

PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: John Nalbach
DOCKET NO.: 05-24937.001-I-1 & 05-24937.002-I-1
PARCEL NO.: 18-09-418-004-0000 & 18-09-418-005-0000

The parties of record before the Property Tax Appeal Board (PTAB) are John Nalbach, the appellant, by attorney Michael Elliott of Elliott & Associates of Des Plaines and the Cook County Board of Review (board).

The subject property consists of a 35-year-old, one-story, masonry, 49,872 square foot industrial building containing approximately 8,060 square feet of office space situated on 141,339 square feet of land located in Lyons Township, Cook County.

The appellant, through counsel, submitted evidence before the PTAB claiming that the subject's market value is not accurately reflected in its assessment. This evidence was timely filed by the appellant pursuant to the Official Rules of the Property Tax Appeal Board.

In support of this argument the appellant submitted an appraisal dated January 1, 2005 containing the three approaches to value and concluding with a market value of \$1,345,000.

In the cost approach the appraiser employed four land sales ranging in size from 52,543 to 141,047 that occurred between March 2002 and March 2003 for prices ranging from \$3.20 to \$5.49 per square foot and after appropriate adjustments estimated the land value to be \$4.75 per square foot or \$670,000, rounded and estimated the depreciated value of the building and on site improvements to be \$699,657 or a rounded total of \$1,370,000 for the cost approach to value.

In the sales approach the appraiser used four 35 year old industrial buildings containing between 42,746 and 49,859 square feet that occurred between March 2002 and March 2004 for prices ranging from \$1,075,000 to \$1,375,000 or from \$25.15 to \$27.78 per square foot and after appropriate adjustments arrived at a

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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.	PROPERTY NO.	LAND	IMPR.	TOTAL
05-24937.001-I-1	18-09-418-004	\$97,571	\$356,884	\$454,455
05-24937.002-I-1	18-09-418-005	\$29,066	\$ 679	\$ 29,745

Subject only to the State multiplier as applicable.

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value of \$27.00 per square foot or a rounded value of \$1,345,000 via the sales comparison approach.

In the income approach the appraiser employed four comparable rentals ranging from \$2.75 to \$3.25 and considered \$3.25 per square foot to be an appropriate rental for the subject. After considering vacancy loss & comparable expenses the appraiser arrived at a net operating income of \$131,288. Research yielded a capitalization rate of 9.75%. Capitalizing the net operating income of \$131,288 with a capitalization rate of 9.75% resulted in a rounded income approach estimate of value of \$1,345,000.

The appraiser gave the income and sales comparison approaches the most weight supported by the cost approach resulting in a final value of \$1,345,000.

Based upon this evidence, the appellant requested a reduction in the subject's total assessment to reflect the reduced market value.

The board of review submitted "Board of Review-Notes on Appeal" that disclosed the subject's total assessment of \$502,705 which reflects a market value of \$1,396,402 as factored by the Cook County Ordinance level of 36%. The board submitted evidence in support of its assessed valuation of the subject property. As evidence the board offered six sales of industrial properties ranging in size from 40,000 to 54,801 square feet that occurred between September 2001 and May 2004 for prices ranging from \$980,000 to \$3,000,000 or from \$22.27 to \$73.17 per square foot of land and building. No analysis and adjustment of the sales data was provided by the board.

When overvaluation is claimed the appellant has the burden of proving the value of the property by a preponderance of the evidence. *Property Tax Appeal Board Rule 1910.63(e)*. Proof of market value may consist of an appraisal, a recent arm's length sale of the subject property, recent sales of comparable properties, or recent construction costs of the subject property. *Property Tax Appeal Board Rule 1910.65(c)*.

The PTAB finds that the appellant has met this burden and has submitted the best evidence of market value. The appellant's appraisal indicates that the subject property was valued at \$1,345,000. Since the market value of the subject has been established, the Cook County Class 5b property assessment of 36% will apply. The subject's total assessment should not be in excess of \$484,200, while the subject's current total assessment is at \$502,705.

The PTAB gives little weight to the board's sales evidence because it lacks analysis and a supported conclusion of value.

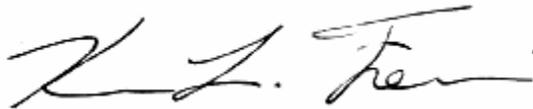
As a result of this analysis, the PTAB finds that the appellant has adequately demonstrated that the subject property was

overvalued and that 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: August 29, 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.