



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

APPELLANT: Evanbrook R.E. Ltd  
DOCKET NO.: 07-25955.001-C-1  
PARCEL NO.: 05-34-104-020-0000

The parties of record before the Property Tax Appeal Board are Evanbrook R.E. Ltd, the appellant(s), by attorney Arnold G. Siegel, of Siegel & Callahan, P.C. 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:

**LAND:** \$101,574  
**IMPR:** \$299,326  
**TOTAL:** \$400,900

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of an 19,800 square foot parcel of land improved with a one-story masonry constructed, commercial building. The property is located in New Trier Township, Cook County. The appellant contends overvaluation as the basis of the appeal.

In support of this argument the appellant submitted a narrative appraisal estimating the subject property had a market value of \$1,055,000 as of January 1, 2007. The appraisal was undertaken by Leslie A. Allan and Mitchell J. Perlow of Property Valuation Services, LLC. The appraisal indicates the appraisers are State of Illinois certified general appraisers and Perlow hold the MAI designation. In estimating the market value of the subject property the appraisal contained the three traditional approaches to value. The report stated that an interior and exterior inspection of the property was made on October 5, 2007.

Under the cost approach to value, the appraiser analyzed the sale of five properties to arrive at an estimated value for the land at \$27.50 per square foot or \$545,000, rounded. The replacement cost new was utilized to determine a cost for the improvement at \$1,212,790. The age/life method was used to depreciate the improvement by 56% for a value of \$533,628. The land and

depreciated site improvement values were added back in to establish a value under the cost approach of \$1,085,000, rounded.

In the income approach to value, the appraisers analyzed the rents of four properties to estimate potential gross income at \$23.00 per square foot or \$242,558. Vacancy and collection were estimated at 10% for an effective gross income of \$218,302. Expenses were determined to be \$59,896 to arrive at a net operating income of \$158,406. The appraisers analyzed the band of investment method to determine the capitalization rate of 9%. This rate was then loaded to 15.46% to estimate a value under the income approach of \$1,025,000, rounded.

Under the sales comparison approach, the appraisers analyzed the sales of five masonry, one or three-story, single or multi-tenant, commercial buildings located within the subject's market. The properties range in age from 23 to 71 years and in size from 6,310 to 17,500 square feet of building area. The comparables sold from January 2004 to February 2007 for prices ranging from \$400,000 to \$1,875,000, or from \$63.39 to \$109.00 per square foot of building area, including land. The appraiser adjusted each of the comparables for pertinent factors. Based on the similarities and difference of the comparables when compared to the subject, the appraiser estimated a value for the subject under the sales comparison approach of \$100.00 per square foot of building area or \$1,055,000, rounded.

In reconciling the three approaches to value, the appraisal gave maximum emphasis to the sales comparison approach with support from the cost and income approaches to arrive at a final estimate of value for the subject as of January 1, 2007 of \$1,055,000.

The board of review submitted its "Board of Review Notes on Appeal" wherein its final assessment of the subject totaling \$429,998 was disclosed. The subject's assessment reflects a market value of \$1,131,574, including land, when applying the 38% Ordinance level of assessments for class 5a commercial property.

In support of the assessment the board of review submitted information on five comparables sales. The comparables were improved with commercial buildings that ranged in size from 8,000 to 10,065 square feet of building area. These properties sold from February 1998 to May 2004 for prices ranging from \$460,000 to \$2,750,000 or from \$47.03 to \$273.22 per square foot of building area, including land for the properties with known sizes. 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 the evidence in the record does support a reduction in the subject's assessment.

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 (3rd 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.

In determining the fair market value of the subject property, the PTAB finds the best evidence to be the appellant's appraisal. The appellant's appraisers utilized the three traditional approaches to value in determining the subject's market value. The PTAB finds this appraisal to be persuasive for the appraisers: has experience in appraising; personally inspected the subject property and reviewed the property's history; and used similar properties in the sales comparison approach while providing sufficient detail regarding each sale as well as adjustments that were necessary. The PTAB gives little weight to the board of review's evidence as the documentation is raw sales data.

Therefore, the PTAB finds the subject had a market value of \$1,055,000 for the 2007 assessment year. Since the market value of this parcel has been established, the 38% Cook County Ordinance level of assessment for class 5a commercial property will apply. In applying this level of assessment to the subject, the total assessed value is \$400,900 while the subject's current total assessed value is above this amount. Therefore, the PTAB 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.

*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: February 22, 2013

*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.