

CITY OF MADISON, WISCONSIN

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**REPORT OF THE CITY ATTORNEY**

AUTHOR: Jaime L. Staffaroni

DATED: 03-15-2017

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TO THE MAYOR AND COMMON COUNCIL:

RE: UNLAWFUL TAXATION: Brian W. Mullins, Axley Brynelson, LLP for Wingra Creek Residences – unlawful taxation - \$39,786.40.

Claimant Wingra Creek Residences is claiming a refund for excessive real property tax pursuant to Wis. Stat. § 74.37 for their 2016 taxes for their property located at 1032 South Park Street. The claimant alleges that the assessed value should be no higher than \$710,785 and the property taxes should be no higher than \$17,038.80. The Claimant is seeking a refund in the amount of at least \$39,786.40.

The Claimant challenged the 2016 assessment before the Board of Review. The City Assessor set the assessment at \$2,370,500 and the Board of Review sustained the City's value. The 2016 real property taxes were \$56,825.20.

I have consulted with the Office of the Assessor and we are of the opinion that the Board of Review sustained the proper assessment for this property.

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

Note: This claim was received on January 27, 2017, and pursuant to Wis. Stat. § 74.37(3)(a) if no action is taken on these claims by the Common Council within ninety(90) days of filing the claim, it is considered disallowed.

Respectfully submitted,

  
Jaime L. Staffaroni  
Assistant City Attorney