



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

APPELLANT: AT&T Communications
DOCKET NO.: 10-24936.001-I-1
PARCEL NO.: 08-25-200-004-0000

The parties of record before the Property Tax Appeal Board are AT&T Communications, the appellant, by attorney Edward M. Burke of Klafiter & Burke in 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: \$297,675
IMPR: \$352,325
TOTAL: \$650,000

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Cook County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2010 tax year. The Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of the appeal.

Findings of Fact

The subject property is improved with a one-story industrial building containing a total building area of 60,200 square feet. Approximately 11,418 square feet of building area is office space with the remaining building area of 48,782 square feet being warehouse space. The building was constructed in 1969 and is approximately 41 years old. The exterior is of face brick

and concrete block construction and the building has a slab foundation. The building has a sprinkler system for fire protection, central air conditioning in the office area, a clear ceiling height of 18 feet, five exterior electric truck doors and four interior electric truck doors. The property has a 317,520 square foot site resulting in a land to building ratio of 5.27:1. Site improvements include asphalt paving for automotive parking, a concrete paved driveway, lighting and chain link fencing. The property is located in Des Plaines, Elk Grove Township, Cook County. The property is a class 5-93 industrial building under the Cook County Real Property Assessment Classification Ordinance (hereinafter "Ordinance") with a level of assessments of 25% of market value.

The appellant contends overvaluation as the basis of the appeal. In support of this argument the appellant submitted an appraisal prepared by Michael J. Kelly, an Illinois Certified General Real Estate Appraiser, and Carlos Mendoza, staff appraiser, of Real Estate Analysis Corporation estimating the subject property had a market value of \$2,600,000 as of January 1, 2010. In estimating the market value of the subject property the appraisers developed the income approach to value in which the appraisers arrived at an estimated value of \$2,575,000. The appraisers also developed the sales comparison approach to value using six comparable sales that ranged in size from 41,054 to 106,000 and sold from January 2009 to March 2010 for prices ranging from \$610,000 to \$3,000,000 or from \$14.24 to \$28.30 per square foot of building area, including land. The appraisers estimated the subject had an indicated value under the sales comparison approach of \$28.00 per square foot of building area and arrived at an indicated value under the sales comparison approach of \$2,645,000, rounded.¹ In reconciling the two approaches to value the appraisers gave most emphasis to the sales comparison approach.

The appellant also submitted a copy of the final decision issued by the board of review disclosing the subject property had a total assessment of \$722,399, which reflects a market value of \$2,889,596 when applying the Ordinance level of assessment for class 5-93 property. Based on this evidence the appellant requested the subject's assessment be reduced to \$650,000 to reflect the appraised value.

¹ The estimated value under each of the approaches included \$958,000 attributed to excess land based on the subject having an adjusted land to building ratio of 3:00:1.

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.

Conclusion of Law

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. 86 Ill.Admin.Code §1910.63(e). 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 met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the only evidence of market value in this record to be the appraisal submitted by the appellant estimating the subject property had a market value of \$2,600,000 as of January 1, 2010. The subject's assessment reflects a market value of \$2,889,596, which is above the only evidence of market value in the record. 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 rules of the Property Tax Appeal Board and is found to be in default pursuant to section 1910.69(a) of the rules of the Property Tax Appeal Board. 86 Ill.Admin.Code §1910.40(a) & §1910.69(a). The Board finds the subject property had a market value of \$2,600,000 as of the assessment date at issue and a reduction in the subject's assessment is 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: June 20, 2014



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.