

## **ELIGIBILITY BULLETIN CLASS CHANGE FOR FARMLAND**

### **The Farmland Classification and Its Benefits:**

The Cook County Assessor's Office ("CCAO") assesses a property according to its "Assessment Class" as defined in the Cook County Real Property Classification Ordinance. See Art. II, Div. 2 - Chapter 74, Sec. 74-63. Real estate is used as a "farm" will be classified as Class 2 property. See County Code, § 74-63(2)(a). Currently, Class 2-39 real estate is defined as "Non-equalized land under agricultural use, valued at farm pricing". An improvement on real estate used as a "farm" will receive a Class 2-24 defined as a "Farm Building," a classification that is also not subject to the State equalization factor.

In determining whether real estate meets the definition of a "farm" under the Cook County Code of Ordinances, the CCAO uses the definition of a "Farm" found in the Illinois Property Tax Code. (35 ILCS 200/1-60). Section 1-60 defines a farm as:

When used in connection with valuing land and buildings for an agricultural use, any property used solely for the growing and harvesting of crops; for the feeding, breeding and management of livestock; for dairying or for any other agricultural or horticultural use or combination thereof; including, but not limited to, hay, grain, fruit, truck or vegetable crops, floriculture, mushroom growing, plant or tree nurseries, orchards, forestry, sod farming and greenhouses; the keeping, raising and feeding of livestock or poultry, including dairying, poultry, swine, sheep, beef cattle, ponies or horses, fur farming, bees, fish and wildlife farming. The dwellings and parcels of property on which farm dwellings are immediately situated shall be assessed as a part of the farm. Improvements, other than farm dwellings, shall be assessed as a part of the farm and in addition to the farm dwellings when such buildings contribute in whole or in part to the operation of the farm. For purposes of this Code, "farm" does not include property which is primarily used for residential purposes even though some farm products may be grown or farm animals bred or fed on the property incidental to its primary use. The ongoing removal of oil, gas, coal or any other mineral from property used for farming shall not cause that property to not be considered as used solely for farming.

In addition, the CCAO follows the guidance established by the Illinois Department of Revenue (IDOR) in classifying and assessing farmland. IDOR Publication 122 - Instructions for Farmland Assessments - is published annually and contains important information regarding specific situations pertaining to types of land and improvements to the land. IDOR Publication 122 can be found [here](#):

In order for a "farm", as defined in Section 1-60 of the Property Code, to receive farmland pricing for the requested year, it must have been farmed for the two (2) preceding years. See 30 ILCS 200/10-110. Further, the property must be used for farming in the year the owner is seeking the class change to farmland status. An explanation on how to request a class change to farmland is described below.



### Eligibility Requirements:

- Property must be currently used as a farm as defined in Section 1-60 of the Property Tax Code.
- Property must have been used as a farm for the two preceding years before the Application for Class Change is filed.
- Only the portion of the property being farmed will receive the farmland valuation. According to the Property Tax Code, “For purposes of this Code, “farm” does not include property which is primarily used for residential purposes even though some farm products may be grown or farm animals bred or fed on the property incidental to its primary use.”
- A field inspection may be performed to determine the specific area of the property being used **solely for** farming activities. The CCAO will apportion the land and improvements according to farm and non-farm use.
- With respect to improvements on the property, the residence will be assessed in the same manner as any other residential property in the township. Any land upon which the residence is situated will be assessed as any other residential land in the township.
- Farm buildings will be valued according to the current use and contribution to the productivity of the farm.
- A parcel eligibility for the preferential farmland assessment depends solely on the property’s conformity with the farm definition without regard to the retailing methods of agricultural products produced on the parcel. Further, tracts where the use is not solely agricultural (e.g., pasture also used for commercial horseback riding or camping), or tracts used for the sale of nonfarm products are not eligible for the preferential treatment.

### Application Procedures:

- File an Application for Class Change to Farmland Status with the Cook County Assessor’ Office with the supporting documentation. (see list below)
- Clearly identify the PIN(s) and areas being farmed.
- Provide any requested documentation to support that portion of the land/improvements used for farming.
- The CCAO will review your Application to determine if the property, or a portion thereof, qualifies as farmland under the Property Tax Code. Additional information may be requested by the CCAO to confirm the property is used for farming.



- The CCAO will communicate its determination whether the property, or a portion thereof, meets the definition of a “farm” and is eligible for the statutory farm assessment.
- An Application for a Class Change must be received by January 31 in the year the taxpayer is seeking the class change. If the Application is filed late, there is no guarantee that the farmland assessment will be applied in the year of the Application. A taxpayer can file an appeal with the CCAO requesting a class change in the event the Application is filed after January 31.

### Required Documentation

- Any tax forms or documents filed with federal, state, or local government entities showing the income, if any, derived from farming activities.
- Any insurance policies covering farm related activities.
- Dated, color photos of any farming operation(s) you are using as a basis for your request for a class change.
- Any leases, rental agreement or other documentation supporting your farming operation(s).
- Any contracts, sales agreements and/or other documentation supporting your farming operation for the current year and prior two years of operation.
- Invoices for seed, crop yield reports, livestock records, soil sampling, etc.
- Affidavit of use for current and prior two years.

### **Continuing Obligations:**

- A Farmland Affidavit must be filed by January 31 of each year. An electronic version of the Annual Affidavit can be accessed under “Farms” in the “All Forms and Tools” tab on the CCAO website. <https://www.cookcountyassessor.com/farms>
- In the Farmland Affidavit, the property owner will attest to the continued use of the designated property as a farm. Documentation and/or information may be requested to confirm that the property continues to be used as farmland.
- Periodic audits will be conducted to determine if the land and/or improvements continues to be used for farming activities. The CCAO may request additional information, if necessary, to confirm the continued use of the property as a farm.