



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

APPELLANT: MSASRBL Properties, LLC
DOCKET NO.: 24-01869.001-C-1
PARCEL NO.: 11-00-026-900

The parties of record before the Property Tax Appeal Board are MSASRBL Properties, LLC, the appellant, by Eric L. Terlizzi, Attorney at Law, in Salem, and the Marion 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 **Marion** County Board of Review is warranted. The correct assessed valuation of the property is:

LAND: \$11,776
IMPR.: \$0
TOTAL: \$11,776

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant timely filed the appeal from a decision of the Marion County Board of Review pursuant to section 16-160 of the Property Tax Code (35 ILCS 200/16-160) challenging the assessment for the 2024 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 an approximately 32,234 square foot or .74-acre vacant land site and is located in Salem, Salem Township, Marion County.¹

The appellant contends overvaluation as the basis of the appeal. In support of this argument, the appellant submitted information on five comparable sales located in the “same block” as the subject. The comparable parcels range in size from 24,253 to 37,727 square feet of land area. The properties sold from May 2022 to March 2023 for prices ranging from \$17,757 to \$56,327

¹ The descriptive data of the subject has been drawn from the appellant’s submissions. The board of review failed to provide a copy of the subject’s property record card as required by the Board’s procedural rules. (86 Ill.Admin.Code §1910.40(a)). However, as discussed further herein, the board of review acknowledges that a portion of the subject parcel is “unusable” resulting in 29,442 square feet of usable land area.

or from \$0.73 to \$1.49 per square foot of land area. In a brief submitted with the appeal, it was asserted that comparable sale #3 was the “most valuable” of the comparables due to its corner location at US Route 50 and Cross Creek Blvd. This comparable is also the largest parcel of the comparables presented by the appellant.

Included with the appeal is also a copy of a plat of survey for the subject parcel. Based on this document, the appellant requests that the size of the subject parcel be reduced from the assessor’s figure of 32,234 square feet to 29,442 square feet of land area.

Besides the five comparable sales presented in the Sec. V grid analysis, the appellant also submitted a Zillow® printout concerning an additional parcel, Lot 10, which has reportedly been on the market for 353 days with an asking price of \$45,000.²

Based on the foregoing evidence and argument, the appellant requested a total reduced assessment of \$10,900 which would reflect a market value of approximately \$32,703 or \$1.11 per square foot of land area.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment for the subject of \$28,740. The subject's assessment reflects a market value of \$86,229 or \$2.93 per square foot of land area, when using the level of assessment of 33.33% and a lot size of 29,442 square feet.³

As part of its submission, the board of review proposed to reduce the subject’s assessment to \$26,250. The appellant was informed of this offer and rejected the same by letter dated October 6, 2025.

As to the appellant’s comparable sales evidence, the board of review noted that none of the sales occurred in 2024, the tax year on appeal. The board of review contends the single sale of appellant’s comparables #1 and #2 for \$36,000 in May 2022 is “too old to be considered” as of January 1, 2024. The board of review additionally asserts these parcels were purchased by an adjacent owner to “add space for future parking.” Appellant’s comparable #1 has a creek with potential flooding during heavy rains; as a result, only a small portion of this lot is usable for parking. Appellant’s comparables #3, #4 and #5 were each purchased “by the same investor, who has done nothing with them since.”

In support of its contention of the correct assessment, the board of review submitted Exhibit A consisting of summary information entitled *Marion County Sales Listing Report* depicting that for the period of January 1 to December 31, 2024, there were 28 commercial sales in Salem

² In accordance with Standing Order No. 2, all comparable evidence should be set forth in the grid analysis. Furthermore, due to the lack of size data for this additional listing, the Board has been unable to give much weight to the data.

³ Procedural rule Sec. 1910.50(c)(1) provides that in all counties other than Cook, the three-year county wide assessment level as certified by the Department of Revenue will be considered. 86 Ill.Admin.Code Sec. 1910.50(c)(1). Prior to the issuance of this decision, the Department of Revenue has yet to publish Table 3 with the figures for tax year 2024.

Township, three of which were vacant parcels.⁴ Exhibit B, entitled *Marion County Sales Listing Report* for the period January 1 to December 31, 2023, depicts 14 commercial properties sold in Salem Township. Only appellant's comparables #3 and #4 were vacant lots that sold in this time period. The board of review contends the purpose in the foregoing two exhibits is "to show the lack of vacant commercial lots sold each year in Salem, making it impossible to determine a consistent EAV for vacant commercial lots in Salem based on sale price."

The board of review reports a decision of the Supervisor of Assessments to work with both the Salem and Centralia Township Assessors to develop a uniform land valuation. A document entitled *Commercial Land Values 2024* identified as Exhibit B[2] [*sic*] outlines "the schedule now used by assessors" and the Supervisor of Assessments in order to provide consistency and fairness for all parcels.

Exhibit C submitted by the board of review depicts the land assessments from the Devnet software system for 2024 and prior year 2023 for each parcel in the Cross Creek Subdivision, "which allows the Property Tax Appeal Board to see there was no consistency in values for Cross Creek Blvd in 2023 and how each parcel was re-valued for 2024 to create fair and consistent values."

Exhibit D, an aerial photograph of Cross Creek Blvd, depicts the 2024 Assessed (Land Only) Values for 14 parcels ranging from \$10,490 to \$64,630. The board of review contends that Exhibit D gives an overall picture of values now and "in our opinion provides evidence of consistency which justifies the Board of Review EAV of \$28,740" for the subject parcel.

To address the appellant's request for an adjustment to the lot size of the subject from 32,234 to 29,442 square feet based upon a survey, the board of review contends that the difference is based on the surveyor's failure to include area considered to be ditch and not usable. In this regard, the board of review proposed to reduce the subject's land assessment by an equalized assessment of \$2,490 for a proposed total reduced assessment for the subject of \$26,250. The proposed total assessment would reflect a market value of approximately \$78,758 or \$2.68 per square foot of land area when using a land size of 29,442 square feet.

In rebuttal, the appellant noted the board of review's failure to comply with Standing Order No. 2 in completing the grid analysis of comparable properties (See Footnote #1). As to the criticism that none of appellant's comparables sold in 2024, the appellant argues that the valuation date at issue is January 1, 2024 and thus, the sale presented by the appellant occurred within 19 months of the lien date.

As to the sales of appellant's comparables #1 and #2 to an adjacent land-owner, the appellant notes the sales prices of the parcels reflect a value of \$0.73 per square foot of land area whereas the subject's assessment reflects a market value of \$2.93 per square foot of land area, nearly four times the value of these comparables. As to the impact of a creek to comparable #1, the appellant contends the referenced creek is the boundary between comparable #1 and the subject parcel, thereby equally negatively impacting the value of the subject parcel due to potential

⁴ The board of review is advised that in accordance with procedural rules, comparable sales evidence should be presented in the grid analysis which is part of the Board of Review – Notes on Appeal form.

flooding. Finally, the appellant contends the failure to further develop comparable sales #3, #4 and #5 after purchase is an irrelevant argument and, if anything, supports the assertion the subject, which also has not been developed, is overvalued.

As to the vacant land sales set forth briefly in board of review Exhibit A, the first of these depict a 6.05-acre parcel that sold for \$48,000 or \$7,934 per acre, which compares to the subject's .67-acre parcel with an estimated market value of \$128,687 per acre, over 16 times more than this comparable. The two other "vacant" land sales cited by the board of review are described as having either 8,288 square feet of asphalt or 6,800 square feet of concrete, respectively, making them distinguishable from the subject.

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 appellant submitted five suggested comparable sales of parcels ranging in size from 24,253 to 37,727 square feet of land area which sold from May 2022 to March 2023 for prices ranging from \$0.73 to \$1.49 per square foot of land area. The board of review proposed to modify the subject's land assessment to reflect a market value of \$78,758 or approximately \$2.68 per square foot of land area when using the appellant's proposed lot size of 29,442 square feet.

While the board of review presented some sales evidence in response to the appeal, the Board has given little weight to the data as the comparables were either significantly larger parcels and/or were not truly vacant lots as they had been improved with either asphalt or concrete. The Board has given reduced weight to appellant's comparable sales #1 and #2, which occurred least proximate in time to the lien date at issue and appear to be outliers based on their respective sales prices.

On this limited record, the Property Tax Appeal Board finds the best comparable vacant lot sale evidence to be appellant's comparable sales #3, #4 and #5, which are similar to the subject in lot size and sold most proximate in time to the lien date of January 1, 2024. These most similar comparables sold in October 2022 and March 2023 for prices of \$0.86 and \$1.49 per square foot of land area. The subject's assessment reflects a market value of \$2.93 per square foot of land area, when using a lot size of 29,442 square feet and which is above the best most recent comparable sales in this record.

As to the lot size issue, the Property Tax Appeal Board declines to make a finding that an error in the lot size has been made by the assessing officials. The appellant did not refute the board of review contention that the survey presented failed to include the ditch and unusable area of the subject lot in the measurements. As such, it appears that the assessing officials have an accurate size for the subject lot for assessment purposes, despite that the board of review was willing to acknowledge a reduced value to the ditch and unusable areas of the parcel.

Based on this evidence and after considering the respective argument of the parties to this appeal, the Board finds a reduction in the subject's assessment is 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: _____

November 25, 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

MSASRBL Properties, LLC, by attorney:
Eric L. Terlizzi
Attorney at Law
202 West Schwartz
Salem, IL 62881

COUNTY

Marion County Board of Review
Marion County Courthouse
101 East Main
Salem, IL 62881