



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

APPELLANT: Robert Moleck
DOCKET NO.: 08-25916.001-C-1 through 08-25916.034-C-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Robert Moleck, the appellant(s); 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
08-25916.001-C-1	30-06-404-011-0000	\$171.88	\$0	\$171.88
08-25916.002-C-1	30-06-405-009-0000	\$171.88	\$0	\$171.88
08-25916.003-C-1	30-06-405-010-0000	\$171.88	\$0	\$171.88
08-25916.004-C-1	30-06-405-011-0000	\$171.88	\$0	\$171.88
08-25916.005-C-1	30-06-405-012-0000	\$171.88	\$0	\$171.88
08-25916.006-C-1	30-06-405-013-0000	\$171.88	\$0	\$171.88
08-25916.007-C-1	30-06-405-014-0000	\$171.88	\$0	\$171.88
08-25916.008-C-1	30-06-405-015-0000	\$171.88	\$0	\$171.88
08-25916.009-C-1	30-06-405-016-0000	\$171.88	\$0	\$171.88
08-25916.010-C-1	30-06-405-017-0000	\$171.88	\$0	\$171.88
08-25916.011-C-1	30-06-405-018-0000	\$299.75	\$0	\$299.75
08-25916.012-C-1	30-06-405-019-0000	\$171.88	\$0	\$171.88
08-25916.013-C-1	30-06-405-020-0000	\$171.88	\$0	\$171.88
08-25916.014-C-1	30-06-405-021-0000	\$171.88	\$0	\$171.88
08-25916.015-C-1	30-06-405-022-0000	\$171.88	\$0	\$171.88
08-25916.016-C-1	30-06-405-023-0000	\$171.88	\$0	\$171.88
08-25916.017-C-1	30-06-405-034-0000	\$171.88	\$0	\$171.88
08-25916.018-C-1	30-06-405-035-0000	\$171.88	\$0	\$171.88
08-25916.019-C-1	30-06-405-036-0000	\$171.88	\$0	\$171.88
08-25916.020-C-1	30-06-405-037-0000	\$171.88	\$0	\$171.88
08-25916.021-C-1	30-06-405-038-0000	\$171.88	\$0	\$171.88
08-25916.022-C-1	30-06-405-039-0000	\$193.05	\$0	\$193.05
08-25916.023-C-1	30-06-405-040-0000	\$355.30	\$0	\$355.30
08-25916.024-C-1	30-06-405-041-0000	\$171.88	\$0	\$171.88
08-25916.025-C-1	30-06-405-042-0000	\$171.88	\$0	\$171.88
08-25916.026-C-1	30-06-405-043-0000	\$171.88	\$0	\$171.88
08-25916.027-C-1	30-06-405-044-0000	\$171.88	\$0	\$171.88

08-25916.028-C-1	30-06-405-045-0000	\$171.88	\$0	\$171.88
08-25916.029-C-1	30-06-405-046-0000	\$171.88	\$0	\$171.88
08-25916.030-C-1	30-06-405-047-0000	\$171.88	\$0	\$171.88
08-25916.031-C-1	30-06-405-048-0000	\$171.88	\$0	\$171.88
08-25916.032-C-1	30-06-405-049-0000	\$171.88	\$0	\$171.88
08-25916.033-C-1	30-06-405-050-0000	\$171.88	\$0	\$171.88
08-25916.034-C-1	30-06-405-051-0000	\$335.12	\$0	\$335.12

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of 34 parcels of land with 115,263 square feet of land area. The parcels have no improvements and are located on unimproved streets. The appellant argued that the market value of the subject property is not accurately reflected in its assessed value.

In support of this market value argument, the appellant submitted an appraisal undertaken by Gary W. Fritz of Fritz Appraisals. The report indicates the appraiser is a State of Illinois certified general appraiser. The appraiser indicated the subject has an estimated market value of \$28,816 as of January 1, 2008. The appraisal report utilized the sales comparison approach to value to estimate the market value for the subject property. The appraisal report included photographs, a land survey, and a map of subject's property. The appraiser finds the highest and best use in its present use.

The appraiser stated that the subject is not improved and consists of 34 industrial vacant lots with no street improvements, water, sewer, or public utilities. The appraisal stated that 30 parcels of land are 3,125 square feet in size and the remaining 4 parcels of land are slightly larger. The subject property's total size is 115,263 square feet of land area.

Under the sales comparison approach, the appraiser analyzed the sale of seven unimproved parcels of land within the subject's market. The properties contain between 57,085 and 784,080 square feet of land. The comparables sold from October 2000 to October 2006 for prices ranging from \$21,000 to \$398,825 or from \$0.18 to \$2.72 per square foot of land. Based on the similarities and differences of the comparables when compared to the subject, the appraiser estimated a value for the subject under the sales comparison approach was \$29,000. Based on this evidence, the appellant requested the subject's assessment be reduced to reflect the subject's purchase price.

The appraiser indicated that the best approach in reconciling a final value estimate of \$28,816 is the sales comparison approach, as the cost and income approach do not apply to the subject

property. Based upon this evidence, 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 \$76,057 was disclosed. This assessment reflects a market value of \$345,713 using the Cook County Real Property Classification Ordinance Level of Assessment for class 1 property of 22%. In support of the subject's assessment, the board of review submitted descriptions and assessment information for 18 properties located within the subject's neighborhood. The properties range in size from 3,125 to 29,999 square feet of land area, and in market value from \$9,375 to \$89,997. In addition, the board of review submitted sales comparables for 10 properties located within the subject's neighborhood. The properties range in size from 22,837 to 196,200 square feet of land area and in improvement assessments from \$0.83 to \$5.37 per square foot of land area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal of the "Board of Review Notes on Appeal", the appellant's appraiser stated that the board of review's comparables submitted are superior in that they have improved streets, water, sewer connections, and public utilities which the subject property does not.

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.

The Board finds the best evidence of market value is the appraisal of the subject in January 2008 for \$28,816. The appraisal utilized market data to obtain sales comparables within the subject's market. The subject's assessment reflects a market value greater than this purchase price.

Based on this record, the PTAB finds that the subject property has a market value of \$28,816 for the 2008 assessment year. Since market value has been determined, Cook County Real Property Classification Ordinance Level of Assessment for class 1 property of 22% shall apply and 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: May 18, 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.