FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: 1010 Morse Condominium Association
DOCKET NO.: 06-26338.001-I-1 through 06-26338.005-I-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are 1010 Morse Condominium Association, the appellant(s), by attorney Joseph G. Kusper, of Storino Ramello & Durkin of Rosemont; 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
06-26338.001-I-1	07-33-102-060-1001	8,760	28,680	$37,440
06-26338.002-I-1	07-33-102-060-1002	8,901	28,539	$37,440
06-26338.003-I-1	07-33-102-060-1003	8,944	28,496	$37,440
06-26338.004-I-1	07-33-102-060-1004	8,922	28,518	$37,440
06-26338.005-I-1	07-33-102-060-1005	8,426	29,014	$37,440

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 19-year-old, one-story, five-unit, industrial condominium building of masonry construction containing an aggregate above-grade floor area of 10,125 square feet. The improvements are situated on a 32,560 square foot site located in Schaumburg Township, Cook County.

The appellant, through counsel, submitted evidence 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 a limited summary appraisal report prepared by a State of Illinois certified real estate appraiser. The appraisal report disclosed that the subject property was

inspected on March 3, 2005. The appraiser determined the subject's highest and best use to be its current use. The appraiser utilized the sales comparison approach to estimate a market value of $520,000 for the subject as of January 1, 2004.

In the sales comparison approach to value, the appraiser employed the sales of five properties located within the subject's area. The comparables consist of one-story, single-tenant or multi-tenant, industrial buildings of masonry construction ranging from 17 to 28 years in age. The parcels range in size from 26,250 to 45,000 square feet of land area and the improvements range in size from 7,900 to 14,000 square feet of building area. The comparables sold between August 2002 and July 2004 for prices ranging from $410,000 to $700,000, or from $46.25 to $51.90 per square foot of building area, including land. After giving due consideration to all of the comparable sales and considering the subject's location and design, the appraiser estimated the value of the subject property to be most reasonably represented by the unit value of $51.00 per square foot of building area, including land, or $520,000, rounded as of January 1, 2004.

Based on the evidence submitted, the appellant requested an assessment reflective of a fair market value for the subject of $520,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the subject's total combined assessment of $200,475, which reflects a market value of $556,875 or $55 per square foot of building area, utilizing the Cook County Real Property Assessment Classification Ordinance level of assessment of 36% for Class 5b property, such as the subject. As evidence, the board of review submitted seven sales with an unadjusted range of from $63.32 to $103.33 per square foot of building area, including land. No analysis or adjustment of the sales data was provided by the board. Based on the evidence presented, 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.

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 (3rd Dist, 2002); Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179 (2nd 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 satisfied this burden and a reduction is warranted.

The Property Tax Appeal Board finds the best evidence of market value in the record is the summary appraisal report provided by the appellant. In addition, the Board finds that the board of review did not present any evidence or argument refuting the appellant's appraisal report. The Board gives little weight to the board of review's comparables as the information provided was raw sales data with no adjustments made.

Therefore, the Property Tax Appeal Board finds that the subject had a fair market value of $520,000 as of January 1, 2006. Since fair market value has been established, the Cook County Real Property Assessment Classification Ordinance level of assessment for Class 5b property of 36% shall apply. In applying this level of assessment to the subject, the total assessed value is $187,200, while the subject's current total assessed value is above this amount at $200,475. Therefore, the Board 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.

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: April 23, 2010

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.