



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

APPELLANT: Crossroads of Riverside, LLC  
DOCKET NO.: 08-26959.001-C-1  
PARCEL NO.: 15-23-401-006-0000

The parties of record before the Property Tax Appeal Board are Crossroads of Riverside, LLC, the appellant, by attorney Brian P. Liston, of Law Offices of Liston & Tsantilis, P.C. in Chicago; 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:** \$ 148,496  
**IMPR.:** \$ 271,871  
**TOTAL:** \$ 420,367

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellant timely filed the appeal from a decision of the Cook County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2008 tax year. The Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of the appeal.

**Findings of Fact**

The subject property consists of a one-story, commercial building used as a neighborhood shopping strip center. The building was constructed in 2004. The property consists of a 39,078 square foot site and is located in Proviso Township, Cook County. The subject is classified as a class 5A, commercial property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends that the subject's building size is incorrect. In support of this argument, the appellant submitted a brief, copies of two property record cards for the subject, and

a copy of correspondence from the Cook County Assessor's office. Appellant's Exhibit A is a copy of the subject's property record card dated March 23, 2005 reflecting 16,601 square feet of building area. The second property record card dated June 30, 2010 indicated that the subject's building contained 9,820 square feet of building area. Appellant's Exhibit B is a copy of correspondence from the Cook County Assessor's office indicating that a reduction was accorded in tax year 2009 'as a result of a factual change in your property records'. Based on this evidence, the appellant asked for an assessment reduction.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$420,367. The subject's assessment reflects a market value of \$1,106,229, or \$112.65 per square foot of building area when applying the level of assessment for class 5A, commercial property under the Cook County Real Property Assessment Classification Ordinance of 38%.

As to the subject's size, the board's cover memorandum stated that the subject's building contained 9,820 square feet of building area.

In support of its contention of the correct assessment, the board of review submitted descriptive and sales data relating to five suggested comparable sales. These properties sold for prices that ranged from \$123.09 to \$364.67 per square foot 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.

The board of review's representative testified that to his personal knowledge for tax year 2008, the subject was accorded some vacancy relief in the form of a 64.8% occupancy factor applied by the board of review. He believed that this reduction is reflected in the total assessed value for the subject. The assessor initially accorded the property a total assessment of \$479,075, while the board of review reduced that assessment to \$420,367.

In rebuttal argument, the appellant's attorney asserted that he had no personal knowledge of whether there was a vacancy issue at the subject during tax years 2008 or 2009. In response, the board of review's representative testified that the subject was accorded an occupancy factor of 91.8% in tax year 2009.

**Conclusion of Law**

The appellant contends that the subject's building size is incorrect and that the market value of the subject property is not accurately reflected in its assessed valuation. When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. 86 Ill.Admin.Code §1910.63(e). Proof of market value may consist of an appraisal of the subject property, a recent sale, comparable sales or construction costs. 86 Ill.Admin.Code §1910.65(c). The Board finds the appellant *did not meet* this burden of proof and a reduction in the subject's assessment *is not warranted*.

As to the subject's building size, the Board finds that there is no dispute among the parties on this issue. The parties' evidence indicated that the building contained 9,820 square feet of building area.

As to the overvaluation argument, the Board finds the best evidence of market value to be *the board of review's comparable sales*. These comparables sold for prices ranging from \$123.09 to \$364.67 per square foot of building area, including land. The subject's assessment reflects a market value of \$112.65 per square foot of building area, including land, which is below the range established by the comparable sales in this record. Furthermore, the Board notes that the appellant did not proffer any market value evidence in support of a requested assessment reduction. Based on this evidence and after making adjustments for pertinent factors, the Board finds a reduction in the subject's assessment *is not justified*.

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.

*Donald R. Cuit*

Chairman

*K. L. Fern*

Member

*Tracy A. Huff*

Member

*JR*

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: October 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.