



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

APPELLANT: MSSM Investors, LLC - 4825 Karlov
DOCKET NO.: 21-50391.001-R-1
PARCEL NO.: 13-10-427-010-0000

The parties of record before the Property Tax Appeal Board are MSSM Investors, LLC - 4825 Karlov, the appellant, by attorney Noah J. Schmidt, of Schmidt Salzman & Moran, Ltd. 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:

LAND: \$11,849
IMPR.: \$26,038
TOTAL: \$37,887

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 consists of a two-story multi-family building of frame exterior construction with 2,284 square feet of gross building area and is approximately 99 years old. Features include a full unfinished basement, 2 bathrooms, and a one-car garage. The property has a 4,232 square foot site and is located in Chicago, Jefferson Township, Cook County. The subject is classified as a class 2-11 property under the Cook County Real Property Assessment Classification Ordinance.

The appellant contends assessment inequity concerning the improvement as the basis of the appeal. In support of this argument, the appellant submitted information on five equity comparables¹ along with property search detail sheets for each comparable. The properties are located in the same neighborhood code as the subject. The comparables consist of class 2-11

¹ For ease of reference, the Board has renumbered the last of the comparables as comparable #5.

1.5-story or 2-story buildings of frame or frame and masonry exterior construction that range in age from 108 to 131 years old. The buildings range in size from 2,146 to 2,456 square feet of gross building area. Features include 2 or 3 bathrooms. The comparables have from a 1-car to a 2.5-car garage. Despite that the Sec. V grid reported basements and basement finish were "unknown," the attached property printouts depict four comparables have full basements finished with a recreation room or an apartment. The comparables have improvement assessments ranging from \$11,504 to \$15,116 or from \$5.29 to \$6.53 per square foot of gross building area. Based on this evidence, the appellant requested a reduced improvement assessment of \$12,356 or \$5.41 per square foot of gross building area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$37,887. Building #1 has an improvement assessment of \$26,038 or \$11.40 per square foot of gross building area and Building #2 has an improvement assessment of \$26,038 or \$11.40 per square foot of gross building area.

In support of its contention of the correct assessment for Building #1, the board of review submitted information on four equity comparables located in the same neighborhood code as the subject and either in the same block or within ¼ of a mile from the subject. The comparables consist of class 2-11 two-story multi-family buildings of frame or masonry exterior construction that are either 99 or 100 years old. The buildings contain either 2,284 or 2,294 square feet of gross building area. Comparable #4 has a full unfinished basement and the remaining comparables have concrete slab foundations. The buildings each have 2 bathrooms. Each comparable has a one-car garage. The comparables have improvement assessments ranging from \$23,617 to \$27,332 or from \$10.34 to \$11.91 per square foot of gross building area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

In support of its contention of the correct assessment for Building #2, the board of review submitted information on four equity comparables located in the same neighborhood code as the subject and either in the same block or within ¼ of a mile from the subject. The comparables consist of class 2-11 two-story multi-family buildings of frame or masonry exterior construction that are either 99 or 100 years old. The buildings contain either 2,284 or 2,294 square feet of gross building area. Comparable #4 has a full unfinished basement and the remaining comparables have concrete slab foundations. The buildings each have 2 bathrooms. Each comparable has a one-car garage. The comparables have improvement assessments ranging from \$23,617 to \$27,332 or from \$10.34 to \$11.91 per square foot of gross building area. Based on this evidence, the board of review requested confirmation of the subject's assessment.

Conclusion of Law

The taxpayer contends assessment inequity as the basis of the appeal. When unequal treatment in the assessment process is the basis of the appeal, the inequity of the assessments must be proved by clear and convincing evidence. 86 Ill.Admin.Code §1910.63(e). Proof of unequal treatment in the assessment process should consist of documentation of the assessments for the assessment year in question of not less than three comparable properties showing the similarity, proximity and lack of distinguishing characteristics of the assessment comparables to the subject property. 86 Ill.Admin.Code §1910.65(b). The Board finds the appellant did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The parties submitted a total of nine equity comparables to support their respective positions before the Property Tax Appeal Board. The Board has given reduced weight to the appellant's comparables #1, #2, #3 and #5, due to significantly older ages of 130 and 131 years as compared to the subject's age of 99 years old. The Board has also given reduced weight to board of review comparables #1, #2 and #3, due to the difference in foundation type of slab foundations when compared to the subject's full unfinished basement.

The Board finds the best evidence of assessment equity on this record are appellant's comparable #4 along with board of review comparable #4, which are more similar to the subject in location, age, building size, foundation type and some features. Adjustment is necessary to appellant's comparable #4 for its somewhat older age and larger garage capacity. These two best comparables have improvement assessments of \$14,890 and \$27,332 or \$6.42 and \$11.91 per square foot of gross building area. The subject's improvement assessment of \$26,038 or \$11.40 per square foot of gross building area is bracketed by the best comparables in this record both in terms of overall improvement assessment and on a per-square-foot of gross building area basis.

The constitutional provision for uniformity of taxation and valuation does not require mathematical equality. The requirement is satisfied if the intent is evident to adjust the taxation burden with a reasonable degree of uniformity and if such is the effect of the statute enacted by the General Assembly establishing the method of assessing real property in its general operation. A practical uniformity, rather than an absolute one, is the test. Apex Motor Fuel Co. v. Barrett, 20 Ill. 2d 395 (1960). Although the comparables presented by the parties disclosed that properties located in the same area are not assessed at identical levels, all that the constitution requires is a practical uniformity which appears to exist on the basis of the evidence.

Based on this record and after considering appropriate adjustments to the best comparables in the record for differences when compared to the subject, the Board finds the appellant did not demonstrate with clear and convincing evidence that the subject's improvement was inequitably assessed and a reduction in the subject's assessment is not justified.

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: _____

January 21, 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

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