



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

APPELLANT: Sysco Central Illinois, Robert Dean, Jr.
DOCKET NO.: 11-05317.001-I-3 through 11-05317.002-I-3
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are Sysco Central Illinois, Robert Dean, Jr., the appellant, by attorney Namit Bammi of Goldstein & McClintock, LLLP, in Chicago; and the Logan 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 Logan County Board of Review is warranted. The correct assessed valuation of the property is:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
11-05317.001-I-3	12-034-001-70	207,070	1,827,326	\$2,034,396
11-05317.002-I-3	12-027-019-40	1,400	0	\$1,400

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Logan County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2011 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 comprised of two parcels. One parcel (12-034-001-70) has 45.115 acres of land area that is improved with a part one-story and part two-story precast concrete constructed single tenant industrial building containing 206,236 square feet of building area. The building was constructed in

2005. The second parcel (12-027-019-40) contains 6.55 acres of land used for agricultural purposes. The subject property is located in West Lincoln Township, Logan County, Illinois.

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted an appraisal estimating the subject property had a market value of \$6,200,000 as of January 1, 2011. The appraiser developed the three traditional approaches to value in arriving at the final value conclusion. Under the cost approach to value, the appraiser determined the subject property has a land value of \$.35 per square foot of land area using three comparable land sales. The subject's final value estimated included 6.55 acres or 283,318 square feet of land assessed as farmland by Logan County Assessment Officials¹.

The appellant also submitted the final decision(s) issued by the Logan County Board of Review disclosing the subject's non-farmland final assessment of \$3,093,980. The subject's non-farmland assessment reflects an estimated market value of \$9,277,301 when applying Logan County's 2011 three-year average median level of assessment of 33.35% as determined by the Department of Revenue. 86 Ill.Admin.Code §1910.50(c)(1). Based on this evidence, the appellant requested the subject's assessment be reduced to reflect the appraised value.

The board of review did not submit its "Board of Review Notes on Appeal" or any evidence in support of its assessment 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). By letter dated July 1, 2014, the board of review was found to be in default pursuant to section 1910.69(a) of the rules of the Property Tax Appeal Board. 86 Ill.Admin.Code §1910.69(a).

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

¹ The subject property contains 6.55 acres of farmland with a farmland assessment of \$1,400. Farmland assessments in Illinois are not based upon market value considerations, but are based on upon soil productivity indices. (35 ILCS 200/10-110 et. al.).

§1910.65(c). The Board finds the appellant has met this burden of proof and a reduction in the subject's assessment is warranted.

The Board finds the only evidence of market value contained in this record is the appraisal submitted by the appellant estimating the subject property had a market value of \$6,200,000 as of January 1, 2011, including 6.55 acres of farmland. The subject's non-farmland assessment reflects a market value of \$9,277,301, which is greater than the subject's appraised value as submitted by the appellant. The board of review did not submit any evidence in support of the correct assessment of the subject property or refute the value evidence submitted by the appellant. 86 Ill.Admin.Code §1910.40(a). Thus, the board of review was found to be in default pursuant to section 1910.69(a) of the rules of the Property Tax Appeal Board. 86 Ill.Admin.Code §1910.69(a). Based on this evidence, the Board finds a reduction in the subject's assessment is warranted. Since market value has been established, Logan County's 2011 three-year average median level of assessment of 33.35% as determined by the Department of Revenue shall apply². 86 Ill.Admin.Code §1910.50(c)(1).

² Since the appraiser valued the subject's 6.55 acres farmland at its fair market value, the Board shall deduct this amount from the appraised value at \$.35 per square foot of land area or \$99,861. The Board shall maintain the subject's farmland assessment of \$1,400 for parcel 12-027-019-40.

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: January 23, 2015



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.