

**PROPERTY TAX APPEAL BOARD'S DECISION**

APPELLANT: Dusty Hollinger LLC  
DOCKET NO.: 04-25233.001-I-1  
PARCEL NO.: 08-22-402-044-0000

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

The subject property consists of a 13,490 square foot parcel improved with a 34-year-old, one-story style industrial building of masonry construction containing 4,500 square feet of building area. The improvement contains approximately 450 square feet, or 10%, office space. Located in Elk Grove Township, Cook County, the subject's land to building ratio is 2.99:1.

As the bases of the appeal, the appellant, through counsel, submitted evidence before the Property Tax Appeal Board claiming both unequal treatment in the assessment process and the subject's market value is not accurately reflected in its assessment.

In support of the inequity argument, the appellant offered a spreadsheet and assessment data detailing four suggested comparable properties located in the same general area as the subject. These properties consist of 25-year old, one-story style industrial buildings of masonry construction. The comparable buildings range in size from 11,010 to 32,625 square feet of building area; the parcels range from 31,198 to 34,200 square feet of land area; and the land to building ratios range from 1.95:1 to 3.11:1. The comparables have improvement assessments ranging from \$12.14 to \$13.77 per square foot of building area excluding land and total assessments ranging from \$15.48 to \$17.10 per square foot of building area including land.

In support of the market value argument, the appellant offered sale information for the three equity comparables. The

(Continued on Next Page)

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:	\$	20,639
IMPR.:	\$	63,000
TOTAL:	\$	83,639

Subject only to the State multiplier as applicable.

properties sold from December 2002 to September 2003 for prices ranging from \$493,588 to \$686,670 or from \$43.01 to \$45.00 per square foot of building area including land. In addition, the appellant offered an income and expense analysis prepared by counsel suggesting a market value for the subject of \$207,200. The income and expense analysis was prepared by counsel. A copy of the subject's 2004 board of review final decision was also included. Based on the foregoing evidence, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$109,350 was disclosed. The subject's final assessment reflects a fair market value of \$303,750, when the Cook County Real Property Assessment Classification Ordinance level of assessments of 36% for Class 5b properties such as the subject is applied. Of the subject's final assessment \$88,711, or \$19.71 per square foot of building area, is allocated to the improvement and \$20,639 is allocated to the land. In support, the board of review offered a memorandum indicating the sales of four properties in the subject's general area suggest an unadjusted range of from \$67.60 to \$70.00 per square foot of building area thus supporting the current assessment. Cook County Assessor's Office sales sheets for the four comparables were offered in support. The comparable properties are one-story industrial buildings ranging from 23 to 31 years old; in building size from 4,467 to 6,000 square feet; and in land size from 13,000 to 16,117 square feet. These properties were sold from August 2002 to July 2003. 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 first 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 accords the appellant's equity evidence principal weight and the board of review's evidence diminished weight. The Board finds that the appellant's three equity comparables are one-story industrial buildings located in the same jurisdiction as the subject; as well as similar in age and construction type when compared to the subject. In contrast, the Board finds that the board of review did not address the

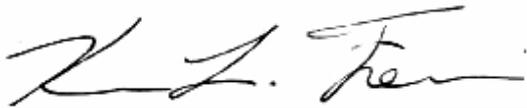
appellant's claim of an inequitable improvement assessment and merely presented raw sales data without assessment data and/or analysis. As a result of this analysis, the Property Tax Appeal Board finds the appellant has adequately demonstrated that the subject building was inequitably assessed by clear and convincing evidence and a reduction is warranted.

With regard to the appellant's claim of overvaluation, after an analysis of the evidence, the Property Tax Appeal Board finds that no further 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: 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 filing complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the

Docket No. 04-25233.001-I-1

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.