



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

APPELLANT: Edward Magnus  
DOCKET NO.: 09-35523.001-C-1  
PARCEL NO.: 17-10-214-027-0000

The parties of record before the Property Tax Appeal Board are Edward Magnus, the appellant(s); 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:** \$4,271  
**IMPR:** \$128,729  
**TOTAL:** \$133,000

Subject only to the State multiplier as applicable.

**ANALYSIS**

The subject property consists of 1,885 square feet of building area, second floor, commercial unit which is used as a coin laundry mat and located within a 70-story mixed-use building. The appellant argued that the market value of the subject property is not accurately reflected in the property's assessed valuation as the basis of this appeal.

In support of the market value argument, the appellant's pleadings included an appraisal of the subject property with an effective date of January 1, 2009 undertaken by Manolo E Ortiz, an associate real estate trainee appraiser, and Gary T. Peterson, who holds the designation of MAI and certified general real estate appraiser. The appraiser estimated a market value for the subject of \$315,000.

As to the subject, the appraisal indicated that the subject's site was inspected on July 13, 2011 and that the property rights appraised for the subject are a fee simple estate. The subject was found to contain 1,855 square feet of building area located on the second floor of a mixed-use building commonly referred to as The Lake Point Towers. The appraisal indicated that the building was constructed in 1972 and was average condition.

The appraisers indicated that the subject's highest and best use as improved was for its current use.

Under the sales comparison approach to value, the appraisers utilized six sale comparables. These comparables sold from July 2006 through January 2009, for prices that ranged from \$100,000 to \$929,000 or from \$130.31 to \$174.35 per square foot, including land. The properties were zoned for retail/office condominiums. They ranged in building size from 499 to 4,678 square feet of building area. After making adjustments to the suggested comparables, the appraisers estimated that the subject's market value was \$170.00 per square foot or \$315,000 rounded, as of the assessment date.

The board of review submitted "Board of Review-Notes on Appeal" wherein the subject's total assessment was \$185,500 for the tax year 2009. The subject's assessment reflects a market value of \$264,996 or \$393.63 per square foot using the Cook County Ordinance Level of Assessment for Class 5a, commercial property of 25%.

In support of the subject's market value, raw sales data was submitted for five industrial/warehouse properties. The data from the CoStar Comps service sheets reflect that the research was licensed to the assessor's office, but filed to indicate that there was any verification of the information or sources of data. The properties sold from September 2004 to October 2009, in an unadjusted range from \$410.53 to \$639.81 per square foot of building area. The properties contained buildings that ranged in size from 1,408 to 2,700 square feet and in age from 6 to 120 years. As a result of its analysis, the board requested confirmation of the subject's assessment.

AT hearing, the appellant, Mr. Edward Magnus, stated that the subject is utilized as a laundry mat for the residences in the building and the subject property has no windows. The appellant and board of review analyst, Mr. Colin Brady, reiterated and summarized the evidence submitted and requested that the PTAB reduce or are affirm the subject's assessment, respectively.

After considering the arguments and reviewing the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal.

When overvaluation is claimed, the appellant has the burden of proving the value of the property by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3d Dist. 2002; Winnbago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d (2d Dist. 2000). 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. 86 Ill. Admin. Code 1910.65(c). Having considered the evidence presented, the Board concludes

that the evidence indicates a reduction in the subject's assessment is warranted.

In determining the fair market value of the subject property, the Board accorded diminished weight to the properties submitted by the board of review as the evidence provided unconfirmed, raw data on sales.

As to the subject's market value, the Board finds the best evidence to be the appellant's appraisal which utilized the sales comparison approach to value in developing the subject's market value. The Board also finds this appraisal to be persuasive for the appraisers: have extensive experience in appraising and assessing property; personally inspected the subject property; and utilized market data in undertaking the approaches to value; and lastly, used similar properties in the sales comparison approach while providing sufficient detail regarding each sale as well as adjustments that were necessary.

Therefore, the Board finds that the subject property contained a market value of \$315,000 for the tax year 2009. Since the market value of the subject has been established, the Cook County Ordinance level of assessment for Class 5a, commercial property of 25% will apply. The Board finds that a reduction per the appellant's request is warranted and the subject's total assessed value shall be \$133,000.

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

*Frank J. Huff*

Member

*Mark Morris*

Member

*JR*

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: January 31, 2013

*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.