



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

APPELLANT: Leslie Marquard Mgr Property Catalysts LLC
DOCKET NO.: 21-27740.001-R-1
PARCEL NO.: 05-34-316-004-0000

The parties of record before the Property Tax Appeal Board are Leslie Marquard Mgr Property Catalysts LLC, the appellant(s), by attorney Wayne C. Borawski, Attorney at Law in Brookfield; 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: \$15,687
IMPR.: \$35,313
TOTAL: \$51,000

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 2021 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 111-year-old, two-story, building of stucco exterior construction containing 2,043 square feet of gross building area. Features of the subject include a full unfinished basement, central air conditioning, one fireplace, and a two-car garage. The property is situated on 10,456 square feet of land in Evanston Township, Cook County. The subject is classified as a Class 2 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 a settlement statement that disclosed the subject property was sold by the Tyler Wilson Trust dated July 18, 2012, and purchased by the appellant on December 23, 2021, for \$510,000.

The subject's sale price reflects a market value of \$249.63 per square foot of gross building area including land. The appellant also submitted a Multiple Listing Service (MLS) information sheet; a Trustee's Deed; a PTAX-2043 Illinois Real Estate Transfer Declaration. The appellant provided information in Section IV–Recent Sale Data of the Residential Appeal that the subject was not transferred between related parties; was advertised and sold by a realtor; was not sold due to a foreclosure. Based on this evidence, the appellant requested a reduction in the subject's assessment to reflect the purchase price when applying the 2021 level of assessment of 10.00% for Class 2 property under the Cook County Real Property Assessment Classification Ordinance.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$63,592. The subject's assessment reflects a market value of \$635,920, or \$311.27 per square foot when applying the 2021 level of assessment of 10.00% for Class 2 property under the Cook County Real Property Assessment Classification Ordinance. In support of its contention of the correct assessment, the board of review submitted information on four suggested comparable sales.

At hearing, the board of review argued the evidence showed the subject was a distressed property because it was sold by a trust. It highlighted the Trustee's Deed in support. The appellant argued title to the subject was held in a trust and, therefore, was sold by the Trustee for the Tyler Wilson Trust. The parties reiterated their arguments disclosed in the documentary evidence.

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 December 2021 for \$510,000. The Board finds the transference of title from the Tyler Wilson Trust to the appellant is not, itself, evidence of a distressed property not sold at arm's-length for fair market value. Holding title in a trust is a common method of ownership. There are many types of trusts that hold title to property for various reasons. This Trust was dated in 2012, nine years prior to the sale to the appellant. If a property is sold while in trust, it follows that the Trustee would act on behalf of the trust in the transaction. The Trustee's Deed is evidence of this. The appellant provided evidence demonstrating the sale had the elements of an arm's-length transaction. The appellant provided information in Section IV-Recent Sale Data of the appeal that the parties to the transaction were not related; that the property was sold using a Realtor; that the property had been advertised on the open market. In further support of the transaction, the appellant submitted a copy of the settlement statement, the MLS information sheet, the Trustees' Deed, and the PTAX-203 Illinois Real Estate Transfer Declaration. There was no evidence the subject was sold short or from a foreclosure. The Board finds the purchase price was below the market value reflected by the assessment. Based on this record, the Board finds the subject

property had a market value of \$510,000 as of January 1, 2021, and that a reduction in the subject's assessment is justified. Since market value has been determined, the 2021 level of assessment of 10.00% for Class 2 property under the Cook County Real Property Assessment Classification Ordinance shall apply.

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: _____

March 18, 2025



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

Leslie Marquard Mgr Property Catalysts LLC, by attorney:
Wayne C. Borawski
Attorney at Law
9213 West Burlington Avenue
Brookfield, IL 60513

COUNTY

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