



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

APPELLANT: MJRP Ventures, LLC
DOCKET NO.: 15-30475.001-R-1 through 15-30475.002-R-1
PARCEL NO.: See Below

The parties of record before the Property Tax Appeal Board are MJRP Ventures, LLC, the appellant, by attorney Abby L. Strauss, of Schiller Strauss & Lavin PC in Chicago; and the Cook County Board of Review.

Based on the facts and exhibits presented in this matter, 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:

DOCKET NO	PARCEL NUMBER	LAND	IMPRVMT	TOTAL
15-30475.001-R-1	20-22-224-025-0000	4,266	4,922	\$9,188
15-30475.002-R-1	20-22-224-026-0000	3,355	3,713	\$7,068

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 2015 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 consists of two parcels that are improved with a three-story, multi-family dwelling of masonry construction. The dwelling is approximately 72 years old and has 4,440 square feet of living area. Features of the dwelling include six apartment units and a full unfinished basement. The property has a 6,929-square foot site and is located in Chicago, Hyde Park Township, Cook County. The subject is classified as a class 2-11 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant's appeal is based on overvaluation. In support of this argument the appellant submitted evidence disclosing the subject property was purchased on March 4, 2015, for a price of \$160,000. In Section IV – Recent Sale Data of the residential appeal form, the appellant stated the property was purchased from a bank; the parties to the transaction were not related; the property was sold using a realtor; and the property had been advertised for sale with a multiple

listing service (MLS). To document the transaction, the appellant submitted copies of the subject property's settlement statement and special warranty deed. The settlement statement reiterated the subject's sale date and price, and it also revealed that a commission had been paid to a realty firm. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the combined total assessment for the subject of \$26,253. The subject's assessment reflects a market value of \$258,396 or \$58.20 per square foot of living area, land included, when using the 2015 three-year average median level of assessment for class 2 property of 10.16% under the Cook County Real Property Assessment Classification Ordinance as determined by the Illinois Department of Revenue.

In support of its contention of the correct assessment, the board of review submitted information on four comparable sales that sold from May 2014 to December 2015 for prices that ranged from \$185,000 to \$335,000 or from \$58.73 to \$88.83 per square foot of living area, land included. The comparables have the same assigned neighborhood and classification codes as the subject. Their sites range from 2,362 to 6,250 square feet of land area. The comparables are improved with two-story dwellings of masonry construction. The dwellings range in age from 97 to 115 years old and contain from 3,150 to 5,472 square feet of living area. The comparables have full basements, one of which has finished area; one comparable has central air conditioning; and two comparables have garages, either two-car or four-car.

As part of the submission, the board of review submitted a supplemental brief that was written for appeals involving compulsory sales, special warranty deeds, quitclaim deeds, estate sales or non-arm's length transactions. As documentation, the analyst submitted a copy of the subject property's deed history from the Cook County Recorder of Deeds' website. The deed history revealed the property was subject to a foreclosure in 2011. Based on this evidence, the board of review requested confirmation of the subject's assessment.

The appellant's attorney submitted a rebuttal, wherein counsel stated that "the property was listed in the MLS for over a year and a half."

The board of review did not comment on the appellant's rebuttal.

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 best evidence of market value to be the purchase of the subject property in March 2015 for a price of \$160,000. The appellant provided evidence demonstrating the sale had many of the elements of an arm's length transaction. The appellant completed Section IV -

Recent Sale Data of the residential appeal form disclosing the parties to the transaction were not related, the property was sold using a realtor, and the property had been advertised on the open market with a multiple listing service. In rebuttal, the appellant stated the property had been listed for sale for over a year and a half. The Board finds the purchase price is below the market value reflected by the assessment.

The Board finds the board of review presented evidence to challenge the arm's length nature of the transaction. However, the Board finds the board of review was not able to refute the appellant's contention that the subject's March 2015 purchase price was reflective of market value. The board of review presented four comparable sales that sold from May 2014 to December 2015 for prices that ranged from \$58.73 to \$88.83 per square foot of living area, land included. The Board finds that none of these sales sold as proximate to the January 1, 2015 assessment date as the sale of the subject on March 4, 2015. Moreover, the board of review's comparables were significantly older than the subject property. The Board finds the board of review's comparable sales do not overcome the subject's arm's length purchase.

The Board finds the subject's March 2015 sale price to be a more accurate indicator of the subject's market value as of the subject's January 1, 2015 assessment date. Based on this record, the Board finds the subject property had a market value of \$58.20 per square foot of living area, including land, or \$160,000 as of January 1, 2015. Since market value has been determined, the 2015 three-year average median level of assessments for class 2 property under the Cook County Real Property Assessment Classification Ordinance of 10.16% shall apply. 86 Ill.Admin.Code §1910.50(c)(2)

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. Pursuant to Section 1910.50(d) of the rules of the Property Tax Appeal Board (86 Ill.Admin.Code §1910.50(d)) the proceeding before the Property Tax Appeal Board is terminated when the decision is rendered. The Property Tax Appeal Board does not require any motion or request for reconsideration.



Chairman



Member



Member

Member



Member

DISSENTING: _____

CERTIFICATION

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 19, 2018



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 or years of the same general assessment period, as provided in Sections 9-125 through 9-225, 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 such subsequent year or years 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 OR YEARS. A separate petition and evidence must be filed for each of the remaining years of the general assessment period.

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.

PARTIES OF RECORD

AGENCY

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