



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

APPELLANT: George NediyaKalayil
DOCKET NO.: 08-27874.001-C-1
PARCEL NO.: 04-30-400-003-0000

The parties of record before the Property Tax Appeal Board are George NediyaKalayil, the appellant, by attorney Brian P. Liston, of the 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 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: \$94,122
IMPR.: \$28,991
TOTAL: \$123,113

Subject only to the State multiplier as applicable.

ANALYSIS

The subject parcel of 21,080 square feet of land area is improved with a 900 square foot commercial building of unknown age. The subject has a land-to-building ratio of .04:1. The property is located in Glenview, Northfield Township, Cook County and is a Class 5-23 gasoline station under the Cook County Real Property Assessment Classification Ordinance which is assessed at 38% of its market value.

The appellant contends the market value of the subject property is not accurately reflected in its assessed valuation. In support of this overvaluation argument, the appellant submitted a grid analysis and a spreadsheet, both with limited information, on a total of four comparable sales. At least three of the comparables are located in Hillside or Chicago. The parcels range in size from 8,712 to 22,651 square feet of land area. The parcels are improved with buildings of unknown age or design which range in size from 600 to 2,262 square feet of building area. These properties have land-to-building ratios ranging from 6.70:1 to 30:1. The properties sold between February 2005 and April 2007 for prices ranging from \$200,000 to \$425,500 or from

\$153.85 to \$350.00 per square foot of building area including land. The appellant also submitted evidence of the final decision issued by the Cook County Board of Review establishing a total assessment for the subject of \$192,959, which reflects a market value of approximately \$507,787 or \$564.21 per square foot of building area, including land, using the Cook County Real Property Assessment Classification Ordinance level of assessments for class 5A property of 38%. Based on this evidence the appellant requested the subject's assessment be reduced to \$123,113 which would reflect a market value of approximately \$323,982 or \$359.98 per square foot of building area including land.

The board of review did not submit its "Board of Review Notes on Appeal" or any evidence in support of its assessed valuation of the subject property.

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 Board further finds the evidence in the record supports a reduction in the subject's assessment.

The appellant contends 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. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3rd Dist. 2002). The Board finds the appellant met this burden of proof by submitting the only evidence of market value in the record and therefore a reduction in the subject's assessment is warranted.

The Board finds the subject's assessment reflects a market value of approximately \$507,787 or \$564.21 per square foot of building area, including land, using the Cook County Real Property Assessment Classification Ordinance level of assessments for class 5A property of 38%, which is greater than the four sales comparables presented by the appellant on a per-square-foot basis including land which ranged from \$153.85 to \$350.00 per square foot of building area including land. The board of review did not submit any evidence in support of its assessment of the subject property or to refute the appellant's argument as required by section 1910.40(a) of the rules of the Property Tax Appeal Board and is found to be in default pursuant to section 1910.69(a) of the rules of the Property Tax Appeal Board. Based on this record the Property Tax Appeal Board finds the subject property is overvalued and a reduction in the subject's assessment is warranted in accordance with the appellant's request. 86 Ill.Admin.Code §1910.50(c)(3).

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

Frank A. Huff

Member

Mario Morris

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: June 22, 2012

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.