



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

APPELLANT: Robert Baroud
DOCKET NO.: 06-26146.001-C-1 through 06-26146.004-C-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Robert Baroud, the appellant, by attorney Brian P. Liston and attorney Greg Diamantopoulos, of Law Offices of Liston & Tsantilis, P.C. 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
06-26146.001-C-1	13-20-328-012-0000	67,331	159,779	\$227,110
06-26146.002-C-1	13-20-328-013-0000	5,968	46,139	\$52,107
06-26146.003-C-1	13-20-328-014-0000	32,047	107,033	\$139,080
06-26146.004-C-1	13-20-328-015-0000	16,590	63,474	\$80,064

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 32,240 square feet of land improved with a 67-year old, part one-story and part two-story, commercial building. The improvement contains 17,203 square feet of building area. The appellant's appeal is based on unequal treatment in the assessment process.

As to the equity argument, the appellant submitted assessment data and limited descriptions on three properties. The properties are improved with a commercial building. They range: in age from 52 to 65 years; in size from 5,850 to 16,968 square feet of living area; and in improvement assessments from \$11.32 to \$23.68 per square foot of building area. The properties also contained land sizes ranging from 13,568 to 22,745 square feet of land. The subject's improvement assessment is \$376,425 or \$21.88 per square foot. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

At hearing, the appellant's attorney asserted that the suggested comparables were located in the subject's neighborhood and township. However, to his personal knowledge, he was unaware of the subject's tenant mix.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$498,361 was disclosed. This assessment reflects a market value of \$1,500,021 or \$87.19 per square foot when the Cook County Ordinance level of assessment for class 5a property of 38% is applied. In addition, the board submitted copies of the subject's property record cards as well as an aerial photograph of the subject property.

In support of the subject's market value, raw sales data was submitted for five properties improved with a commercial building. 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 \$799,982 to \$1,400,000 or from \$70.31 to \$105.36 per square foot. The buildings are used as either retail/restaurant, retail/storefront, or as a general retail freestanding building. They range in age from 16 to 72 years and in size from 10,358 to 15,400 square feet of building area. The printouts indicated no real estate brokers for sales #1 and #2, while the same broker is identified for both parties related to sale #5. Based on this evidence, the board of review requested confirmation of the subject's assessment.

At hearing, the board of review's representative rested on the evidence submissions.

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

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 finds that the comparables submitted by the appellant are most similar to the subject in location, size, and age. Due to their similarities to the subject, these comparables received the most weight in the PTAB's analysis. These comparables had improvement assessments that ranged from \$11.32 to \$23.68 per square foot of building area. The subject's improvement assessment is \$21.88 per square foot of building area is within the range established by the comparables.

The board of review's properties were accorded diminished weight due to a disparity in raw, unadjusted data; location; and absence of assessment data.

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

K. L. Fern

Member

Frank A. Huff

Member

Mario M. Louie

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: July 22, 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.