



**FINAL ADMINISTRATIVE DECISION  
ILLINOIS PROPERTY TAX APPEAL BOARD**

APPELLANT: Christine Okelman  
DOCKET NO.: 05-27744.001-C-3 through 05-27744.002-C-3  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Christine Okelman, the appellant, by attorney George N. Reveliotis, of Reveliotis Law, P.C. in Chicago; the Cook County Board of Review by Assistant State's Attorney William Blyth with the Cook County State's Attorney's Office; the School District No. 153 intervenor, by attorney Joel R. DeTella of Sraga Hauser, LLC in Flossmoor.

Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds no change 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 NUMBER	LAND	IMPRVMT	TOTAL
05-27744.001-C-3	29-32-101-083-0000	236,401	187,163	\$423,564
05-27744.002-C-3	29-32-101-084-0000	31,958	0	\$31,958

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of a two-story plus basement, 26,022 square foot office building built in 2005. The subject property, Homewood Disposal, is located in Homewood, Illinois.

The appellant, through counsel, appeared before the Property Tax Appeal Board claiming the subject's market value is not accurately reflected in its assessment. In support of this claim, the appellant submitted an appraisal report prepared by George K. Stamas and reviewed by Gary T. Peterson of Peterson Appraisal Group, Ltd. The appraisal revealed that Mr. Stamas and Mr. Peterson are State of Illinois certified real estate appraisers. The appraisal report disclosed that Mr. Stamas inspected the subject property on June 6, 2005. The appraiser determined the subject's highest and best use as vacant is to leave it vacant or build a commercial building on a built-to-suit basis.

In the appraisal report, the subject is described as a vacant parcel of land with minimal site improvements and containing 225,000 square feet of site area, zoned M, Limited Manufacturing District in Homewood, Illinois. The appraiser utilized the sales comparison approach to estimate a market value of \$395,000 for the subject as of January 1, 2004.

In the sales comparison approach to value, the appraiser employed five land sales located within Alsip, Blue Island, Homewood and South Holland, Illinois and ranging in size from 151,023 to 404,237 square feet. The comparables sold between June 2001 and May 2004 for prices ranging from \$150,000 to \$370,000, or from \$0.37 to \$2.11 per square foot. After making adjustments, the appraiser concluded a value for the subject property via the sales comparison approach of \$395,000 rounded, as of January 1, 2004.

At hearing, the appellant's attorney argued that in 2004, Homewood Disposal purchased the subject from the Village of Homewood, as a municipal sale for \$1.00, with the condition that the site be developed as its new headquarters. The appellant's attorney also argued that the subject property was not fully occupied until November 2005. Based on the evidence submitted, the appellant requested an assessment reflective of a fair market value for the subject of \$395,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the subject's total combined assessment of \$455,522, which reflects a market value of \$1,234,075 or \$47.42 per square foot, utilizing the Cook County Real Property Assessment Classification Ordinance level of assessment of 38% for Class 5a property and 22% for class 1-00 property, such as the subject. As evidence, the board of review submitted a memorandum, the subject's property record card, and descriptive data on nine suggested sale comparables. The sales occurred between January 2002 and January 2007 for prices ranging from \$1,875,000 to \$3,824,904 or from \$82.61 to \$154.65 per square foot, including land. No analysis or adjustment of the raw sales data was provided by the board.

The board of review provided the subject's property record card, signed and dated November 2, 2005, indicating that the subject consists of a two-story, masonry constructed, office building containing 26,022 square feet of building area. The document discloses a total land area of 352,558 square feet including 206,000 square feet of blacktop with lighting, 3,123 square feet of concrete and 41,504 square feet of vacant land. The subject's property record card reflects an occupancy date of June 11, 2005. The board of review's attorney argued that pursuant to the Property Tax Code section §9-180, "an owner of property on January 1<sup>st</sup> should be liable on a prorated basis for the increased taxes due to the construction of new or added building structures or other improvements." 35 ILCS 200/9-180 The property record card indicates that an occupancy factor of 0.556 (on the

improvement) due to the building occupancy date of June 11, 2005 was applied to the subject's market value.

At hearing, the board of review's attorney argued that the subject's total combined assessment was reduced from \$788,674 to \$455,522 based on the fact that the subject was vacant for a portion of 2005. While referring to the subject's property record card, he stated that the subject received an occupancy factor of 0.55 due to the building occupancy date of June 11, 2005. The board's attorney also argued that only vacant land existed in 2004, and that the appellant's appraisal fails to take into consideration the newly constructed two-story office building and parking lot which existed in 2005. The board's attorney indicated that as of January 1, 2005, the assessment date at issue, the subject property was under construction. Finally, the board's attorney stated that the appellant's appraisal was less relevant in that the appraiser was not present to testify at hearing. Based on the evidence presented, the board of review requested confirmation of the subject's assessment.

The intervenor, School District 153, submitted a brief stating that it adopted the evidence submitted by the board of review. At hearing, the intervenor's attorney argued that the appellant did not meet its burden in that a 2004 appraisal report relating to vacant land was provided but failed to provide any evidence to show the subject's market value in 2005.

After hearing the testimony and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal.

When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3<sup>rd</sup> Dist, 2002); Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179 (2<sup>nd</sup> Dist. 2000). Proof of market value may consist of an appraisal, a recent arms-length sale of the subject property, recent sales of comparable properties, or recent construction costs of the subject property. (86 Ill.AdM.Code §1910.65(c)) Having reviewed the record and considering the evidence, the Board finds the appellant has failed to meet this burden and no reduction is warranted.

The Property Tax Appeal Board gives little weight to the appellant's appraisal report and finds it insufficient to meet the appellant's burden of proof. The Board finds the appellant's appraisal has a valuation date of January 1, 2004. The appraisal report values the subject property as vacant land, whereas, on January 1, 2005 a masonry office building containing 26,222 square feet of building area was under construction and not included in the 2004 appraisal.

Next, the appellant's attorney argued that the subject property was not fully occupied until November 2005, however, the

appellant failed to provide any occupancy permits, affidavits or evidence in support of this claim. The only evidence in the record relating to the subject's occupancy date is the property record card, signed and dated November 2, 2005, indicating the subject consists of a two-story, masonry constructed, office building containing 26,022 square feet of building area. The property record card reflects an occupancy date of June 11, 2005. The board of review's attorney argued that pursuant to the Property Tax Code section §9-180, "an owner of property on January 1<sup>st</sup> should be liable on a prorated basis for the increased taxes due to the construction of new or added building structures or other improvements." 35 ILCS 200/9-180 Further, the board of review argued the subject's property record card indicates that an occupancy factor of 0.556 was accorded to the improvement reflecting the occupancy date of June 11, 2005. Therefore, the Board finds the appellant's argument unpersuasive.

Finally, the Board gives little weight to the board of review's evidence in that the board provided raw sales data with no analysis or adjustments made.

As a result of this analysis, the Property Tax Appeal Board finds the appellant has failed to adequately demonstrate that the subject dwelling was overvalued by a preponderance of the evidence and no 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.

*Ronald R. Cuit*

Chairman

*K. L. Fern*

Member

*Frank J. Huff*

Member

*Mario Morris*

Member

*Shawn R. Lerbis*

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: December 3, 2010

*Allen Castrovillari*

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.