



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

APPELLANT: MRJP Ventures, LLC.
DOCKET NO.: 15-30514.001-R-1
PARCEL NO.: 20-23-120-020-0000

The parties of record before the Property Tax Appeal Board are MRJP 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:

LAND: \$3,150
IMPR.: \$1,600
TOTAL: \$4,750

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 a two-story, multi-family dwelling of masonry construction. The dwelling is approximately 107 years old and has 2,116 square feet of living area. Features of the home include a full unfinished basement, two bathrooms and a two-car garage. The property has a 3,150 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 April 14, 2015, for a price of \$47,500 or \$22.45 per square foot of living area, land included. In Section IV – Recent Sale Data of the residential appeal form, the appellant stated the seller was an individual; the parties to the transaction were not related; the property was sold by a realtor; the property had been

advertised for sale with the multiple listing service; and property sold in settlement of a contract for deed. The appellant did not answer the question that asked how long the subject had been exposed to the market. To document the transaction, the appellant submitted copies of the settlement statement and the warranty deed. The settlement statement revealed that commissions 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 total assessment for the subject of \$15,939. The subject's assessment reflects a market value of \$156,880 or \$74.14 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 July 2013 to December 2015 for prices that ranged from \$265,000 to \$289,000 or from \$133.97 to \$152.70 per square foot of living area, land included. The comparables have the same assigned neighborhood and classification codes as the subject. They had sites of either 2,767 or 3,150 square feet of land area. The comparables are improved with two-story, multi-family dwellings of frame or masonry construction. The dwellings range in age from 115 to 131 years old and contain from 1,850 to 2,060 square feet of living area. The comparables have full unfinished basements and two bathrooms. One comparable has a garage. As part of its submission, the board of review also provided photos of each comparable that were taken in March 2007. The photograph of comparable #3 revealed that this property was boarded up and uninhabitable as of the date of its photo, March 11, 2007. Based on this evidence, the board of review requested confirmation of the subject's assessment.

The appellant's attorney submitted a rebuttal brief. In the brief, counsel stated that the subject property was on the market for six months prior to its sale.

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 April 2015 for a price of \$47,500. 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 seller was an individual, 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 the multiple listing service. The Board finds the purchase price is below the market value reflected by the assessment.

The Board finds the board of review did not present any evidence to challenge the arm's length nature of the transaction and was not able to refute the contention that the subject's purchase price was reflective of market value. The board of review presented four comparable sales that sold July 2013 to December 2015 for prices that ranged from \$265,000 to \$289,000 or from \$133.97 to \$152.70 per square foot of living area, land included. Only one of these transactions, board of review comparable #3, sold as proximate to the January 1, 2015 assessment date as the April 2015 sale of the subject property. Board of review comparable #3 sold in March 2015 for a price of \$265,000 or for \$133.97 per square foot of living area, land included. However, this sale price contradicts the condition of this property as reflected in its March 2007 photo provided by the board of review. The property was not described as having been renovated, but its sale price indicates otherwise.

The Board finds the board of review comparable sales tend to support the conclusion that the subject's purchase price was reflective of market value given that the sale prices of the board of review comparables indicate these properties were superior to the subject in condition. The Board finds that a reduction in the subject's assessment commensurate with the appellant's request is appropriate.

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: May 15, 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

State of Illinois
Property Tax Appeal Board
William G. Stratton Building, Room 402
401 South Spring Street
Springfield, IL 62706-4001

APPELLANT

MRJP Ventures, LLC., by attorney:
Abby L. Strauss
Schiller Strauss & Lavin PC
33 North Dearborn
Suite 650
Chicago, IL 60602

COUNTY

Cook County Board of Review
County Building, Room 601
118 North Clark Street
Chicago, IL 60602