



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

APPELLANT: Jack Sharkey  
DOCKET NO.: 06-21970.001-I-1  
PARCEL NO.: 12-10-302-052-0000

The parties of record before the Property Tax Appeal Board are Jack Sharkey, the appellant, by attorney Anthony M. Farace, of Amari & Locallo in Chicago; and the Cook County Board of Review.

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:

**LAND:** \$ 270,000  
**IMPR.:** \$ 343,177  
**TOTAL:** \$ 613,177

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of a 120,000 square foot land parcel improved with a one-story, masonry, industrial building.

The appellant's appeal raises two issues: first that the subject's improvement age and size are incorrect; and second, that there is unequal treatment in the assessment process of the improvement.

As to the subject's improvement, the appellant's grid analysis indicated that the building was 27 years old and contained 51,615 square feet of living area. The assessor's database printouts submitted by the appellant reflected the subject's age at 27 years, but also stated that the subject's parcel contains one or more improvements and that the subject's printout indicated a partial assessment. A second printout submitted by the appellant indicated a different parcel number, which reflected a partial assessment as well as a one-story, industrial building with an actual age of 43 years and a land size of 64,800. In contrast, the board of review opined that the subject contained 73,108 square feet of living area and that the building was 43 years in age. In support, the board submitted a copy of the subject's property record card, which reflected not only data on the

subject's improvement but also a diagram of the subject as well as size calculations undertaken by a field inspector from the assessor's office.

As to the equity argument, the appellant submitted two grid analyses containing assessment data and descriptions on three properties located within the same suburb, as is the subject. The properties are improved with a solitary, one-story, masonry building. They range: in land size from 64,800 to 192,531 square feet of land; in age from 16 to 47 years; and in improvement size from 20,400 to 89,650 square feet of building area. The appellant also submitted copies of assessor database printouts as well as CoStar Comps printouts for these properties. The printouts for property #1 reflect a land size of 113,285 square feet, while the appellant's grid analysis reflects 120,150 square feet of land for this property. In addition, the printout indicated that property #1 contained one or more improvements thereon. The printouts for property #2 reflect that a partial assessment was accorded this property without further explanation. The subject's CoStar Comps printout stated that the subject had been purchased by the tenant on May 5, 2004 for a price of \$2,020,000, while reflecting the subject's improvement size at 65,000 square feet. 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 \$613,177 was disclosed. This assessment reflects a market value of \$1,703,269 or \$26.20 per square foot when the Cook County Ordinance level of assessment for class 5b, industrial property of 26% is applied.

In support of the subject's market value, the board's memorandum asserted that the subject sold in May of 2004 and was purchased by the tenant for a price of \$31.08 per square foot indicating that this sale was not an arm's length transaction. Further, the board submitted raw sales data was submitted for six properties. The data from the CoStar Comps service sheets reflect that the research was licensed to the assessor's office, but failed to indicate that there was any verification of the information or sources of data. The properties sold in an unadjusted range from \$28.16 to \$43.00 per square foot, while the buildings ranged in size from 53,500 to 72,800 square feet. The buildings were characterized as either an industrial property or an industrial/warehouse property, with only property #3 located within the same suburb, as is the subject. Based on this evidence, 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.

As to the appellant's initial issue, the PTAB finds that the best evidence of the improvement's age and size was submitted by the

board of review. Therefore, the PTAB finds that the subject's improvement is 43 years in age and contains 73,108 square feet of building area. Based upon this size determination, the PTAB also finds that the subject's improvement assessment is \$4.69 per square foot of building area.

The appellant contends unequal treatment in the subject's improvement assessment as the basis of the appeal. 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). After an analysis of the assessment data, the PTAB finds the appellant has not met this burden.

As to the equity argument, the PTAB accords no weight to the appellant's property #3 due to the absence of additional data relating to this property. The appellant's printouts reflect that the property was accorded a partial assessment without further explanation or data submitted by the appellant. Further, the PTAB accords minimal weight to property #1 due to the contrasting land sizes submitted for this property, which called into question the veracity of the reported building size for this property wherein the initial printout indicated one or more improvements located thereon.

The board of review's properties were accorded diminished weight due to a disparity in raw, unadjusted data; location; and/or use. Moreover, the parties did not submit any data to reflect that the subject's sale was an arm's length transaction.

As a result of this analysis, the PTAB finds the appellant has not adequately demonstrated that the subject dwelling was inequitably assessed by clear and convincing evidence and that a reduction is not 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

*Frank J. Huff*

Member

Member

*Shawn R. Lerbis*

Member

Member

*Mario M. Louie*

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: September 23, 2011

*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.