

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Tax Payers Inc.
DOCKET NO.: 05-22456.001-C-1
PARCEL NO.: 31-34-204-020-0000

The parties of record before the Property Tax Appeal Board are Zafar Sheikh, the appellant; and the Cook County Board of Review.

The subject property consists of a vacant parcel containing 92,042 square feet of land. The subject is located in Rich Township, Cook County. The appellant contends unequal treatment in the assessment process as the basis of the appeal.

The appellant appeared before the PTAB and submitted assessment data and descriptions on three vacant parcels of land as comparables to the subject. The properties contain 205,298, 92,042 and 243,936 square feet of land and are located within a half mile of the subject. The comparables are assessed at \$0.05, \$0.16 and \$0.16 per square foot, respectively. The appellant testified the subject was obtained in a scavenger sale two years ago. The appellant also disclosed that comparable two is adjacent to the subject and is the same size. A plat map submitted into evidence also disclosed that the subject and comparable two were parts of the same two lot subdivision. On the basis of this analysis, the appellant requested an assessment for the subject of \$15,186 that is equal to comparable two.

The board of review submitted "Board of Review Notes on Appeal" wherein the subject's assessment of \$30,373 or \$0.33 per square foot was presented. In addition, assessment data and descriptions on three suggested commercial properties similar to the subject in most respects were presented. The properties range in size from 28,360 to 541,755 square feet of land and had assessments of \$0.33 per square foot. The board compared these properties against the subject described as containing 58,847 square feet. In addition, the board submitted four sales of vacant commercial land. The sales occurred between January 2003

(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:	\$15,186
IMPR.	\$ -0-
TOTAL:	\$15,186

Subject only to the State multiplier as applicable.

PTAB/TMcG. 5/08

and July 2004 for prices ranging between \$10,000 and \$710,000 or from \$1.21 to \$3.33 per square foot. The parcels ranged in size from 7,441 to 213,226 square foot. The board compared these properties against the subject described as containing 92,042 square feet. As a result of this analysis, the board of review requested confirmation of the subject's assessment.

After hearing the testimony and considering the evidence, the PTAB 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 PTAB finds the appellant has overcome this burden.

The PTAB finds the appellant's comparables are the comparables more similar to the subject but with some differences in lot size to be considered. These properties have land assessments ranging from \$0.05 to \$0.16 per square foot of land area. The subject's per square foot assessment of \$0.33 is above this range of properties. The PTAB gives less weight to the board's equity comparables because the board incorrectly considered the subject as containing 58,849 square feet of land. In addition, the Assessor's printouts of the appellant's comparables disclose comparables one and three were increased in the 2005 triennial reassessment but not comparable two which is adjacent to the subject. After considering the differences in suggested comparables when compared to the subject property, the PTAB finds the evidence is sufficient to effect a change in the subject's current assessment.

The PTAB gives little weight to the board's sales evidence because it lacks analysis and a supported conclusion of value. Also, the appellant's appeal is based on inequity not sales comparison.

For the foregoing reasons, the Board finds that the appellant has proven by clear and convincing evidence that the subject property is inequitably assessed. Therefore, the Property Tax Appeal Board finds that the subject's assessment as established by the board of review is incorrect 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: 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 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.