



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

APPELLANT: Robert Wisz
DOCKET NO.: 06-27913.001-I-1 through 06-27913.014-I-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Robert Wisz, the appellant, by attorney Howard W. Melton of Howard W. Melton and Associates, 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
06-27913.001-I-1	30-08-203-005-0000	2,621	0	\$2,621
06-27913.002-I-1	30-08-203-006-0000	1,593	1,022	\$2,615
06-27913.003-I-1	30-08-203-007-0000	1,544	493	\$2,037
06-27913.004-I-1	30-08-203-008-0000	1,616	493	\$2,109
06-27913.005-I-1	30-08-203-009-0000	2,557	0	\$2,557
06-27913.006-I-1	30-08-203-010-0000	2,376	0	\$2,376
06-27913.007-I-1	30-08-203-028-0000	2,553	0	\$2,553
06-27913.008-I-1	30-08-203-029-0000	1,568	7,682	\$9,250
06-27913.009-I-1	30-08-203-030-0000	1,504	7,682	\$9,186
06-27913.010-I-1	30-08-203-031-0000	2,431	8,210	\$10,641
06-27913.011-I-1	30-08-203-034-0000	2,888	0	\$2,888
06-27913.012-I-1	30-08-203-047-0000	2,518	1,056	\$3,574
06-27913.013-I-1	30-08-203-052-0000	1,240	0	\$1,240
06-27913.014-I-1	30-08-203-053-0000	1,140	0	\$1,140

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a total of approximately 46,952 square feet of land area (consisting of fourteen parcels) improved with a 7,080 square foot one-story metal industrial building constructed in 2006. The structure consists of office space and warehouse area. The improved parcels are class 8, industrial property, assessed at 16% of market value under the

Cook County Real Property Assessment Classification Ordinance (hereinafter "Ordinance") and the vacant parcels are class 1-00 assessed at 22% of market value under the Ordinance. The property is located in Calumet City, Thornton Township, Cook County.

The appellant contends that the market value of the subject property is not accurately reflected in the property's assessed valuation as the basis of this appeal. In support of the market value argument, the appellant submitted an appraisal prepared by Jennifer Soto and James Matthews of James A. Matthews, Inc. estimating the subject property had a market value of \$230,000 as of January 1, 2006.

Under the sales comparison approach, the appraisers analyzed five sales of industrial buildings located in Chicago, Robbins, Matteson, Harvey and Glenwood. The buildings were constructed between 1920 and 1991 and ranged in size from 4,400 to 18,000 square feet of building area. The parcels ranged in size from 13,503 to 54,624 square feet of land area. These sales reflected land-to-building ratios ranging from 1.0:1 to 3.90:1. The subject had a land-to-building ratio of 6.04:1. These properties sold between May 2003 and September 2006 for prices ranging from \$150,000 to \$450,000 or from \$25.00 to \$34.09 per square foot of building area including land. The appraisers adjusted the comparables for date of sale, building size and land-to-building ratio. The net adjustments range from -1% to 15%, resulting in adjusted sales prices ranging from \$24.75 to \$36.14 per square foot of building area including land. The appraisers noted these sales were similar in style, quality and utility to the subject. Based on the adjusted sale prices, the appraisers concluded the subject property had a fair market value of \$32.00 per square foot of building area¹ including land or \$230,000, rounded, as of January 1, 2006.

Based on the foregoing evidence, the appellant requested reductions in the assessments of the subject parcels.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$54,787 was disclosed. The subject's assessment levels of 16% and 22% for specific parcels reflect a market value of \$316,211 or \$44.66 per square foot of building area including land using the applicable levels of assessment under the Ordinance. (86 Ill.Admin.Code §1910.50(c)(3)).

The board of review submitted a memorandum, the subject's property record card and data on comparable sales. In the memorandum, the board of review contended that the subject has excess land of 19,973 square feet which has been assessed at 22%

¹ The appellant's appraisers calculated that the subject building contains 7,200 square feet of total building area. However, the appraisal report did not contain a schematic drawing of the building to support the size determination.

of its market value. Furthermore, for its estimate of the subject's market value, the board of review suggested that the excess land value of \$69,905 be subtracted from the full market value of the subject to arrive at the residual value of \$246,306 or \$34.79 per square foot of building area including land (other than excess land). Under this analysis, the board of review contended that the subject can be compared to other similar office properties with typical land to building ratios in the area.

Next, the board of review presented seven comparable sales located within a 7.5-mile radius of the subject. The comparables are improved with industrial, industrial "warehouse" or industrial "manufacturing" buildings located in Hazel Crest, Lansing, Harvey, Riverdale, Calumet City, and South Holland. The comparables range in size from 5,800 to 11,200 square feet of building area. The parcels range in size from 12,998 to 29,826 square feet of land area. Five comparables were constructed between 1950 and 1998 with one having been renovated in 1999. No age or year-built data were reported for two properties. The properties have land-to-building ratios ranging from 1.80:1 to 4.58:1. The sales occurred from August 2001 to November 2006 for prices ranging from \$139,900 to \$422,500 or from \$17.01 to \$50.64 per square foot of building area including land. Based on this evidence, the board of review requested confirmation of the subject's estimated market value as reflected by its assessment.

After considering the evidence and reviewing the record, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. The Property Tax Appeal Board further finds no reduction in the subject property's assessment is warranted.

The appellant argued the subject property was overvalued. When market value is the basis of the appeal, the value must be proved by a preponderance of the evidence. Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179, 183, 728 N.E.2d 1256 (2nd Dist. 2000). The Board finds the appellant failed to meet this burden of proof.

The appellant submitted an appraisal report estimating the subject property had a fair market value of \$230,000 as of January 1, 2006. The board of review submitted seven comparable sales to support its assessed valuation of the subject property along with an argument that the subject had excess land.

The Property Tax Appeal Board gave little weight to the appraisal report and final value conclusion that was submitted by the appellant. The Board finds the value conclusion to be unpersuasive and not credible. The Board finds comparable sales #1, #2 and #3 used by the appellant's appraisers were dissimilar in size and/or age when compared to the subject. In addition, the proximate location of the comparables in relation to the subject was not disclosed.

The Board also gave less weight to board of review comparables #1, #2, #4 and #6 due to dates of sale in 2001 and 2002 which is not proximate in time to the assessment date of January 1, 2006. The Board also gave no weight to the board of review's excess land argument since it lacked any market-based data to establish that the subject property has excess land. Furthermore, the board of review's efforts to deduct the value of the excess land was simply a reflection of the assessed value of that land converted into a market value estimate and, therefore, in essence a self-validating value for the unimproved land.

The Board finds comparable sales #4 and #5 submitted by the appellant along with comparable sales #3 and #5 submitted by the board of review are more reliable indicators of the subject's fair market value. It should be noted that the parties had one common sale, appellant's sale #4 and board of review sale #3. These industrial properties had varying degrees of similarity when compared to the subject in age, size and/or location. These comparables sold for prices ranging from \$150,000 to \$354,500 or from \$29.17 to \$50.64 per square foot of building area including land. The subject parcels' total assessment of \$54,787 reflects an estimated market value of \$316,211 or \$44.66 per square foot of building area including land using the applicable Ordinance levels of assessment of 16% and 22%. The subject's assessment reflects a market value within the range of the most similar comparable sales contained in this record and appears to be supported by board of review sale #5 consisting of a building that was constructed in 1998 whereas the subject was new construction having been built in 2006, but still having a lower per-square-foot estimated value. After considering adjustments to the comparables for differences when compared to the subject, the Board finds the subject's assessed valuation is supported and no reduction is warranted.

Based on this analysis, the Property Tax Appeal Board finds the appellant failed to demonstrate the subject property was overvalued by a preponderance of the evidence and no reduction in the subject's assessment 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.

Donald R. Cuit

Chairman

K. L. Fern

Member

Frank A. Huff

Member

Mario Morris

Member

J. R.

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: May 18, 2012

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.