



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

APPELLANT: Bernard Valenti
DOCKET NO.: 07-28103.001-I-1
PARCEL NO.: 06-24-406-026-1003

The parties of record before the Property Tax Appeal Board are Bernard Valenti, the appellant(s), by attorney Dennis M. Nolan, of Dennis M. Nolan, P.C. in Bartlett; 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: \$ 6,161
IMPR.: \$ 40,801
TOTAL: \$ 46,962

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a 22 year old, 2,128 square foot, industrial, condominium unit within a six unit building. The appellant, via counsel, argued that the market value of the subject property is not accurately reflected in the property's assessed valuation as the basis of this appeal.

In support of the market value argument, the appellant submitted descriptive and sales information on one industrial condominium suggested as comparable. This property is 45 years old, contains 34,200 square feet of building area. The property sold in October 2005 for \$1,550,000 or \$45.32 per square foot of building area. Based on this evidence, the appellant requests a reduction in the subject's assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$46,962 was disclosed. This assessment reflects a fair market value of \$130,449 when the Cook County Real Property Assessment Classification Ordinance level of assessments of 36% for Class 5B

properties is applied. In support of the subject's assessment, the board of review presented descriptions and sales information on a total of four industrial condominium units within the subject complex and the sale of the subject. The properties contain 12,771 square feet of building area and sold from July 2000 to January 2006 for prices ranging \$90,000 to \$178,000 or \$42.28 to \$83.63 per square foot of building area, including land. Comparable #1 included two property identification numbers in the sale. In addition, the subject sold in March 2002 for \$92,500.

At hearing, the appellant's attorney asserted that the appellant's suggested comparable shows the subject is overvalued.

After reviewing the record and considering the testimony, 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 information on a total of five suggested comparables as well as the sale of the subject. In reviewing the evidence, the PTAB finds the sale of the subject is too far removed from the lien date to accurately reflect the market value for January 1, 2007. Further, the PTAB finds the appellant's comparable and the board of review's comparables #4 and #5 most similar to the subject and most recent in sale date. Therefore, these comparables receive the most weight in the analysis. These properties sold between May 2004 and January 2006 for prices ranging from \$90,000 to \$1,550,000 or from \$42.28 to \$83.63 per square foot of building area, including land. The PTAB finds that the board of review's sale #5 which is part of the subject's complex and the same size as the subject is the most similar to the subject and has a sale date closest to the lien date. This property sold in January 2006 for \$83.63 per square foot of building area. The subject property's assessment reflects a value of \$61.30 per square foot of building area, including land, which is within the range established by the most similar comparables and lower than the most similar comparable. The PTAB finds that the appellant has failed to establish by a preponderance of the evidence that the subject is overvalued and a reduction 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: April 19, 2013



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.