



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

APPELLANT: Oak Forest Properties
DOCKET NO.: 08-21817.001-C-1
PARCEL NO.: 28-22-405-031-0000

The parties of record before the Property Tax Appeal Board are Oak Forest Properties, the appellant(s), by attorney James A. Field, of Field and Goldberg, LLC 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: \$23,406
IMPR.: \$3,630
TOTAL: \$27,036

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a parcel of land totaling 45,005 square feet, 91% of the parcel is classified as 1-00, vacant land, and 9% is classified as 5-90, commercial with minor improvements, as designated by the county assessor. The appellant argued unequal treatment in the assessment process of the 91% vacant portion of the parcel of land as the basis of the appeal.

In support of the equity argument, the appellant, via counsel, submitted assessment information on a total of three lots suggested as comparable. All of these properties are class 1 lots, as designated by the county assessor. These properties range in lot size from 40,075 to 49,372 square feet and have

land assessment of \$.44 per square foot. Based on this evidence, the appellant requested a reduction in the subject's vacant land assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's land assessment of \$36,920 was disclosed. The subject's vacant land, 91% of the parcel, contains 40,955 square feet and is assessed at \$31,534 or \$.77 per square foot. The commercial portion of the property, 4,050 square feet, is assessed at \$5,386 or \$1.33 per square foot. In addition, the appellant argues the subject's assessment increased by 64% from the previous assessment cycle.

In support of the subject's assessment, the board of review submitted assessment information on four properties suggested as comparable and located in neighboring cities. The lots are all vacant and classified as 1-00 by the county assessor. They range in size from 6,000 to 123,449 square feet and have market values based on their assessment of \$5.00 per square foot.

In addition, the board of review submitted sales information on the subject and six properties suggested as comparable. The subject sold in June 2005 for \$348,781 or \$7.75 per square foot. The suggested comparables range in land size from 42,727 to 85,029 square feet and sold in 2006 for prices ranging from \$635,000 to \$917,500 or from \$8.64 to \$16.81 per square foot. 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.

The appellant contends unequal treatment in the subject's improvement assessment as the basis of the appeal. Taxpayers who object to an assessment on the basis of lack of uniformity bear the burden of proving the disparity of assessment valuations by clear and convincing evidence. Kankakee County Board of Review v. Property Tax Appeal Board, 131 Ill.2d 1 (1989). After an analysis of the assessment data, the Board finds the appellant has not met this burden.

The parties submitted a total of eight properties suggested as comparable to the subject. The PTAB finds the properties submitted by the appellant most similar to in location to the subject. The properties are all vacant parcels classified as 1-00 vacant lots. The properties range in size from 40,075 to

49,372 square feet and have land assessment of \$.44 per square foot. In comparison, the subject's vacant land portion of the parcel has an assessment of \$.77 per square foot which is above the range of the comparables. After considering adjustments and the differences in both parties' comparables when compared to the subject, the Board finds the subject's per square foot land assessment for the vacant portion of the land is not supported and a reduction in the subject's 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. Crit

Chairman

K. L. Fan

Member

Richard A. Huff

Member

Mario M. Lino

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: January 24, 2014

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.