

CITY OF MADISON, WISCONSIN

REPORT OF THE CITY ATTORNEY

AUTHOR: Jaime L. Staffaroni

DATED: March 3, 2021

TO THE MAYOR AND COMMON COUNCIL:

RE: EXCESSIVE ASSESSMENT: Eric J. Hatchell, Foley & Lardner, LLP, attorney for Lots 2 and 3, LLC – \$4,984.55

Claimant Lots 2 and 3, LLC is claiming a refund for excessive real property tax pursuant to Wis. Stat. § 74.37 for their 2020 taxes for their property located at 8101 Mayo Drive. The claimant alleges that the assessed value should not exceed \$3,170,143 for 2020 and seeks a refund of \$4,984.55 plus interest.

The City Assessor set the assessment at \$3,392,000, and the 2020 real property taxes were \$76,209.54. The Claimant challenged the 2020 assessment before the Board of Review, and they sustained the assessment. The Claimant alleges that the City Assessor utilized an improper capitalization rate to establish the assessment.

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 2020.

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

Note: This claim was received on January 28, 2021, 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,



Jaime L. Staffaroni
Assistant City Attorney