

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: Don M. Millis, Reinhart Boerner Van Deuren, SC, attorney for Frey Street Office, LLC – Excessive Assessment - \$61,422

Claimant Frey Street Office, 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 4601 Frey Street, Unit 400. The claimant alleges that the assessed value should be no higher than \$5,059,633 for 2023, and the property taxes should be no higher than \$92,482. The Claimant seeks a refund of \$61,422 plus interest.

The City Assessor valued the property at \$7,346,800 for tax year 2023. The Claimant challenged the 2023 assessment before the Board of Assessors, and they increased the assessment to \$8,420,000. The Claimant challenged the 2023 assessment before the Board of Review, and they sustained the assessment. The 2023 real property taxes were \$153,904.65. 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 30, 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,


Jaime L. Staffaroni
Assistant City Attorney