



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

APPELLANT: Peter Wachowski
DOCKET NO.: 07-26817.001-C-1
PARCEL NO.: 13-21-327-032-0000

The parties of record before the Property Tax Appeal Board are Peter Wachowski, the appellant(s), by attorney Brian P. Liston, of Law Offices of Liston & Tsantilis, 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 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:

LAND: \$27,702
IMPR: \$97,941
TOTAL: \$125,643

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of an 3,645 square foot parcel of land improved with a 78-year old, one-story, masonry, commercial storefront building containing 3,625 square feet of building area. The appellant, via counsel, argued that the fair market value of the subject was not accurately reflected in its assessed value.

In support of the market value argument, the appellant submitted sales information and limited descriptions on a total of three properties suggested as comparable to the subject. The data in its entirety reflects that the properties are improved with one-story, masonry, commercial storefront buildings. The properties range in age from 33 to 92 years and in size from 4,500 to 8,704 square feet of building area. The properties sold from May 2005 to November 2006 for prices ranging from \$334,000 to \$470,632 or from \$54.07 to \$74.22 per square foot of building area. Based on this evidence, the appellant requested a reduction in the subject's assessment.

The board of review submitted "Board of Review-Notes on Appeal" wherein the subject's assessment of \$125,643 was disclosed. The subject's final assessment reflects a fair market value of \$330,639 or \$91.21 per square foot of building area when the Cook County Ordinance level of assessment for Class 5a property of 38% is applied. The board also submitted copies of the property characteristic printouts for the subject as well as raw sales data on five properties. These properties are described as one-story, commercial, restaurant or storefront buildings. The properties range in age from 25 to 76 years and in size from 2,640 to 4,500 square feet of building area. The sales occurred from March 2003 to April 2005 for prices ranging from \$375,000 to \$600,000 or from \$83.33 to \$179.92 per square foot of building area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

At hearing, the appellant's attorney argued the appellant's evidence establishes the subject's overvaluation. The appellant submitted *Appellant's Hearing Exhibit #1*, a copy of a recent sale profile, to show the building square footage for comparable #2. The board of review rested on the evidence previously submitted.

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.

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, 331Ill.App.3d 1038 (3rd Dist. 2002); Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179 (2nd 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 PTAB concludes that the evidence indicates a reduction is not warranted.

The parties presented sales data on a total of eight comparables. The PTAB finds the appellant's comparables and the board of review's comparables #1 and #5 most similar to the subject. The properties are improved with one-story, commercial storefront buildings. The properties range in age from 33 to 92 years and in size from 3,432 to 8,704 square feet of building area. The sales occurred from November 2004 to November 2006 for prices ranging from \$334,000 to \$2,691,388 or from \$54.07 to \$131.12 per square foot of building area. In comparison, the subject's assessment reflects a market value of \$91.21 per square foot of building area which is within the range of comparables.

After considering adjustments and the differences in the comparables when compared to the subject, the PTAB finds the

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subject's per square foot assessment is supported and a reduction in the subject's assessment is not 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.



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: March 23, 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.