



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

APPELLANT: MRJP Ventures, LLC  
DOCKET NO.: 16-43939.001-R-1  
PARCEL NO.: 20-25-100-019-0000

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 **No Change** 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:

<b>LAND:</b>	\$2,092
<b>IMPR.:</b>	\$8,436
<b>TOTAL:</b>	\$10,528

Subject only to the State multiplier as applicable.

**Statement of Jurisdiction**

The appellant timely filed the appeal from a 2015 Final Administrative Decision of the Property Tax Appeal Board pursuant to section 16-185 of the Property Tax Code (35 ILCS 200/16-185) in order to challenge the assessment for the 2016 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 dwelling of masonry construction with 2,471 square feet of living area. The dwelling was approximately 127 years old. Features of the home include a concrete slab foundation and two fireplaces. The property has a 2,616 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 attorney argued a contention of law in that a reduction was issued for tax year 2015 as the basis for this appeal and that the fair market value of the subject is not accurately reflected in its assessed value as reflected in the attached documentation related to a recent sale of the subject property. As part of the supporting documentation, the appellant disclosed the subject sold in May 2015 for a price of \$31,000. To document the sale the appellant submitted

the settlement statement depicting the seller to have been Fannie Mae a/k/a Federal National Mortgage Association, the sales contract and the Special Warranty Deed.

The appellant also submitted a copy of the decision issued in Docket No. 15-30455.001-R-1 which was issued based upon the stipulation of the parties that the correct total assessment for the subject property for tax year 2015 was \$6,000.

Based on this evidence and argument, the appellant requested a reduction in the subject's assessment to reflect the purchase price for a total assessment of \$3,100.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$10,528. The subject's assessment reflects a market value of \$105,280 or \$42.61 per square foot of living area, land included, when using the level of assessment for class 2 property of 10% under the Cook County Real Property Assessment Classification Ordinance.

In support of the subject's assessment, the board of review submitted information on four comparables with both equity and comparable sales data. The comparables are located in the same neighborhood code assigned by the assessor as the subject property. The comparables consist of two-story masonry dwellings that range in age from 59 to 93 years old. The dwellings range in size from 2,080 to 2,655 square feet of living area and are situated on sites ranging in size from 3,750 to 5,690 square feet of land area. Features include full basements, one of which has finished area. Three of the comparables have either 1.5-car or 2-car garages. One of the comparables also has two fireplaces. The comparables have improvement assessments ranging from \$12,929 to \$15,553 or from \$5.57 to \$6.22 per square foot of living area. The comparables each sold between March and December 2015 for prices ranging from \$119,000 to \$192,000 or from \$44.82 to \$82.69 per square foot of living area, including land. Based on this evidence, the board of review requested confirmation of the subject's assessment.

Counsel for the appellant provided a written rebuttal reiterating that the 2015 assessment be "rolled over to the tax year 2016."

### **Conclusion of Law**

It is undisputed on this record that the subject property was the subject matter of an appeal before the Property Tax Appeal Board the prior year under Docket Number 15-30455.001-R-1 which lowered the assessment of the subject property to \$6,000 and thus, confers jurisdiction upon this Board for consideration of an appeal for the subsequent tax year (35 ILCS 200/16-185).

However, the appellant did not assert that the subject property was **an owner occupied dwelling** by the appellant in this proceeding. Furthermore, the named appellant in this proceed is a "limited liability" company. Section 16-185 of the Property Tax Code (35 ILCS 200/16-185) provides in pertinent part:

If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel on which a residence occupied by the owner is situated, such reduced assessment, subject to equalization, shall remain in effect for the

remainder of the general assessment period as provided in Sections 9-215 through 9-225, unless that parcel is subsequently sold in an arm's length transaction establishing a fair cash value for the parcel that is different from the fair cash value on which the Board's assessment is based, or unless the decision of the Property Tax Appeal Board is reversed or modified upon review. [Emphasis added.]

There is no evidence in this record that the subject property was owner-occupied. Therefore, the Property Tax Appeal Board finds no basis upon which to carry the prior year's decision forward to the subsequent year as there is nothing in the record to indicate that the subject property was owner occupied.

Based on the documentation submitted, 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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board finds the subject's May 2015 sale has not been established as an arm's length sale transaction. The fact that the property sold by Special Warranty Deed and the seller was Fannie Mae calls into question the arm's length nature of the transaction. Moreover, the appellant failed to establish for what period of time the subject property was advertised for sale on the open market and/or what condition the property was in at the time of sale.

The Board finds the best evidence of market value in the record to be the comparable sales submitted by the board of review. These comparables sold between March and December 2015 for prices ranging from \$119,000 to \$192,000 or from \$44.82 to \$82.69 per square foot of living area, including land. The subject's assessment reflects a market value of \$105,280 or \$42.61 per square foot of living area, including land, which is below the comparable sales evidence in this record.

Based on this evidence, the Board finds that no reduction in the subject's assessment is warranted.

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.

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Chairman



\_\_\_\_\_  
Member



\_\_\_\_\_  
Member

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Member



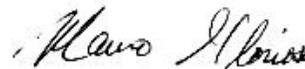
\_\_\_\_\_  
Member

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: December 23, 2019



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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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