



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

APPELLANT: Howard Sachs
DOCKET NO.: 08-29312.001-C-1 through 08-29312.006-C-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Howard Sachs, the appellant(s), by attorney Timothy E. Moran, of Schmidt Salzman & Moran, Ltd. 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
08-29312.001-C-1	16-12-218-017-0000	15,070	0	\$15,070
08-29312.002-C-1	16-12-218-018-0000	34,210	0	\$34,210
08-29312.003-C-1	16-12-218-019-0000	10,373	0	\$10,373
08-29312.004-C-1	16-12-218-023-0000	15,400	0	\$15,400
08-29312.005-C-1	16-12-218-024-0000	12,237	0	\$12,237
08-29312.006-C-1	16-12-218-025-0000	11,165	0	\$11,165

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of 17,901 square feet of vacant commercial land. The appellant argued unequal treatment in the assessment as the basis of this appeal.

In support of the equity argument, the appellant submitted descriptions on a total of 23 properties suggested as comparable and located within the subject's neighborhood. The properties are described as class 1, vacant land. The properties range in size from 165 to 5,247 square feet of land and in land assessments from \$1.32 to \$3.30 per square foot of land area. Based on this evidence, the appellant requested a reduction in the subject's improvement assessment.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's improvement assessment was \$121,737 for tax year 2008. The subject's assessment reflects a market value of \$553,350 using the Illinois Department of Revenue's 2008 three-year median level of assessment for class 1, vacant land of

22%. In support of subject's assessment, the board of review presented raw sales data on six suggested vacant land comparables located within the subject's market. The properties range in size from 2,250 to 13,500 square feet of land area. The six vacant land properties sold from March 2004 to June 2005 for \$54,500 to \$655,000 or from \$17.60 to \$56.98 per square foot land area. In addition, the board of review submitted assessment information on eight additional comparables located within the subject's neighborhood. These vacant land properties range in size from 810 to 9,167 square feet of land area and have land assessments from \$5.50 to \$5.69 per square foot of land area. 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 PTAB finds the appellant has met this burden.

The parties presented a total of 37 properties suggested as comparable to the subject. The PTAB finds all of the board of review's equity comparables and the appellant's comparables most similar to the subject. The comparables are all classified as class 1, vacant land properties. The comparables range in size from 165 to 9,167 square feet of living area and in improvement assessments from \$1.32 to \$5.69 per square foot of land area. In comparison, the subject's land assessment of \$6.80 per square foot of land area is above the range of these comparables. Therefore, 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 is not supported and a reduction in the land 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. 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: August 28, 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.