



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

APPELLANT: Central Avenue Corporation
DOCKET NO.: 08-26107.001-I-3 through 08-26107.005-I-3
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Central Avenue Corporation, the appellant, by attorney Patrick J. Cullerton, of Thompson Coburn LLP in Chicago; the Cook County Board of Review; and School District No. 220, the intervenor, by attorney Joel DeTella of Sruga Hauser, LLC in Flossmoor.

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
08-26107.001-I-3	19-08-203-017-0000	209,133	424,045	\$633,178
08-26107.002-I-3	19-08-203-027-0000	45,135	127,058	\$172,193
08-26107.003-I-3	19-08-203-038-0000	7,246	26,286	\$33,532
08-26107.004-I-3	19-08-203-040-0000	105,233	547,404	\$652,637
08-26107.005-I-3	19-09-124-016-0000	20,460	0	\$20,460

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of five land parcels improved with a one-story, masonry, industrial building complex which was built in stages from 1946 through 1999.

The appellant argued that the market value of the subject property is not accurately reflected in the property's assessed valuation as the bases of this appeal.

In support of the market value argument, the appellant submitted an appraisal report of the subject property with an effective date of January 1, 2009. The appraisers estimated a market value for the subject of \$4,200,000, based upon development of two of the three traditional approaches to value. The appraisers inspected the subject on February 8, 2010 and estimated the subject's building contained 457,000 square feet of building area

sited on 582,530 square feet of land. The appraisal stated that the cost approach was not undertaken due to the large amounts of depreciation because of the subject's advanced age of 60 years. They developed a highest and best use as vacant, for industrial development, while the highest and best use as improved was its current use.

In the income approach, the appraisers used seven rental comparables which ranged in leasable area from 44,054 to 258,320 square feet of building area and in rental rate per square foot from \$0.81 to \$2.50 per square foot. Based upon this market data, the appraisers estimated a net income for the subject of \$466,140 for the subject. Applying a market derived capitalization rate of 11.5% resulted in a value of \$4,050,000, rounded, under this approach to value.

Lastly, the appraisers developed a sales comparison approach using seven improved sale comparables that ranged in unadjusted prices from \$4.16 to \$14.04 per square foot of building area. They also ranged in building size from 115,311 to 862,056 square feet of building area. After making adjustments to the comparables, the appraisers opined a market value for the subject of \$4,340,000 under this approach.

In reconciling these approaches to value, the appraisers placed maximum emphasis on the sales comparison approach. Therefore, the final estimate of value for the subject property is \$4,200,000. Based upon this evidence, the appellant requested a reduction in market value.

The board of review submitted "Board of Review-Notes on Appeal" wherein the subject's total assessment was \$2,415,650. The subject's assessment reflects a market value of \$6,710,139 using the Cook County Ordinance level of assessment for industrial class 5B property of 36%. The board's memorandum states that the subject's improvement size is 463,379 square feet, while the land size was indicated as 588,341 square feet.

In support of the subject's market value, raw sales data was submitted for 7 properties. The properties are designated as industrial/warehouse or industrial/manufacturing locations. The data from the CoStar Comps service sheets reflect that the research was licensed to the assessor's office, but failed to indicate that there was any verification of the information or sources of data. The properties sold in an unadjusted range from \$6.28 to \$47.73 per square foot of building area and range in building size from 306,552 to 560,000 square feet of building area.

Moreover, the board of review's memorandum stated that the data was not intended to be an appraisal or an estimate of value and should not be construed as such. The memorandum indicated that the information provided therein had been collected from various sources that were assumed to be factual and reliable; however, it further indicated that the writer hereto had not verified the

information or sources and did not warrant its accuracy. As a result of its analysis, the board requested confirmation of the subject's assessment.

As to the intervenor's evidence, the intervenor adopted the board of review's evidence submission.

After considering the arguments and reviewing the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal. After submission of the parties' evidence, the parties waived their right to a hearing.

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 Board concludes that the appellant has met this burden and that a reduction is warranted.

The Board finds the best evidence of the subject's market value to be the appellant's appraisal, which utilized two of the three traditional approaches to value in developing the subject's market value. The Board also finds the appraisal to be persuasive for the appraisers: have experience in appraising and assessing property; personally inspected the subject property; estimated a highest and best use for the property; and utilized market data in undertaking each of the approaches to value, while making adjustments to the comparables where necessary. Further, the Board finds the best evidence of building and land size was proffered by the appellant's appraisal.

In contrast, the Board finds that the board of review and by adoption the intervenor submitted raw, unadjusted sales data, while not warranting the accuracy or reliability of this data.

Therefore, the Board finds that the subject property contained a market value of \$4,200,000. Since the market value of the subject has been established, the Cook County Ordinance level of assessment for Class 5B, industrial property of 36% will apply. 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.



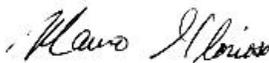
Chairman



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: November 22, 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.