



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

APPELLANT: Midwest Bridge Unit, Inc.  
DOCKET NO.: 06-28798.001-C-1 through 06-28798.004-C-1  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Midwest Bridge Unit, Inc., the appellant, by attorney Terrence Kennedy Jr., of Law Offices of Terrence Kennedy 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
06-28798.001-C-1	20-35-413-038-0000	3,249	716	\$3,965
06-28798.002-C-1	20-35-413-039-0000	3,249	10,371	\$13,620
06-28798.003-C-1	20-35-413-040-0000	4,207	15,556	\$19,763
06-28798.004-C-1	20-35-413-037-0000	3,249	716	\$3,965

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of 13,421 square feet of land comprising four parcels which are improved with a 49-year old, part one-story and part two-story, masonry-constructed building as well as minor improvements.

The appellant raised three arguments: that the subject's classification was incorrect; that the main building's improvement size was incorrect; and lastly, that the market value of the subject property is not accurately reflected in the property's assessed valuation as the bases of this appeal.

At hearing, the appellant's attorney asserted that the subject's main building was a mixed-use structure which contained a social club for seniors on the first floor as well as an apartment on the second floor. He stated that the appellant was a not-for-profit corporation. He argued that the county assessor had incorrectly accorded the subject a class 4 designation, when in actuality; the subject's main building should be accorded a class

2-12 designation, while the minor improvements should be accorded a class 2-90 designation. In support of this assertion, he submitted a copy of the board of review's decision for tax year 2007 marked as Appellant's Hearing Exhibit #2. This Exhibit was admitted without objection from the board of review's representative. Exhibit #2 reflected a class 2 designation for the subject property. Moreover, the attorney submitted Appellant's Hearing Exhibit #1 which was correspondence reflecting amended assessment totals for the subject's four parcels which mirrored the board of review's assessments indicated on Exhibit #1.

In support of the market value argument, the appellant's pleadings included a summary appraisal of the subject property with an effective date of January 1, 2006 undertaken by Matthew Kang, Associate Real Estate Appraiser, and Gary T. Peterson, who holds the designations of State General Real Estate Appraiser and Member of the Appraisal Institute. The appraisers estimated a market value for the subject of \$255,000.

As to the subject, the appraisal indicated that the subject's site was inspected on November 2, 2007 and that the property rights appraised for the subject are the unencumbered fee simple estate. The subject was found to be a rectangular-shaped parcel containing 13,421 square feet of land. The improvement was described as a part one-story and part two-story, masonry constructed, mixed-use building.

The appraisal estimated that the building contained 7,689 square feet of gross building area after the interior and exterior inspection. The appraisal indicated that the building was 49 years in age. The subject's improvements were characterized as in below average condition with minimum interior build-out, while the second floor apartment was considered to be in poor condition with worn flooring. However, the appraisers noted that the subject does not contain below grade space for storage.

The appraisers indicated that the subject's highest and best use as vacant was for commercial development, while the highest and best use as improved was for its current use. The appraisers developed one of the three traditional approaches to value. The estimated market value under the sales comparison approach was \$255,000.

Under this approach to value, the appraisers utilized five sale comparables. These comparables sold from January, 2003, through September, 2003, for prices that ranged from \$160,000 to \$390,000 or from \$27.24 to \$33.91 per square foot. The properties were improved with a two-story, masonry, mixed-use building. They ranged: in improvement size from 5,280 to 12,848 square feet of building area; in age from 25 to 92 years; and in land size from 3,001 to 27,656 square feet of land. After making adjustments to the suggested comparables, the appraisers estimated that the subject's market value was \$33.00 per square foot or \$255,000, rounded, as of the assessment date. As a result of this

analysis, the appellant requested a reduction in the subject's valuation.

The board of review submitted "Board of Review-Notes on Appeal" wherein the subject's total assessment was \$325,927 for tax year 2006. The subject's assessment reflects a market value of \$1,303,708 using the Cook County Ordinance Level of Assessment for Class 4, not-for-profit property of 25%. As to the subject, the board submitted copies of the subject's property record cards, which reflected data for the 2006 and 2007 tax years relating to the subject property along with a cover memorandum. The memorandum stated that the subject was inspected in December, 2007 and that after said inspection the county assessor changed the accorded designations to class 2 property for the 2007 and 2008 tax years. Specifically, the subject's main building was accorded a class 2-12 designation of a mixed-use property containing 7,870 square feet of building area. The minor improvements were accorded a class 2-90 classification.

At hearing, the board of review's representative asserted that the appellant had not called the appraiser to testify and rested on the written evidence submission.

After considering the arguments and reviewing the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal.

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 Board concludes that the appellant has met this burden and that a reduction is warranted.

Initially, as to the subject property's classification, the Board finds that the parties' evidence submissions jointly support the subject's classification as a mixed-use building or class 2-12 as well as a classification of 2-90 for the minor improvements. Therefore, the Board finds this evidence persuasive.

In addition, the Board finds the best evidence of the subject's building size and market value to be the appellant's appraisal. The Board finds based upon this appraisal that the subject's improvement contains 7,689 square feet of building area as determined by the appraisers' inspection.

Further, as to the subject's market value, the Board finds that the appellant's appraisers utilized one of the three traditional approaches to value in developing the subject's market value.

The Board also finds this appraisal to be persuasive for the appraisers: have experience in appraising and assessing property; personally inspected the subject property; estimated a highest and best use for the property; and utilized market data in undertaking the sales comparison approach to value, while making adjustments to the comparables where necessary. Further, the Board finds that the board of review failed to provide any contradictory evidence of market value.

Therefore, the Board finds that the subject property contained a market value of \$255,000 for tax year 2006. Moreover, the Board finds that the appellant's attorney amended the appellant's requested assessments, at hearing, to reflect total assessments accorded to the property in tax years 2007 and 2008 without objection from the board of review's representative. Therefore, the Board finds that a reduction is warranted to the subject based upon the appellant's amended request.

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.



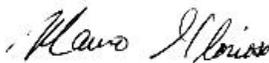
Chairman



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: December 21, 2012



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.