



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

APPELLANT: Robert Kinsloe
DOCKET NO.: 07-24613.001-C-1
PARCEL NO.: 14-19-328-038-1001

The parties of record before the Property Tax Appeal Board are Robert Kinsloe, the appellant, by attorney Michael Griffin of 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:

LAND: \$3,099
IMPR.: \$34,551
TOTAL: \$37,650

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a commercial condominium unit in a four story mixed use commercial/residential building constructed in 1999 and located on a 3,125 square foot site. The subject is on the first floor of the building and has 2,994 square feet of building area. The subject property is a class 5-99 commercial property under the Cook County Real Property Assessment Classification Ordinance and is located in Chicago, Lakeview Township, Cook County.

The appellant contends assessment inequity as the basis of the appeal. In support of this argument the appellant provided descriptions and assessment information on four comparables to demonstrate the subject improvement is being inequitably assessed.¹ Each of the comparables was classified as a class 5-99 commercial condominium unit and was located in the same township and had the same neighborhood code as the subject property. The appellant indicated the comparables ranged in size from 2,174 to 2,994 square feet of building area. The

¹ In completing Section V of the appeal form, the appellant did not include all the comparables and provided the incorrect addresses for comparables #2 and #3. The appellant did provide copies of printouts from the assessor's website that contained the assessments and minimal descriptions of the subject and the comparables.

comparables ranged in age from three to seven years old. The comparables have improvement assessments that range from \$25,096 to \$59,522 or from \$9.44 to \$20.90 per square foot of building area. Based on this evidence the appellant requested the subject's improvement assessment be reduced to \$16,368 or \$5.47 per square foot of building area.

The board of review submitted its "Board of Review Notes on Appeal" wherein its final assessment of the subject totaling \$85,013 was disclosed. The subject's assessment reflects a market value of \$223,718 or \$74.72 per square foot of building area, including land, using the 38% level of assessment for class 5-99 property. The subject has an improvement assessment of \$81,914 or \$27.36 per square foot of building area.

The board of review submitted a memorandum stating there was a Warranty Deed recorded in April 2008 indicating the subject sold for a price of \$327,500 or \$109.39 per square foot of building area. The Board also provided sales data on five comparables in support of the contention the subject's assessment is reflective of the property's market value. The comparables were improved with retail properties that sold from May 2002 to October 2007 for prices ranging from \$238,000 to \$1,850,000. 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 in this appeal submitted evidence in support of the contention that the subject property was inequitably assessed. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. (86 Ill.Admin.Code 1910.63(e)). The Board finds the appellant's evidence demonstrated with clear and convincing evidence that the subject property was inequitably assessed.

The appellant provided information on four comparables improved with class 5-99 commercial condominium units located in the same township with the same neighborhood code as the subject property. The appellant indicated the comparables ranged in size from 2,174 to 2,994 square feet of building area. The comparables ranged in age from three to seven years old. The comparables have improvement assessments that range from \$25,096 to \$59,522 or from \$9.44 to \$20.90 per square foot of building area. The subject has an improvement assessment of \$81,914 or \$27.36 per square foot of building area, which is significantly above the range established by the appellant's comparables.

The Board finds the board of review submitted information disclosing the subject sold in April 2008 for a price of \$327,500

and information on five purported comparable sales but did not address or refute the appellant's assessment inequity argument. Based on this record the Board finds a reduction in the subject's improvement 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.

Ronald R. Cuit

Chairman

Frank J. Huff

Member

Member

Mario M. Louie

Shawn R. Lerbis

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: September 23, 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.