



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

APPELLANT: YAPA, LLC
DOCKET NO.: 10-00599.001-C-1
PARCEL NO.: 19-09-06-201-016-0000

The parties of record before the Property Tax Appeal Board are YAPA, LLC, the appellant, by attorney John A. Hiskes of Hiskes & Dillner, in Orland Park, and the Will 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 Will County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$4,591
IMPR.: \$84,523
TOTAL: \$89,114

Subject only to the State multiplier as applicable.

ANALYSIS

The subject property is improved with a 6-year old, one-story office condominium of brick exterior construction on a concrete slab foundation containing 1,800 square feet of building area.¹ Features include a sprinkler system. The property is located in Orland Park, Frankfort Township, Will County.

The appellant's appeal is based on overvaluation of the subject property. In support of this market value argument, the appellant submitted information on three sales comparables located in Orland Park which were from nearby to 3.5-miles from the subject. The properties were improved with brick buildings that were either 6 or 18 years old. The comparables range in size from 1,670 to 4,000 square feet of building area. No other features were noted for the properties. The sales occurred from December 2009 to November 2010 for prices ranging from \$140,000 to \$200,000 or from \$41.43 to \$83.83 per square foot of building area, including land. Based on this evidence, the appellant

¹ The appellant reported a building size of 1,670 square feet, but provided no data to support that assertion. The board of review included a copy of the subject's property record card with a schematic drawing depicting the subject's building area.

requested a reduction in the subject's total assessment to \$53,791 which would reflect a market value of approximately \$161,389 or \$89.66 per square foot of building area, including land.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$89,114 was disclosed. The subject's assessment reflects an estimated market value of \$268,093 or \$148.94 per square foot of building area, including land, using the 2010 three-year median level of assessments for Will County of 33.24%.

In response to the appeal, the Frankfort Township Assessor Joseph Kral submitted a letter outlining criticisms of the appellant's evidence and support for the subject's assessment. Kral contended that appellant's comparable #1 was a "short sale" and should be disqualified. To support this contention, the assessor cites to the Multiple Listing Service sheet referencing this as a "short sale." No documentation was submitted to support this contention. The assessor also wrote, "Comp #2 and Comp #3 were from Cook County."

In support of the subject's estimated market value as reflected by its assessment, the assessor presented data on four sales within "the office complex." The comparables consist of office condominiums that contain either 1,566 or 1,800 square feet of building area. These comparables sold between June 2007 and July 2009 for price ranging from \$268,000 to \$325,000 or from \$148.89 to \$207.54 per square foot of building area, including land.

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 Board further finds a reduction in the subject's assessment is not warranted.

The appellant contends the assessment of the subject property is excessive and not reflective of its market value. 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. 86 Ill.Admin.Code §1910.65(c). The Board finds the evidence in the record does not support a reduction in the subject's assessment.

The parties submitted a total of eight comparable sales for consideration by the Property Tax Appeal Board. The Board has given less weight to appellant's comparables #2 and #3 which reportedly were located in Cook County. The Board also finds this assertion appears supported based on the parcel

identification numbers of these properties that are dissimilar in format to the subject's parcel identification number. The Board finds the remaining five comparables submitted by both parties were similar to the subject in location, design and/or size. The comparables sold from June 2007 to November 2010 for prices ranging from \$140,000 to \$325,000 or from \$83.83 to \$207.54 per square foot of building area, including land. The subject's assessment reflects a market value of approximately \$268,093 or \$148.94 per square foot of building area, including land, which is within the range established by the comparables both in terms of overall value and on a per square foot basis and well-supported by the two most recent sales from July 2009 and November 2010 that reflect prices of \$83.83 and \$152.78 per square foot of building area, including land. After considering these comparable sales along with adjustments for time and/or differences from the subject, the Property Tax Appeal Board finds the appellant did not demonstrate the subject property's assessment to be excessive in relation to its market value and a reduction in the subject's assessment is not warranted on this record.

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

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: April 19, 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.