



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

APPELLANT: YP Partnership, LLC
DOCKET NO.: 07-30599.001-C-1
PARCEL NO.: 14-20-409-021-0000

The parties of record before the Property Tax Appeal Board are YP Partnership, LLC, the appellant(s), by attorney Eugene P. Griffin, of Eugene L. Griffin & Associates, Ltd. 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: \$15,294
IMPR.: \$12,818
TOTAL: \$28,112

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of 3,125 square feet of land improved with a 96-year old, three-story, masonry, mixed-use building containing 3,388 square feet of building area. The appellant argued that the market value of the subject property is not accurately reflected in the property's assessed valuation as the basis of the appeal.

In support of the market value argument, the appellant's pleadings included a summary appraisal of the subject property with an effective date of January 1, 2006 undertaken by William L. Shulman, a real estate appraiser and Mitchell Perlow, a certified general real estate appraiser who holds an MAI designation. The appraisers estimated a market value for the subject of \$280,000. The appraisers developed the sales comparison approach to value.

Under the sales comparison approach, the appraisal analyzed the sale of five mixed-use buildings located within the subject's market. The properties contain between 3,000 and 6,909 square feet of living area. The comparables sold from March 2003 to October 2003 for prices ranging from \$260,000 to \$550,000 or from \$79.61 to \$86.67 per square foot of building area. After making adjustments for pertinent factors, the appraiser estimated a

value for the subject under the sales comparison approach was \$280,000. Based upon this data, the appellant requested a reduction in the subject's market value.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's total assessment of \$67,442 was disclosed. This assessment reflects a market value of \$671,733 using the Illinois Department of Revenue's 2007 three-year median level of assessment for class 2 property of 10.04%. In support of the subject's assessment, the board of review submitted descriptions and assessment information for ten properties located within the subject's neighborhood. The properties range: in age from 3 to 19 years old; in size from 2,552 to 3,349 square feet of building area; and in improvement assessments from \$14.46 to \$23.82 per square foot of building area. The board of review also submitted sales data for one the properties which sold in September 2006 for \$840,000 or \$295.57 per square foot of building area, including land. In addition, the board of review submitted a printout of raw sales for 40 sale comparables. From the 40 sales comparables, nine sale comparables were highlighted. These properties sold from March 2003 to February 2008 for \$622,300 to \$1,710,000. No further information such as square footage or amenities was submitted. 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 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, 331 Ill.App.3d 1038 (3d Dist. 2002; Winnbago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d (2d 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 Board concludes that the evidence indicates a reduction in the subject's assessment is warranted.

In determining the fair market value of the subject property, the Board finds that best evidence is the appellant's appraisal. The Board finds this appraisal to be persuasive because the appraiser personally inspected the interior and exterior of the subject property, and utilized market data to obtain sales comparables while providing sufficient detail regarding each sale, as well as adjustments where necessary in estimating the subject's market value.

Therefore, the Board finds that the subject property contained a market value of \$280,000 for the tax year 2007. Since the market value of the subject has been established, the median level of

assessment as determined by the Illinois Department of Revenue's 2008 three year median for class 2, residential property of 10.04% will apply. In applying this level of assessment to the subject, the total assessed value is \$28,112 while the subject's current total assessed value is above this amount at \$67,442. Therefore, the Board 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.



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.