008



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.