

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Bresler Realty
DOCKET NO.: 04-24373.001-C-1 through 04-24373.003-C-1
PARCEL NO.: See below.

The parties of record before the Property Tax Appeal Board are Bresler Realty, the appellant, by attorney Joanne Elliott of Elliott & Associates, Des Plaines, and the Cook County Board of Review.

The subject property is improved with two contiguous single story masonry commercial buildings operated as a retail strip center. Each building contains 9,400 square feet of building area. Building number one is 17 years old, contains 8 units and is located on a 37,125 square foot site. Building number two is 41 years old, contains 7 units and is located on 37,119 square feet of site area. The subject property is located in Northbrook, Northfield Township, Cook County. The appellant is contesting the improvement assessment of building number two.

The appellant, through counsel, submitted evidence before the Property Tax Appeal Board claiming unequal treatment in the assessment process as the basis of the appeal. In support of this argument, the appellant offered a spreadsheet detailing five suggested comparable properties, one of which is subject building number one. The comparables consist of one-story commercial buildings located in the same general area as the subject. The comparables range in size from 9,400 to 19,450 square feet of building area; in age from 16 to 40 years old; and in land to building ratios from 2.43:1 to 3.95:1. The improvement assessments for the comparables range from \$13.09 to

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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:

Docket No.	Parcel No.	Land	Improv.	Total
04-24373.001-C-1	04-08-201-031-0000	\$131,670	\$159,870	\$291,540
04-24373.002-C-1	04-08-201-035-0000	\$ 23,487	\$ 9,189	\$ 32,676
04-24373.003-C-1	04-08-201-021-0000	\$155,182	\$122,375	\$277,557

Subject only to the State multiplier as applicable.

\$24.04 per square foot of building area. In addition, the appellant submitted the 2004 Cook County Board of Review final decision.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final improvement assessment of \$291,433 was disclosed. The board of review offered a memorandum suggesting that sales of four comparable properties indicates an unadjusted range of from \$133.24 to \$217.14 per square foot of building area and support the current assessment. *CoStar Comps'* sales sheets for the comparables were offered in support. The comparable properties range from 16 to 23 years old and in building size from 7,000 to 11,963 square feet. These properties were sold from June 2002 to March 2005. Based on the foregoing, the board of review requested confirmation of the subject's assessment.

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 appellant's argument was unequal treatment in the assessment process. 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.

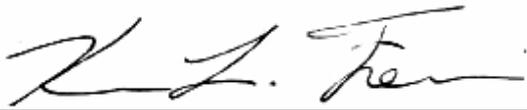
The Property Tax Appeal Board finds that the appellant's four equity comparables are generally similar to the subject in design, land-to-building ratio, number of buildings and stories. Of the appellant's four comparables, the Board accords considerable weight to subject building number one. While somewhat older than subject building number two, it is contiguous to; and is similar in design, number stories, and size when compared to the subject. Therefore the Property Tax Appeal Board finds that the appellant's comparables, including subject building one, as the most similar properties to the subject in the record. These properties have improvement assessments ranging from \$13.09 to \$24.04. The subject's improvement assessment of \$28.62 per square foot of building area is above the range established by the most similar comparables contained in this record.

In contrast, the board of review presented only raw sales data without adjustments or analysis of the comparables and their comparability to the subject. Further the Board finds the board of review failed to address the appellant's inequity argument. The Board finds the board of review's presentation of sales without any meaningful analysis merely anecdotal. As a result of this analysis, the Property Tax Appeal Board finds the appellant has adequately demonstrated that subject building number two is inequitably assessed by proving the disparity of assessment valuations by clear and convincing evidence and a reduction in the subject's assessment 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: May 30, 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

Docket No. 04-24373.001-C-1 through 04-24373.003-C-1

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.