FINAL ADMINISTRATIVE DECISION
ILLINOIS PROPERTY TAX APPEAL BOARD

APPELLANT: Korbar
DOCKET NO.: 09-30030.001-I-1
PARCEL NO.: 32-33-103-011-0000

The parties of record before the Property Tax Appeal Board are Korbar, the appellant, by attorney Huan Cassioppi Tran of Flanagan/Bilton, LLC, 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:	$20,872
IMPR.:	$46,628
TOTAL:	$67,500

Subject only to the State multiplier as applicable.

ANALYSIS

The subject matter of this appeal consist of a Class 6-63 industrial property under the Cook County Real Property Assessment Classification Ordinance (hereinafter Ordinance). The subject parcel contains approximately .8555 acres or 37,236 square feet of land area. The parcel is improved with a one-story industrial building that was constructed in 1977 with a small addition built in 1998. The structure contains 18,124 square feet of building area that is of steel frame and masonry construction. The subject property has a land to building ratio is 2.06:1. Under the real property classification system employed by Cook County, Major Class 6B-Industrial property is to be assessed at 25% of fair cash value under the Ordinance. The subject property is located in Bloom Township, Cook County.

The appellant submitted evidence before the Property Tax Appeal Board claiming the subject's assessment was not reflective of fair market value. In support of this claim, the appellant submitted an appraisal report wherein the subject property was estimated to have a fair market value of $270,000 as of January 1, 2008, using only the sales comparison approach to value.

The appellant also submitted the final decision issued by the Cook County Board of Review wherein the subject property's final assessment of $83,735 was disclosed. The subject's assessment reflects an estimated market value of $334,940 using the Ordinance level of assessment for Class 6B property of 25%.

Based on this evidence, the appellant requested a reduction in the subject's assessed valuation.

The board of review did not submit its "Board of Review Notes on Appeal" nor any evidence in support of its assessed valuation of the subject property as required by Section 1910.40(a) of the rules of the Property Tax Appeal Board. (86 Ill.Admin.Code §1910.40(a)).

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 Property Tax Appeal Board further finds a reduction in the assessment of the subject property is warranted.

The appellant contends the market value of the subject property is not accurately reflected in its assessment. 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 has met this burden of proof and a reduction in the subject's assessment is warranted.

The appellant argued the subject's assessment was not reflective of its fair market value based on an appraisal report, wherein the subject property was estimated to have a fair market value of $270,000 as of January 1, 2008. The board of review did not submit any valuation evidence to support its assessment of the subject property or refute the value conclusion contained in the appellant's evidence as required by Section 1910.40(a) of the rules of the Property Tax Appeal Board. (86 Ill.Admin.Code §1910.40(a)). Thus, the board of review was found to be in default. (86 Ill.Admin.Code §1910.69(a)).

The subject's assessment reflects an estimated market value of $334,940, which is considerably greater than the appraisal submitted by the appellant. Therefore, a reduction in the subject's assessment is warranted. Since fair market value has been established, Cook County's 2009 Ordinance level of assessment for Class 6B property of 25% shall apply. (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.

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: June 22, 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.