



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

APPELLANT: John McClain  
DOCKET NO.: 06-30886.001-C-1 through 06-30886.002-C-1  
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are John McClain, the appellant, by attorney Howard W. Melton of Howard W. Melton and Associates, 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
06-30886.001-C-1	17-31-108-028-0000	60,308	76,348	\$136,656
06-30886.002-C-1	17-31-101-016-0000	23,488	29,864	\$53,352

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property is improved with a one-story masonry constructed part industrial and part commercial building with 19,320 square feet of building area. The subject property was constructed in 1949 and primarily has warehouse space used for storage. The building has brick walls, a slab foundation and plate glass windows in aluminum frames. The subject property has a 63,593 square foot site resulting in a land to building ratio of 3.29:1. The property is located in Chicago, South Chicago Township, Cook County. A portion of the subject property (property index number (PIN) 17-31-108-028-0000) is classified as a class 5-93 industrial building under the Cook County Real Property Assessment Classification Ordinance (hereinafter "Ordinance") and is assessed at 36% of market value and a portion of the subject property (PIN 17-31-101-016-0000) is classified as a class 5-90 commercial building under the Ordinance and is assessed at 38% of market value.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal of the subject property prepared by real estate appraisers Jennifer C. Soto and James A. Matthews of James A. Matthews, Inc.

The appraisers estimated the subject property had a market value of \$520,000 as of January 1, 2006.

The property rights appraised are in fee simple title ownership, assuming no liens or encumbrances other than normal covenants and restrictions of record, such as zoning and real estate taxes. The report indicated that the property was inspected on July 7, 2007. The appraisal further stated the appraisers concluded the highest and best use of the subject was to maintain the current improvements.

In estimating the market value of the subject property the appraisers developed the sales comparison approach using five comparable sales. The comparables were improved with one-story industrial buildings that ranged in size from 13,720 to 34,000 square feet of building area. The comparables were located in Chicago and Ciero and were constructed from 1914 to 1981. These properties had land to building ratios ranging from 1.33:1 to 2.65:1. The sales occurred from April 2002 to December 2005 for prices ranging from \$325,000 to \$750,000 or from \$22.06 to \$26.42 per square foot of building area, including land. The appraisers included an adjustment grid in the report and indicated all sales were adjusted upward for time, all sales but comparable sale #3 were adjusted for building size and all sales were adjusted for land to building ratio. The appraisers indicated the adjusted sales prices ranged from \$24.05 to \$30.91 per square foot of building area including land. Based on this data the appraisers estimated the subject property had a market value of \$27.00 per square foot of building area, including land, or \$520,000, rounded, as of January 1, 2006.

Based on this evidence the appellant requested the subject's assessment be reduced to \$187,200 to reflect the appraised value.

The board of review submitted its "Board of Review Notes on Appeal" wherein its final assessment of the subject totaling \$258,590 was disclosed. The subject's assessment reflects a market value of \$707,709 or \$36.63 per square foot of building area, including land, when applying the appropriate Ordinance level of assessments to the respective PINs.

In support of the assessment the board of review submitted copies of the subject's property record card and information on eight comparable sales. The comparables were improved with industrial buildings that ranged in size from 15,840 to 20,000 square feet of building area. The buildings were one-story structures constructed from 1925 to 1966. One comparable was a truck terminal with 52 exterior loading docks; one comparable was described as being used for manufacturing; three comparables were used for warehousing; and three were described as industrial. The data provided by the board of indicated the comparables were located in Chicago and had land to building ratios ranging from 1:1 to 6.28:1. The information also indicated each of the comparables was 100% leased although comparables #4, #5 and #7 were described as being owner/users with the buyer being the same

while comparable #6 was described as the buyer being an owner/user. The sales occurred from March 2001 to September 2007 for prices ranging from \$400,000 to \$1,650,000 or from \$24.00 to \$96.15 per square foot of building area, including land. Based on this evidence, 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 the appeal. The Board further finds a reduction in the subject's assessment is supported by the evidence in the record.

The appellant contends overvaluation as the basis of the 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 (3<sup>rd</sup> Dist. 2002). Proof of market value may consist of an appraisal of the subject property, a recent sale, comparable sales or construction costs. (86 Ill.Admin.Code §1910.65(c)). The Board finds the appellant met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the best evidence of market value in this record is the appraisal of the subject property submitted by the appellant estimating the subject property had a market value of \$520,000, or \$27.00 per square foot of building area, land included, as of January 1, 2006. The appraisers developed the sales comparison approach to value using five comparable sales. In analyzing the sales the appraisers made adjustments to the sales for date of sale, building size and land to building ratio. The board of review submitted information on eight sales but did not make any type of qualitative or quantitative analysis of the sales. Four of the comparables sold in 2001 making them somewhat dated with reference to the January 1, 2006 assessment date at issue. Additionally, the Board finds that board of review comparable sales #1 and #3 had different uses than the subject as a truck terminal and a manufacturing facility, respectively; therefore these sales were given less weight. Furthermore, the data provided by the board of review indicated its comparables were reported to be leased, although the information with respect to four of the comparables was somewhat contradictory. Two comparables provided by the board of review were reported to be one-story industrial warehouse buildings that sold in December 2002 and September 2007 for prices of \$35.71 and \$24.00 per square foot of building area, including land, respectively. The Board finds these two sales are supportive of the conclusion of value provided by the appellant's appraisers. Based on this record, the Board finds the subject property had a market value of \$520,000 as of January 1, 2006. Since market value has been established the 36% and 38% Ordinance levels of assessments for the class 5-93 and 5-90 property, respectively, shall apply.

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.



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Chairman



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Member



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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: February 24, 2012



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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.