

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Oakton Distribution
DOCKET NO.: 05-23443.001-I-1 and 05-23443.002-I-1
PARCEL NO.: See below.

The parties of record before the Property Tax Appeal Board are Oakton Distribution, the appellant, by attorney Edward Larkin of Park Ridge and the Cook County Board of Review.

The subject property consists of a 203,160 square foot parcel improved with a one-story style industrial/warehouse building of masonry construction containing 105,000 square feet of building area. The subject has a land to building ratio of 1.94:1. Part of the subject improvement is 40 years old and part is 18 years old. The improvement has ceiling heights ranging from 15.5 to 23 feet with five loading docks. The subject is located in Maine Township, Cook County.

The appellant, through counsel, appeared 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 six suggested comparable properties located in the same general area as the subject. Assessment printout sheets and copies of property record cards for three of the comparables were also submitted. The grid analysis revealed that the six properties consist of one or two story style; masonry constructed industrial buildings ranging from 19 to 40 years old. The comparables have land to building ratio ranging from 1.29:1 to 2.33:1; ceiling heights ranging from unknown to 28 feet. The comparables range in building size from 30,105 to 293,448 square feet of building area and in land size from 70,000 to 457,467 square feet. The comparables have assessments ranging from \$6.42 to \$9.53 per square foot of building area including land. Counsel asserted that the inequity of the subject's assessment was exacerbated because the assessments of the comparables were reduced by the board of review significantly below the subject's assessment. A copy of the subject's 2004 board of review final decision was

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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:

Table with 5 columns: DOCKET NO., PARCEL NO., LAND, IMPR., TOTAL. It lists two rows of property data with their respective assessed values.

Subject only to the State multiplier as applicable.

also included. Based on this 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 \$1,280,378, or \$12.19 per square foot of building area including land, was disclosed. In support, the board of review offered a memorandum indicating that the subject was sold on January 9, 2002 for a price of \$3,557,000 or \$31.15 per square foot of building area including land based on 114,163 square feet of building area. The memorandum also disclosed that as of November 29, 2007 the subject was being advertised for sale at a price of \$6,100,000, or \$53.43 per square foot of building area. The memorandum's writer indicated that the sales of seven properties suggests an unadjusted range of from \$33.10 to \$50.45 per square foot of building area and supports the current assessment. Cook County Assessor's sales sheets for the seven comparables were offered in support. The comparable properties range from 24 to 54 years old; in building size from 83,000 to 128,610 square feet and in land size from 87,120 to 252,648 square feet. These properties were sold from November 2001 to February 2006. In addition the board submitted a copy of the subject's property record card and a copy of a Trustee's Deed for the subject dated January 4, 2002. Based on the foregoing, the board of review requested confirmation of the subject's assessment.

In rebuttal, appellant's counsel argued that the board of review did not refute the appellant's inequity claim with evidence or testimony.

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 places no weight on the board of review's evidence. The Board finds that the board of review presented only raw sales data without adjustments or analysis of the comparables and their comparability to the subject. The Property Tax Appeal Board finds the board of review's presentation of seven sales without any meaningful analysis merely anecdotal.

The Board finds that the only evidence in the record addressing the equity of the subject's assessment is the appellant's comparables. The Board finds that the comparables submitted by the appellant demonstrated that the subject's assessment is above

the range of properties of similar location, age, size and use. Therefore, the Property Tax Appeal Board finds the appellant adequately demonstrated that the subject 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.



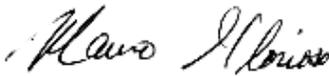
Chairman



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: June 19, 2009



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.