

CITY OF MADISON, WISCONSIN

REPORT OF THE CITY ATTORNEY

AUTHOR: Jaime L. Staffaroni

DATED: 2/27/2019

TO THE MAYOR AND COMMON COUNCIL:

RE: EXCESSIVE ASSESSMENT: Don M. Millis, Reinhart Boerner Van Deuren, S.C., for Core Campus Madison, LLC - \$232,473.00

Claimant, Core Campus Madison, LLC is claiming a refund for excessive real property tax pursuant to Wis. Stat. § 74.37 for their 2018 taxes for their property located at 437 N. Frances St. The claimant alleges that the assessed value should be no higher than \$79,176,860 for 2018 and the property taxes should be no higher than \$1,783,039. The Claimant is seeking a refund in the amount of at least \$232,473 plus interest.

The Claimant challenged the 2018 assessment before the Board of Review. The City Assessor set the assessment at \$97,320,000 and the Board of Assessors reduced the value to 89,500,000 which was sustained by the Board of Review. The 2018 real property taxes were \$2,015,512.34. The Claimant is also alleging 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.

The Claimant has also brought suit in Dane County Circuit Court for tax year 2017, *Core Campus Madison, LLC v. City of Madison* Case No. 18CV1717. Recently the parties have reached a tentative settlement wherein the 2017 assessment would be reduced to \$89,028,000, which would result in a refund of approximately, \$193,448.21. Resolution 54321 is currently pending approval which authorizes the 2017 settlement.

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 2018 because the subject property increased its occupancy and this value is based on the subject's actual income and expense information.

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

Note: This claim was received on January 29, 2019, 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