

CITY OF MADISON, WISCONSIN

REPORT OF THE CITY ATTORNEY

AUTHOR: Jaime L. Staffaroni

DATED: March 12, 2024

TO THE MAYOR AND COMMON COUNCIL:

RE: EXCESSIVE ASSESSMENT: Steven J. Frassetto, Menn Law Firm, Ltd., attorney for Veritas Village, LLC – Excessive Assessment - \$288,352.80

Claimant Veritas Village, LLC, is claiming a refund for excessive real property tax pursuant to Wis. Stat. § 74.37 for their 2023 taxes for their property located at 110 N. Livingston Street. The claimant alleges that the assessed value should be no higher than \$22,572,000 for 2023, and the property taxes should be no higher than \$412,581.40. The Claimant seeks a refund of \$288,352.80 plus interest.

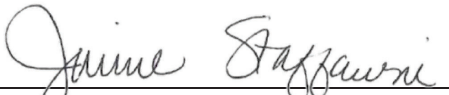
The City Assessor valued the property at \$38,350,000 for tax year 2023. The Claimant did not object to the Board of Review pursuant to an exception to Wis. Stat. § 74.37(2) if previous year's assessment was still pending and the assessment was the same amount as the previous year. (See *Walgreen Co. vs. City of Oshkosh*, 2014 WI App 54, ¶19, 354 Wis.2d 17, 27-28, 848 N.W.2d 314). The 2022 assessment is pending litigation in Dane County, *Veritas Village, LLC vs. City of Madison*, 21cv1404 (consolidated with cases 22cv1759 and 23cv1562) and remained at the same assessed value of \$38,350,000. The 2023 real property taxes were \$700,934.20. The Claimant also alleges that the assessed value of the property established by the Office of the Assessor and sustained by the Board of Review violates Article VIII, Section 1 ("Uniformity Clause") of the Wisconsin Constitution.

I have consulted with the Office of the Assessor, and we are of the opinion that the Board of Review determined the appropriate assessed value for 2023.

For the foregoing reasons, I recommend denial of the subject claim.

NOTE: This claim was received on January 31, 2024, and pursuant to Wis. Stat. § 74.37(3)(a) if no action is taken on this claim by the Common Council within ninety (90) days of filing the claim, it is considered disallowed.

Respectfully submitted,


ACA Jaime L. Staffaroni