



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

APPELLANT: 3938 Hoyne Ave., LLC
DOCKET NO.: 24-44570.001-R-1
PARCEL NO.: 14-19-105-021-0000

The parties of record before the Property Tax Appeal Board are 3938 Hoyne Ave., LLC, the appellant(s), by attorney Jennifer Kanik, of the Law Offices of Terrence Kennedy Jr. 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: \$43,996
IMPR.: \$46,639
TOTAL: \$90,635

Subject only to the State multiplier as applicable.

Statement of Jurisdiction

The appellant filed a timely 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 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 is improved with a 116-year-old, two-story, building of frame exterior construction. It contains 1,700 square feet of building area. Features of the subject include a full basement and a two-car garage. The property is situated on 3,720 square feet of land in Lake View 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 and on a contention of law. In support of the overvaluation argument, the appellant submitted a settlement statement that disclosed the subject property was purchased on June 29, 2023, for \$780,000. The settlement statement did not disclose a real estate agent's commission. The subject's sale price reflects a market value of

\$458.82 per square foot of building area including land. The appellant also submitted a brief. 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 for sale in a manner not disclosed; was sold in a manner not disclosed; was not sold due to a foreclosure.

In support of the contention of law, the appellant submitted a brief in which it the subject property should receive a proportionate assessment reduction due to demolition and vacancy per Section 9-180 of the Property Tax Code (*35 ILCS 200/9-180*). The appellant asserted the subject property was purchased on June 29, 2023, and remained vacant until it was demolished on September 25, 2024. Thereafter, the only improvement for the remainder of 2024 was a garage. In support of this argument, the appellant submitted a Vacancy/Occupancy Affidavit form from the Cook County Board of Review; a City of Chicago building permit; undated photos of the demolition; an invoice dated October 15, 2024, for excavation services; an undated photo of a vacant lot; a City of Chicago building permit and inspection records report.

Based on this evidence, the appellant requested a reduction in the subject's assessment to \$35,000.

The board of review submitted its "Board of Review Notes on Appeal" disclosing the total assessment of \$90,635 for the subject property. The subject's assessment reflects a market value of \$906,350, or \$533.15 per square foot when applying the 2024 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 a brief that the appellant's evidence did not show the transaction was at arm's length because there was no evidence of a real estate broker commission, and did not provide support for a voluntary rehabilitation vacancy reduction.

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 did not meet this burden of proof and a reduction in the subject's assessment is not warranted.

The Board gives little weight to the subject's sale there was no evidence that the property was exposed to the open, competitive market. The settlement statement did not disclose a real estate commission. The appellant's disclosures in Section IV of the Petition indicated a "yes" checked for advertised sale but failed to state for how long and in what manner. The appellant also failed to disclose the party that sold the subject. This leaves a lack of evidence of whether the subject was sold at arm's-length for fair cash value in an open and competitive market. Fair cash value is estimated by the price resulting from a fair and open sale, free from coercion and between parties ready and willing to engage in the transaction. *See Walsh v. Property Tax Appeal Board, 181 Ill.2d 228 (1998)*.

The appellant also raised a contention of law. “Unless otherwise provided by law or stated in the agency's rules, the standard of proof in any contested case hearing conducted under this Act by an agency shall be the preponderance of the evidence.” 5 *ILCS 100/10-15*. The Board finds the appellant failed to meet this standard of proof.

The appellant purchased the subject property in June 2023 but did not begin demolition until September 2024. The appellant did not submit evidence to show why there was a gap for more than one year. Section 9-180 of the Code, *supra*, does not give support for a prorated assessment reduction due to failure to proceed with rehabilitation or new construction, and the appellant has not provided any legal support. The Board finds the appellant did not justify an assessment reduction.

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: _____

October 20, 2026



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 9-215 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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