



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

APPELLANT: Rochelle Hospitality, LLC
DOCKET NO.: 09-01412.001-C-1
PARCEL NO.: 24-13-377-053

The parties of record before the Property Tax Appeal Board are Rochelle Hospitality, LLC, the appellant, by attorney Marsha L. Kleffman of Marsha Kleffman Associates, LLC, in Wheaton, and the Ogle 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 Ogle County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$134,948
IMPR.: \$400,427
TOTAL: \$535,375

Subject only to the State multiplier as applicable.

ANALYSIS

The subject parcel of 2.5-acres is improved with a hotel/motel building that contains approximately 67,952 square feet of building area. The building was constructed in 1972 and has a basement used for storage and approximately 93 rooms. The property was deemed to be in fair condition and is located in Rochelle, Flagg Township, Ogle County.

The appellant through legal counsel filed a Commercial Appeal indicating the bases of the appeal were both assessment equity and comparable sales. An extension of time to submit evidence in support of these assertions was requested and granted. Thereafter, the appellant's legal counsel submitted a seven-page "Ad Valorem Consulting Report" prepared for Rochelle Hospitality (a/k/a Comfort Inn) of Rochelle, Illinois with Exhibit 1 attached. The document was prepared by Lee H. Neuschaefer, a Certified Assessment Evaluator (CAE) and a member of the International Association of Assessing Officers, who works for Barron Corporate Tax Solutions. In a certification, Neuschaefer asserted that the company was not performing services that

constitute appraisal practice, requiring impartiality, but was providing consulting services.

This report consists of information on four sales comparables located in Willowbrook, Aurora, Addison and Glen Ellyn. The comparable properties were built between 1962 and 1992. They range in design from two-story to four-story structures and range in size from 43,539 to 64,000 square feet of building area. The comparables have from 114 to 160 hotel/motel rooms. The sales occurred from October 2006 to September 2008 for reported sales prices ranging from \$2,600,000 to \$4,140,000 with personal property amounts for three of the comparables ranging from \$600,000 to \$1,445,000; no personal property data was reported for comparable #3. Less the reported personal property in those instances where it was reported, the four sale prices ranged from \$12,500 to \$21,898 per room, including land.

The report also indicates that the subject property sold in July 2007 for \$2,600,000 with reported personal property of \$700,000 or a sale price of \$20,430 per room, including land. In light of the economic decline prior to January 1, 2009, the author of the report suggested a conservative 15% negative adjustment was warranted to the subject's sale price less personal property or \$1,615,000, including land, or \$17,366 per room, including land.

The appellant also submitted a copy of the board of review final decision wherein the subject's final assessment of \$585,840 was disclosed. The subject's assessment reflects a market value of approximately \$1,767,240 or approximately \$19,000 per room, including land, using the 2009 three-year median level of assessments for Ogle County of 33.15%. (86 Ill.Admin.Code §1910.50(c)(1)).

Based on this evidence, the appellant requested the subject's assessment be reduced to \$489,000 which would reflect a market value of approximately \$1,467,000 or \$15,774 per room, 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). 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. *Official Rules of the Property Tax Appeal Board*, 86 Ill.Admin.Code §1910.65(c). The Board finds the appellant met this burden of proof and a reduction in the subject's assessment is warranted.

The appellant in this appeal submitted the only evidence of market value in the record. The appellant submitted data on four suggested comparable sales and on the July 2007 sale price of the subject property. The author of the report submitted by the appellant estimated the subject property had a market value of \$1,615,000 or \$17,366 per room, including land, as of January 1, 2009. 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 Official Rules of the Property Tax Appeal Board. The Board has examined the information submitted by the appellant and finds that a reduction in the subject's 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.

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: 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.