



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

APPELLANT: Rapid Electric Co.  
DOCKET NO.: 06-24478.001-C-1 through 06-24478.002-C-1  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Rapid Electric Co., the appellant(s), by attorney Christopher G. Walsh, Jr. in Chicago, and the Cook County Board of Review.

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	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
06-24478.001-C-1	19-06-323-003-0000	24,453	11,473	\$35,926
06-24478.002-C-1	19-06-323-004-0000	24,453	34,621	\$59,074

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of two parcels of land totaling 15,600 square feet and improved with two, one and part two-story commercial buildings build in 1954 and 1957. The appellant, via counsel, argued that the fair market value of the subject was not accurately reflected in its assessed value.

In support of the market value argument, the appellant submitted an appraisal undertaken by James A. Matthews of James A. Matthews, Inc. The report indicates Matthews is a State of Illinois certified general appraiser. The appraiser indicated the subject has an estimated market value of \$250,000 as of January 1, 2006. The appraisal report describes the improvements as containing 4,128 and 1,368 square feet of building area respectively for a total square footage of 5,496 square feet. The appraisal indicates the sizes of the improvements were derived from the plat of survey and physical measurements. The appraisal finds the subject's highest and best use as redevelopment.

Under the cost approach to value, the appraiser analyzed four land sales to arrive at an estimate for the land at \$13.00 per

square foot or \$205,000, rounded. The replacement cost new was utilized to determine a cost for the improvement at \$272,320, rounded. Using the age/life method, the appraiser depreciated the improvement by 75% for a value of \$68,080. The land was added back in to establish a value under the cost approach of \$270,000, rounded.

Under the sales comparison approach, the appraiser analyzed the sales of five one or two-story, industrial or commercial buildings. The properties range: in age from 45 to 55 years with one age unknown and in size from 5,500 to 10,000 square feet of building area. The comparables sold from January 2003 to April 2005 for prices ranging from \$210,000 to \$525,000 or from \$36.12 to 450.22 per square foot of building area, land included. The appraiser adjusted each of the comparables for pertinent factors. Based on the similarities and difference of the comparables when compared to the subject, the appraiser estimated a value for the subject under the sales comparison approach of \$44.00 per square foot of building area or \$240,000, rounded.

In reconciling the two approaches to value, the appraisal gave greater reliance to the sales comparison approach to value to arrive at a final estimate of value for the subject as of January 1, 2006 of \$250,000.

The appellant submitted a copy of a letter from the Office of the Illinois State Fire Marshal dated June 22, 2000 indicating that contamination had been removed from the property. In addition, the appellant submitted a copy of an affidavit from the appellant asserting their was more environmental remediation work necessary for the subject.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$148,281 was disclosed. The subject's final assessment reflects a fair market value of \$390,213 when the Cook County Real Property Assessment Classification Ordinance level of assessment of 38% for Class 5a property is applied. The board also submitted raw sales information on seven properties suggested as comparable. The properties sold from May 2001 to June 2004 for prices ranging from \$242,000 to \$775,000 or from \$36.12 to \$196.43 per square foot of building area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

When overvaluation is claimed the appellant has the burden of proving the value of the property 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 arm's length sale of the subject property, recent sales of comparable properties, or recent construction costs of the subject property. 86 Ill.Admin.Code 1910.65(c). Having considered the evidence

presented, the PTAB concludes that the evidence indicates a reduction is warranted.

In determining the fair market value of the subject property, the PTAB finds the best evidence to be the appellant's appraisal. The appellant's appraiser utilized two of the three traditional approaches to value in determining the subject's market value. The PTAB finds this appraisal to be persuasive for the appraiser: has experience in appraising; personally inspected the subject property and reviewed the property's history; estimated a highest and best use for the subject property; utilized appropriate market data in undertaking the approaches to value; and lastly, used similar properties in the sales comparison approach while providing sufficient detail regarding each sale as well as adjustments that were necessary. The PTAB gives little weight to the board of review's comparables as the information provided was raw sales data with no adjustments made.

In addition, the PTAB gives little weight to the appellant's argument that continued remediation is required at a cost of \$65,000 to \$100,000 and the assessment should be reduced further due to this remediation. The PTAB finds the appellant failed to provide any estimates to establish the specific cost of the remediation. A statement from the appellant asserting a price is insufficient to establish the cost.

Therefore, the PTAB finds that the subject property had a market value of \$250,000 for the 2006 assessment year. Since the market value of the subject has been established, the Cook County Real Property Assessment Classification Ordinance level of assessment of 38% for Class 5a will apply. In applying this level of assessment to the subject, the total assessed value is \$95,000 while the subject's current total assessed value is above this amount. Therefore, the PTAB finds that 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.

*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.