

Objection to Real Property Assessment

To file an appeal on your property assessment, you must provide the Board of Review (BOR) clerk written or oral notice of your intent, under state law (sec. 70.47(7)(a), Wis. Stats.). You must also complete this entire form and submit it to your municipal clerk. To review the best evidence of property value, see the Wisconsin Department Revenue's *Property Assessment Appeal Guide for Wisconsin Real Property Owners*.

Complete all sections:

Section 1: Property Owner / Agent Information				* If agent, submit written authorization (Form PA-105) with this form			
Property owner name (on changed assessment notice) Robert Quam Jr				Agent name (if applicable)			
Owner mailing address 109 Michigan Ct				Agent mailing address			
City Racine	State WI	Zip 53402		City	State	Zip	
Owner phone (262) 987-8014		Email rwquam@gmail.com		Owner phone		Email	

Section 2: Assessment Information and Opinion of Value			
Property address 109 Michigan Ct		Legal description or parcel no. (on changed assessment notice) 276-0000-595-8001	
City Racine	State WI	Zip 53402	
Assessment shown on notice - Total \$920,000		Your opinion of assessed value - Total \$832,500	

If this property contains non-market value class acreage, provide your opinion of the taxable value breakdown:

Statutory Class	Acres	\$ Per Acre	Full Taxable Value
Residential total market value			
Commercial total market value			
Agricultural classification: # of tillable acres		@ \$ acre use value	
# of pasture acres		@ \$ acre use value	
# of specialty acres		@ \$ acre use value	
Undeveloped classification # of acres		@ \$ acre @ 50% of market value	
Agricultural forest classification # of acres		@ \$ acre @ 50% of market value	
Forest classification # of acres		@ \$ acre @ market value	
Class 7 "Other" total market value		market value	
Managed forest land acres		@ \$ acre @ 50% of market value	
Managed forest land acres		@ \$ acre @ market value	

Section 3: Reason for Objection and Basis of Estimate	
Reason(s) for your objection: (Attach additional sheets if needed) Uniformity - See Attached Documentation	Basis for your opinion of assessed value: (Attach additional sheets if needed) 92007 of Assessed Value Per Research

Section 4: Other Property Information

A. Within the last 10 years, did you acquire the property? Yes No
 If Yes, provide acquisition price \$ **925,000** Date **9-24-2021** Purchase Trade Gift Inheritance

B. Within the last 10 years, did you change this property (ex: remodel, addition)? Yes No
 If Yes, describe _____
 Date of changes _____ Cost of changes \$ _____ Does this cost include the value of all labor (including your own)? Yes No

C. Within the last five years, was this property listed/offered for sale? **Prior Sale in 2019 for** Yes No
 If Yes, how long was the property listed (provide dates) _____ to _____ **\$750,000**
 Asking price \$ _____ List all offers received _____

D. Within the last five years, was this property appraised? Yes No
 If Yes, provide: Date **8-01-2021** Value **925,000** Purpose of appraisal **Purchase**
 If this property had more than one appraisal, provide the requested information for each appraisal.

Section 5: BOR Hearing Information

A. If you are requesting that a BOR member(s) be removed from your hearing, provide the name(s): No
 Note: This does not apply in first or second class cities.

B. Provide a reasonable estimate of the amount of time you need at the hearing 10 minutes.

Property owner or Agent signature 	Date (mm-dd-yyyy) 5-9-2022
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**2022 City of Racine
Notice of Intent to File Objection with the Board of Review**

I, Robert W Quam Jr, as the property owner or as agent for _____ (property owner's name) with an address of 109 Michigan Ct hereby give notice of an intent to file an objection to the assessment for the following property: 109 Michigan Ct for the 2022 Assessment Year in the City of Racine.

Name: Robert W Quam Jr
Best contact phone number: (262) 989-8014
Mailing Address: 109 Michigan Ct, Racine, WI 53402
(date) 5/9/22

This Notice of Intent is being filed: (place mark one)

- At least 48 hours before the board's first scheduled meeting.
- During the first two hours of the board's first scheduled meeting. (Please complete Section A).
- Prior to the end of the fifth day of the session or prior to the end of the final day of the session if the session is less than 5 days. (Please complete Section B).

Filing of this form does not relieve the objector from the requirement of timely filing a fully completed written objection on the proper form with the Clerk of the Board of Review.

SECTION A – Upon a showing of good cause, the Board of Review shall grant a waiver of the 48-hour notice of an intent to file a written or oral objection if a property owner who does not meet the notice requirement appears before the board of review during the first 2 hours of the meeting. **THE PROPERTY OWNER NOW MUST SHOW GOOD CAUSE FOR FAILURE TO MEET THE 48-HOUR NOTICE REQUIREMENT AND FILE A WRITTEN OBJECTION.** My good cause is as follows:

SECTION B – The Board of Review may waive all notice requirements and hear the objection if a property owner fails to provide written or oral notice of an intent to object 48 hours before the first scheduled meeting, and fails to request a waiver of the notice requirements during the first 2 hours of the meeting if the property owner appears before the Board at any time prior to the end of the fifth day of the session, or prior to the end of the final day of the session if the session is less than 5 days, and the property owner **FILES A WRITTEN OBJECTION AND PROVIDES EVIDENCE OF EXTRAORDINARY CIRCUMSTANCE.** Proof of my extraordinary circumstance is as follows:

A WRITTEN OBJECTION ON THE PROPER FORM MUST BE PROPERLY FILED WITH THE CLERK OF THE BOARD OF REVIEW.

May 9, 2022

Board of Review Members:

The following will serve as an explanation to my issue with the assessed value of my home for the 2022 tax year. The issue is not in the value itself, but the uniformity in the assessment procedure. Per the Wisconsin Department of Revenue guidelines and rules, “singling out specific properties as a result of a sale during a maintenance assessment is in direct conflict with the Wisconsin Property Assessment Manual. The practice results in non-uniform assessments.”

I did in fact purchase my home in September 2021 for a price of \$925,000. It had been marketed for sale, had adequate exposure on the market, and I have no dispute that the property is in fact worth the \$925,000 I paid. The assessment on my home was \$800,000 in 2021 and has been increased to \$920,000 in 2022—a 15% increase year over year.

The issue I have is that my neighboring property owners along Lake Michigan by in large seen no change in their assessments for 2022, while other higher-priced homes that sold in the city Racine in 2021 saw only nominal increases in their 2022 assessment, and by in large not to the level of their purchase price.

The first attachment you will see is a list of all homes within the city of Racine, with lake frontage, situated between the Village of North Bay and the Racine Zoo—17 homes in total. Despite the unprecedented appreciation in the residential market in 2021, of those 17 homes, only three of those homes saw a change in their assessments between 2021 and 2022. One home had an extensive renovation that occurred, which triggered an increase to the assessment of 14%. A second home sold, and saw a 5% increase in their assessment. My house was the third, which sold and saw a 15% increase in its assessment.

In addition, the spreadsheet notes the last time the assessment has changed at all for these 17 homes along Lake Michigan, which for most dates back beyond 2016. One house was renovated which triggered a re-assessment, but other than that, 5 homes in this group sold since 2016, and all saw changes in their assessments the following year. The rest of the houses have not seen their assessment move since at least 2016, some haven't moved since 2013. So, if the house hadn't sold, the assessor hasn't moved the assessment in at least 7 years, while conversely there is clear proof that they are “chasing sales” for quite literally *every single* sale that occurred in the past 7 years. The concept of uniformity has been completely disregarded by the City Assessor's office.

In terms of equity and accuracy of the assessment levels between my house and my neighbors, the other point to note on this spreadsheet is the level of land assessment for these lakefront homes relative to their actual lake frontage. Of these 17 homes, my property has the **least amount of lake frontage** and was the **physically smallest** of all 17 parcels, and has a level of assessment that **exceeds all 16 of my neighbors on a per front foot basis, by roughly 30% on average.**

The second spreadsheet is equally telling, as I researched every home sale in the city of Racine that sold in 2021 with a sale price in excess of \$300,000. When excluding my own home, there were 32 such sales of “higher priced homes” in the city. There are few key takeaways from this spreadsheet in my opinion:

- Of the 32 sales, these properties sold 15.95% higher than their 2021 assessments (yielding an equalization ratio of 84.05%).
- The assessments on these 32 sales increased by 6.88% between 2021 and 2022 after these sales occurred.
- Thus, the actual ratio between sale price and assessed values for the 2022 assessment year is 89.83%. Indicating that properties that sold in excess of \$300,000 are being assessed at 89.83% of their fair market value for this upcoming 2022 tax year.
 - Maybe not so coincidentally, the Wisconsin Department Revenue indicated an Equalization Ratio, which represents the ratio between assessments and estimated fair market value of ALL properties in the city of Racine for the 2021 tax year at 90.29%. Thus, the equalization ratio being reflected with these 32 sales for the 2022 tax year is essentially within 0.5% of the figure provided by the Wisconsin Department of Revenue for the 2021 tax year for the entire city of Racine.
- The ratio evidenced by these 32 sales largely mirrors my own property. My house was similarly assessed at roughly 85% what I paid for it in 2021. The difference was that these properties saw nominal assessment increases of roughly 5% in 2022, increasing but still under-assessed, roughly 10% below market value. *While mine was increased to essentially 100% of the 2021 sale price.*

The last reference I would like to make is from Wisconsin State Statute, 70.47(8), which is also specified in the *Wisconsin Property Assessment Manual, Chapter 21, (Board of Review and Assessment Appeals)*. Under #6 specifically, the following is stated:

When current market value of a property has been proved, the assessment as a percentage of the market value may be compared to the average percentage level of assessment of all property in the municipality. If the percentage of assessment of the taxpayer's property compared to its market value can be shown to greatly exceed the average percentage level of all property in the municipality, this evidence furnishes conclusive proof to the BOR that the assessor's assessment of the property is in error and should be reduced.

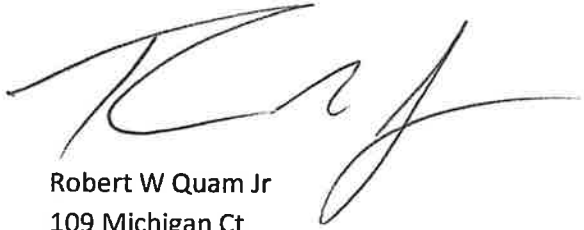
So specific to the above state statute that Board of Review is to adhere to, I have zero issue with the premise that my home is in fact *worth* what I paid for it, \$925,000—so per the above statute, we can agree on the market value of my property. Second, I provided ample support for the percentage of assessments of similar properties in the municipality relative to their sale prices (or fair market value), which clearly show that other properties in the city are not being assessed at their fair market value, while mine certainly is in 2022. In my opinion, this is clear proof that per State Statute 70.47(8) that “the assessor's assessment of the property is in error and should be reduced”.

There were no errors corrected on my property record card for the 2022 tax year that would justify an abnormal increase in my assessment relative to all other properties. There was no renovation or any other work that occurred in 2021 that would warrant an abnormal increase in the assessed value relative to other properties. No other single-family residence that sold for a price over \$300,000 in the entire city of Racine in 2021 saw an increase to the level of my home both on a dollar basis (\$120,000 increase) and percentage basis (15% increase).

And lastly, my neighbors along Lake Michigan by in large so no changes to their assessments, not only in 2022 but for the past 7 years, so singling out my property is quite literally an indication of the City Assessor "chasing sales" and violates the DOR's uniformity clause.

My proposal, in-line with state statutes for 70.47 for the Board of Review procedures, and also consistent with the other sales in the City of Racine deemed similar to mine with recent sale prices in excess of \$300,000, would be to take my purchase price (\$925,000) and multiply it by 90%--in-line with the indicated ratio I provided of 2022 assessments to 2021 sale prices of homes in excess of \$300K, and also in-line with the 2021 equalization ratio provided by the Wisconsin Dept of Revenue.

My purchase price of \$925,000 multiplied by 90% yields a 2022 assessment of \$832,500. In my opinion, this would be the appropriate method in assuring that the tax burden is being equitably distributed and the assessments are uniform throughout my neighborhood and the city as a whole.

A handwritten signature in black ink, appearing to read 'R. Quam Jr', with a long horizontal flourish extending to the right.

Robert W Quam Jr
109 Michigan Ct

All Lakefront Homes Between North Bay and Zoo

Address	2021 Assessment	2022 Assessment	Change (\$)	Change (%)	Lake Frontage	Lot Size	Land Assessment (\$)	Land Assessment (Per Front Foot)	Last Year Assessment Changed	Notes	
109 Michigan Ct	\$ 1,100,000.00	\$ 1,100,000.00	\$ -	0%	130 Feet	0.60 Acre	\$ 290,200.00	\$ 2,232.31		2015	
106 Michigan Ct	\$ 1,188,000.00	\$ 1,188,000.00	\$ -	0%	105 Feet	0.60 Acre	\$ 254,700.00	\$ 2,425.71		2014	
3433 Michigan Blvd	\$ 1,335,000.00	\$ 1,335,000.00	\$ -	0%	120 Feet	1.23 Acre	\$ 361,900.00	\$ 3,015.83		2018 (Sale in 2017) Sold in March 2022 for \$1,700,000	
3419 Michigan Blvd	\$ 950,000.00	\$ 950,000.00	\$ -	0%	100 Feet	1.00 Acre	\$ 301,200.00	\$ 3,012.00		2015	
3411 Michigan Blvd	\$ 1,257,000.00	\$ 1,257,000.00	\$ -	0%	115 Feet	1.01 Acre	\$ 322,900.00	\$ 2,807.83		2020 (Renovation)	
3361 Michigan Blvd	\$ 1,175,000.00	\$ 1,175,000.00	\$ -	0%	150 Feet	1.38 Acre	\$ 456,600.00	\$ 3,044.00		2013	
3333 Michigan Blvd	\$ 1,282,000.00	\$ 1,282,000.00	\$ -	0%	220 Feet	1.63 Acre	\$ 598,000.00	\$ 2,718.18		2015	
3329 Michigan Blvd	\$ 1,200,000.00	\$ 1,200,000.00	\$ -	0%	220 Feet	1.45 Acre	\$ 587,000.00	\$ 2,668.18		2018 (Sale in 2017)	
3301 Michigan Blvd	\$ 1,343,000.00	\$ 1,343,000.00	\$ -	0%	145 Feet	.95 Acre	\$ 313,700.00	\$ 2,163.45		2015	
3225 Michigan Blvd	\$ 1,145,000.00	\$ 1,145,000.00	\$ -	0%	275 Feet	1.67 Acre	\$ 781,800.00	\$ 2,842.91		2015	
3201 Michigan Blvd	\$ 1,090,000.00	\$ 1,090,000.00	\$ -	0%	165 Feet	0.97 Acre	\$ 535,100.00	\$ 3,243.03		2016	
3101 Michigan Blvd	\$ 1,480,000.00	\$ 1,480,000.00	\$ -	0%	170 Feet	0.86 Acre	\$ 462,000.00	\$ 2,717.65		2015	
3063 Michigan Blvd	\$ 1,325,000.00	\$ 1,325,000.00	\$ -	0%	185 Feet	0.89 Acre	\$ 529,900.00	\$ 2,864.32		2015	
3057 Michigan Blvd	\$ 840,000.00	\$ 961,000.00	\$ 121,000.00	14%	145 Feet	0.64 Acre	\$ 428,400.00	\$ 2,954.48		2021 (Sale in 2020) / Again 2022 for Renovation Renovation Triggered Revaluation	
3035 Michigan Blvd	\$ 780,000.00	\$ 780,000.00	\$ -	0%	100 Feet	0.41 Acre	\$ 291,700.00	\$ 2,917.00		2015	
3001 Michigan Blvd	\$ 1,038,000.00	\$ 1,090,000.00	\$ 52,000.00	5%	310 Feet	1.02 Acre	\$ 434,700.00	\$ 1,402.26		2022 (Sale in 2021) Sold in 2021 for \$1,124,000	
							\$ 2,617.63	Avg Land Assessment Per Front Foot			
109 Michigan Ct (My House)	\$ 800,000.00	\$ 920,000.00	\$ 120,000.00	15%	75 Feet	0.52 Acre	\$ 254,700.00	\$ 3,396.00			

All Homes in City of Racine that Sold for Over \$300K in 2021

Address	Sale Date	Sale Price	2021 Assessment	Difference (\$)	Difference (%)	2022 Assessment	Increase in 2022 (\$)	Increase in 2022 (%)	Difference Between 2022			Indicated 2022	Indicated 2021
									Assessment and Purchase	Price	Equalization Ratio		
1 3400 Southwood Dr	3/24/2021	\$ 310,000.00	\$ 213,000.00	\$ 97,000.00	46%	\$ 234,000.00	\$ 21,000.00	9.08%	(76,000.00)	75.48%	68.71%		
2 544 Mulberry Ln	11/19/2021	\$ 310,000.00	\$ 246,000.00	\$ 64,000.00	26%	\$ 271,000.00	\$ 25,000.00	10.16%	(39,000.00)	87.43%	79.35%		
3 1702 College Ave	7/12/2021	\$ 315,000.00	\$ 313,000.00	\$ 2,000.00	1%	\$ 328,000.00	\$ 15,000.00	4.79%	13,000.00	104.13%	99.37%		
4 2828 Chatham St	7/30/2021	\$ 320,000.00	\$ 238,000.00	\$ 82,000.00	34%	\$ 262,000.00	\$ 24,000.00	10.00%	(58,000.00)	81.88%	74.38%		
5 1564 Maria St	8/23/2021	\$ 321,000.00	\$ 225,000.00	\$ 96,000.00	43%	\$ 248,000.00	\$ 23,000.00	10.27%	(73,000.00)	77.26%	70.09%		
6 1805 College Ave	8/5/2021	\$ 330,000.00	\$ 271,000.00	\$ 59,000.00	22%	\$ 298,000.00	\$ 27,000.00	9.05%	(32,000.00)	90.30%	82.12%		
7 4252 Wood Duck Way	2/19/2021	\$ 335,000.00	\$ 443,000.00	(\$108,000.00)	-24%	\$ 443,000.00	\$ -	0.00%	108,000.00	132.24%	132.24%		
8 3924 Lighthouse Dr	6/18/2021	\$ 335,000.00	\$ 240,000.00	\$ 95,000.00	40%	\$ 264,000.00	\$ 24,000.00	10.00%	(71,000.00)	78.81%	71.64%		
9 715 Russet St	5/27/2021	\$ 342,000.00	\$ 285,000.00	\$ 57,000.00	29%	\$ 292,000.00	\$ 27,000.00	10.19%	(50,000.00)	85.38%	77.49%		
10 406 18th St	12/10/2021	\$ 342,000.00	\$ 320,000.00	\$ 22,000.00	7%	\$ 336,000.00	\$ 16,000.00	5.00%	(6,000.00)	98.25%	93.57%		
11 1444 Harrington Dr	7/1/2021	\$ 350,000.00	\$ 170,000.00	\$ 180,000.00	106%	\$ 307,000.00	\$ 37,000.00	11.64%	(143,000.00)	59.14%	48.57%		
12 3720 North Bay Dr	4/15/2021	\$ 356,500.00	\$ 325,000.00	\$ 31,500.00	10%	\$ 359,000.00	\$ 33,000.00	10.15%	(1,500.00)	100.42%	91.16%		
13 3425 N Wisconsin Ave	7/26/2021	\$ 359,000.00	\$ 230,000.00	\$ 129,000.00	56%	\$ 253,000.00	\$ 23,000.00	10.00%	(106,000.00)	70.47%	64.07%		
14 1432 Main St	6/17/2021	\$ 360,000.00	\$ 312,000.00	\$ 48,000.00	0%	\$ 334,000.00	\$ 22,000.00	7.05%	(26,000.00)	92.78%	86.67%		
15 2022 Michigan Blvd	6/17/2021	\$ 365,000.00	\$ 334,000.00	\$ 31,000.00	9%	\$ 366,000.00	\$ 34,000.00	10.18%	(3,000.00)	100.82%	91.51%		
16 468 Dena Cir	11/29/2021	\$ 365,000.00	\$ 249,000.00	\$ 116,000.00	47%	\$ 274,000.00	\$ 25,000.00	10.04%	(91,000.00)	75.07%	68.22%		
17 3800 Lighthouse Dr	1/22/2021	\$ 365,000.00	\$ 299,000.00	\$ 66,000.00	22%	\$ 329,000.00	\$ 30,000.00	10.05%	(36,000.00)	90.14%	81.92%		
18 3726 Canada Goose Crossing	4/19/2021	\$ 392,000.00	\$ 355,000.00	\$ 37,000.00	10%	\$ 366,000.00	\$ 11,000.00	3.10%	(26,000.00)	93.37%	90.56%		
19 1426 Main St	10/15/2021	\$ 404,000.00	\$ 327,000.00	\$ 77,000.00	24%	\$ 348,000.00	\$ 21,000.00	6.47%	(56,000.00)	86.14%	80.94%		
20 313 Jonathan Dr	2/26/2021	\$ 412,500.00	\$ 356,000.00	\$ 56,500.00	16%	\$ 392,000.00	\$ 36,000.00	10.11%	(20,500.00)	95.03%	86.30%		
21 15 Sheffield Dr	9/17/2021	\$ 457,150.00	\$ 349,000.00	\$ 108,150.00	31%	\$ 384,000.00	\$ 35,000.00	10.07%	(73,150.00)	84.00%	76.34%		
22 1526 College Ave	10/29/2021	\$ 462,000.00	\$ 412,000.00	\$ 50,000.00	12%	\$ 433,000.00	\$ 21,000.00	5.10%	(29,000.00)	93.72%	89.18%		
23 2904 Michigan Blvd	11/16/2021	\$ 469,000.00	\$ 307,000.00	\$ 162,000.00	53%	\$ 338,000.00	\$ 31,000.00	10.10%	(131,000.00)	72.07%	65.46%		
24 3041 Old Mill Rd	10/15/2021	\$ 479,000.00	\$ 375,000.00	\$ 104,000.00	28%	\$ 412,000.00	\$ 37,000.00	9.87%	(67,000.00)	86.01%	78.29%		
25 4416 Wood Duck Way	8/5/2021	\$ 499,900.00	\$ 473,000.00	\$ 26,900.00	6%	\$ 487,000.00	\$ 14,000.00	2.96%	(12,900.00)	97.42%	94.62%		
26 2808 Michigan Blvd	7/1/2021	\$ 508,000.00	\$ 334,000.00	\$ 174,000.00	52%	\$ 367,000.00	\$ 33,000.00	9.08%	(141,000.00)	72.24%	65.75%		
27 1336 Main St	3/12/2021	\$ 524,900.00	\$ 490,000.00	\$ 34,900.00	7%	\$ 514,000.00	\$ 24,000.00	4.90%	(64,000.00)	89.33%	86.67%		
28 4407 Hawk Hollow Ln	8/25/2021	\$ 600,000.00	\$ 520,000.00	\$ 80,000.00	15%	\$ 556,000.00	\$ 16,000.00	3.08%	(32,000.00)	105.16%	105.16%		
29 1211 Main St	3/26/2021	\$ 620,000.00	\$ 655,000.00	(\$32,000.00)	-5%	\$ 652,000.00	\$ 46,000.00	10.11%	(124,000.00)	80.16%	72.80%		
30 3090 Old Mill Rd	3/19/2021	\$ 625,000.00	\$ 455,000.00	\$ 170,000.00	37%	\$ 501,000.00	\$ 45,000.00	5.01%	(17,000.00)	98.23%	93.54%		
31 1833 Main St	7/30/2021	\$ 960,000.00	\$ 898,000.00	\$ 62,000.00	7%	\$ 943,000.00	\$ 45,000.00	3.01%	(34,000.00)	96.98%	92.35%		
32 3001 Michigan Blvd	8/3/2021	\$ 1,124,000.00	\$ 1,038,000.00	\$ 86,000.00	8%	\$ 1,090,000.00	\$ 52,000.00	6.88%	(89,000.00)	89.81%	84.05%		
Total (Excluding My House)		\$ 14,317,950.00	\$ 12,034,000.00	\$ 2,283,950.00		\$ 12,862,000.00	\$ 828,000.00						
109 Michigan Ct	9/24/2021	\$ 925,000.00	\$ 800,000.00	\$ 125,000.00	16%	\$ 930,000.00	\$ 120,000.00	15.00%	(5,000.00)	99.46%	86.49%		

property owner's representative, the board may postpone and reschedule a hearing under this subsection, but may not postpone and reschedule a hearing more than once during the same session for the same property.

70.47(8)

- 4. The board may, at the request of the taxpayer or assessor, or at its own discretion, waive the hearing of an objection under sub. (8) or, in a 1st class city, under sub. (16) and allow the taxpayer to have the taxpayer's assessment reviewed under sub. (13). For purposes of this subsection, the board shall submit the notice of decision under sub. (12) using the amount of the taxpayer's assessment as the finalized amount.

For purposes of this subsection, if the board waives the hearing, the waiver disallows the taxpayer's claim on excessive assessment under s.74.37 (3) and notwithstanding the time periods under s. 74.37(3)(d), the taxpayer has 60 days from the notice of the hearing waiver in which to commence an action under s. 74.37(3)(d).

70.47(8m)

- 5. The property owner or the property owner's representative and witnesses shall be heard first. The property owner's case must first be presented to the BOR before the assessor can be adversely examined.

70.47(8)(b)

- 6. Decisions are made only on sworn oral testimony.

70.47(8)

If an individual wishes to introduce written testimony to the BOR without reading an entire appraisal report (or whatever the written evidence is), this can be accomplished by attaching the written testimony, appraisal report, or evidence to the Board of Review Objection form. (This information is requested by the form.) By doing this, the written evidence becomes a part of the BOR proceedings. Because it is attached to the Board of Review Objection form; the written evidence is also saved for seven years (as are other BOR records).

A property owner must be able to present competent evidence to the BOR which establishes the current market value of the property. Market value is defined as the price a property will bring in an arm's-length sale of the property between a willing and informed buyer and a willing and informed seller under normal market conditions. The law provides that all assessments must be based upon the current market value of the property.

When current market value of a property has been proved, the assessment, as a percentage of the market value may be compared to the average percentage level of assessment of all property in the municipality. If the percent of assessment of the taxpayer's property compared to its market value can be shown to greatly exceed the

average percentage level of all property in the municipality, this evidence furnishes conclusive proof to the BOR that the assessor's assessment of the property is in error and should be reduced. The assessment level of the taxation district may be obtained by contacting the assessor. An indicated assessment level may also be computed through a tabulation of recent sales showing the ratio of total assessment to total selling prices of properties sold. The greater number of sales used for this tabulation, the more accurate the indicated assessment level will be.

Although the law requires the assessor to make all assessments "at the full value which could ordinarily be obtained therefore at private sale," fractional assessments are permissible. In *State ex rel. Baker Mfg. Co. v. City of Evansville*, 261 Wis. 599, 53 N.W.2d 795 (1951) the Wisconsin Supreme Court held, "The statute and the assessor's oath contemplate the assessor's valuation will be 100% of such theoretical sale price but no taxpayer can be considered aggrieved by discrimination if the assessment is some fraction of such value applied uniformly to all property." Once the assessment level is known, the property owner can then proceed to deal with the question as to whether the assessment is at or near the common level.

7. No person shall be allowed in any action or proceedings to question the amount or valuation of the property unless the person in good faith has presented evidence to the BOR in support of the objection. The objector must make full disclosure, under oath, of all property in the district liable to assessment, and the value of that property.

70.47(7)(a)

In *State ex rel. N.C. Foster Lumber Co. v. Williams*, 123 Wis. 61, 100 N.W. 1048 (1904), the Wisconsin Supreme Court commented on the complainant's liability in these words, "owner of property must make full disclosure before the BOR of all facts pertaining to value or be denied any relief before the body."

8. After the first meeting of the BOR and before the BOR's final adjournment, an objector may not contact a BOR member about the objection and may not provide information to a BOR member about the objection, except at a session of the BOR.

70.47(7)(ac)

Appeals from the Board of Review Decision

If, after presenting a formal objection to the BOR, a property owner is still dissatisfied with an assessment, appeals can be made to higher assessment review authorities. The law provides various ways to appeal an individual assessment. One way is to the circuit court under sec. 70.47(13), Wis. Stats. Another is to the DOR under sec. 70.85, Wis. Stats. The property owner may also appeal to the municipality under sec. 74.35, Wis. Stats., for recovery of unlawful taxes, or under sec. 74.37, Wis. Stats. for a claim of excessive assessment. The