PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: NBC Realty, Inc.
DOCKET NO.: 05-25909.001-C-1
PARCEL NO.: 13-01-204-001-0000

The parties of record before the Property Tax Appeal Board are NBC Realty, Inc., the appellant, by attorney Ellen G. Berkshire of Liston & Lafakis, P.C., Chicago, Illinois; and the Cook County Board of Review.

The subject property consists of Class 5-17, commercial property located in Jefferson Township, Cook County, Illinois.

The appellant submitted evidence before the Property Tax Appeal Board claiming unequal treatment in the assessment process as the basis of the appeal. In support of this claim, the appellant submitted property characteristic sheets and a limited assessment analysis detailing three suggested comparables with varying degrees of similarity when compared to the subject. The comparables have improvement assessments ranging from $15.34 to $18.31 per square foot of building area. The subject property has an improvement assessment of $22.48 per square foot of building area. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

The board of review did not submit its "Board of Review Notes on Appeal" or any evidence in support of its assessed valuation of the subject property as required by Section 1910.40(a) of the Official Rules of the Property Tax Appeal Board. (86 Ill.Adm.Code 1910.40(a)). Thus, the Cook County Board of Review was found to be in default pursuant to Section 1910.69(a) of the Official Rules of the Property Tax Appeal Board. (86 Ill.Adm.Code 1910.69(a)).

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 Board further finds the evidence in the record supports a reduction in the subject's assessment.

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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:

LAND:	$	28,705
IMPR.:	$	122,298
TOTAL:	$	151,093

Subject only to the State multiplier as applicable.

The appellant argued the subject property was inequitably assessed. 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 evidence, the Board finds the appellant has overcome this burden and a reduction is warranted.

The appellant in this appeal submitted an assessment analysis detailing three suggested comparables with varying degrees of similarity when compared to the subject. The comparables have improvement assessments ranging from $15.34 to $18.31 per square foot of building area. The subject property has an improvement assessment of $22.48 per square foot of land area, which is higher than the only assessment comparables in this record. The board of review did not submit any evidence in support of its assessment of the subject property or to refute the appellant's argument as required by Section 1910.40(a) of the Official Rules of the Property Tax Appeal Board. (86 Ill.Adm.Code 1910.40(a)). Thus, the Cook County Board of Review was found to be in default pursuant to Section 1910.69(a) of the Official Rules of the Property Tax Appeal Board. (86 Ill.Adm.Code 1910.69(a)). The Board has examined the evidence submitted by the appellant and finds it supports a reduction in the assessment of the subject property. Therefore, the Board finds the subject property’s assessment is excessive 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: 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.