



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

APPELLANT: S.U.C.O., LLC
DOCKET NO.: 09-00177.001-C-2
PARCEL NO.: 18-08-31-200-012

The parties of record before the Property Tax Appeal Board are S.U.C.O., LLC, the appellant, by attorney Jackson E. Donley of Springfield, and the Macon 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 Macon County Board of Review is warranted. The correct assessed valuation of the property is:

**LAND: \$47,545
IMPR: \$624,196
TOTAL: \$671,741**

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property consists of a one-story industrial warehouse building with approximately 55,994 square feet of building area, which includes 8,348 square feet or 14.91% of building area as office space. The building was constructed in 2005. The subject has a steel frame with concrete tilt-up walls and an eave height of 26 feet and a clear ceiling height of 24 feet. The subject has 18 truck docks, 60,762 square feet of concrete paving and 25,500 square feet of asphalt paving.¹ The subject property has a 13.04 acre site resulting in a land to building ratio of 10.14:1. The property is located in Decatur, Whitmore Township, Macon County.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted a report titled "Logic Overview" prepared by Property Tax Services, Inc. The report contained a "Uniformity Proviso 'UP ID 09-01104'" analysis prepared by Michael Lipowsky, Business and Property Specialist, Investigative Reporter. In this analysis, Lipowsky selected eight "like kind" sales and one listing. The

¹ The schematic diagram of the subject building submitted as rebuttal by the appellant also indicated the improvement has refrigeration in the warehouse.

comparables were located in Decatur, Springfield, Peoria, Effingham and University Park. The data provided by the investigative reporter stated that the comparables ranged in age from 9 to 26 years old on their respective sale dates. Using this information the comparables appear to be constructed from approximately 1978 to 1998. The comparables ranged in size from 42,071 to 160,000 square feet of building area. These properties had office areas ranging in size from 2% to 44.8% of building area, clear ceiling heights ranging from 20 feet to 28 feet, and land to building ratios ranging from 1.92:1 to 6.42:1. The sales occurred from August 2002 to March 2007 for prices ranging from \$1,000,000 to \$3,650,000 or from \$11.17 to \$36.40 per square foot of building area, including land. The listing had an asking price of \$1,495,000 or \$33.22 per square foot of building area, including land. Based on these comparables and making qualitative adjustments to the comparables for such factors as sale date, building size, location, office area, land to building ratio, effective age, clear ceiling height, class of construction and quality of construction, the investigative reporter concluded the subject has a value of \$30.00 per square foot, including land. Applying this estimate of value Lipowsky estimated the subject property would have an upper limit of predicted sale price of \$1,680,000.

The board of review submitted its "Board of Review Notes on Appeal" wherein the assessment of the subject totaling \$671,741 was disclosed. The subject's total assessment reflects a market value of \$2,005,796 or \$35.82 per square foot of building area, land included, when applying the 2009 three year average median level of assessments for Macon County of 33.49%.

In support of the assessment the board of review, using the evidence submitted by the appellant, identified three sales located in Decatur and Springfield. The sales identified by the board of review were Lipowsky's "like kind" sales #4, #5 and #3, respectively. The comparables were described as being improved with 1 or 2, one-story industrial buildings with total building areas ranging from 42,071 to 160,000 square feet. The comparables were constructed from 1978 to the 1990's and had land to building ratios ranging from 1.92:1 to 3.92:1. The sales occurred from June 2004 to August 2006 for prices ranging from \$1,400,000 to \$3,650,000 or from \$22.81 to \$35.99 per square foot of building area, including land.

The board of review also critiqued the appellant's sales stating: sale #1 was double the size of the subject; sale #2 was older than the subject with the original portion being constructed in 1963 and an addition in 1985; sale #3 was more than double the size of the subject; sale #4 was considered similar to the subject; sale #5 was considered similar to subject; sale #6 was not similar due to its size, multi-tenant use and two-story design; and sales #7, #8 and the listing were considered too far from Macon County to be used.

Based on this evidence, the board of review requested confirmation of the subject's assessment.

In rebuttal the appellant submitted a copy of the subject's property record card with no explanation of the purpose of the submission.

The Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of the appeal. The Board further finds the evidence in the record does not support a reduction in the subject's assessment.

The appellant contends overvaluation as the basis of the appeal. 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). 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 has not met this burden of proof and a reduction in the subject's assessment is not warranted.

The appellant submitted a "Logic Overview" containing 8 sales and one listing used by the investigative reporter to arrive at an estimate of value for the subject property of \$30.00 per square foot of building area, including land. The board of review agreed that two of the "like kind" sales in the report were similar to the subject, those being sales #4 and #5.

In reviewing the comparable sales in this record, the Property Tax Appeal Board finds sales #4 and #5 within the appellant's report were most similar to the subject property. These two comparables were improved with one-story buildings similar to the subject in size with 42,071 and 61,131 square feet of building area, respectively. These buildings were older than the subject building; have inferior land to building ratios; have relatively similar percentages of office space as the subject; and relatively similar ceiling heights as the subject. These two properties sold in June 2004 and August 2006 for prices of \$1,400,000 and \$2,200,000 or for \$33.27 and \$35.99 per square foot of building area, including land. These sales were located in Decatur and Springfield. The subject's total assessment reflects a market value of \$2,005,796 or \$35.82 per square foot of building area, land included, when applying the 2009 three year average median level of assessments for Macon County of 33.49%, which is within the range established by the two best sales in this record.

The Board gave less weight to the remaining sales for such factors as size, age, date of sale and/or location.

In conclusion the Board finds the two best sales in this record support the market value as reflected by the subject's assessment and a reduction 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.



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 30, 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.