

CITY OF MADISON, WISCONSIN

REPORT OF THE CITY ATTORNEY

AUTHOR: Jaime L. Staffaroni

DATED: March 7, 2022

TO THE MAYOR AND COMMON COUNCIL:

RE: UNLAWFUL TAXATION: Steven J. Frassetto, Menn Law Firm, Ltd., attorney for Peloton Residences, LLC and Peloton TWE TIC, LLC – Excessive Assessment - \$415,673.25

Claimants Peloton Residences, LLC and Peloton TWE TIC, LLC are claiming a refund for excessive real property tax pursuant to Wis. Stat. § 74.37 for their 2021 taxes for their property located at 1007 Fish Hatchery Road. The claimants allege that the assessed value should be no higher than \$8,140,550.25 for 2021, and the property taxes should be no higher than \$175,005.55. The Claimants seek a refund of \$415,673.25 plus interest.


The City Assessor valued the property at \$27,480,000 for tax year 2021. The Claimants challenged the 2021 assessment before the Board of Review, and they sustained the assessment. The 2021 real property taxes were \$570,678.80. The Claimants also allege 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 2021.

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

Note: This claim was received on January 26, 2022, 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