

Town/Village/City of Racine
Board of Review

Findings of Fact, Determinations and Decision

- Board of Review (BOR) Assessment Appeal Hearing must be held in open session.
- The BOR should make its decision only on the evidence presented.
- The BOR can hear the appeal immediately or at another time. If later, advise the taxpayer as to the case deliberation date and time.
- Complete the decision part of this form immediately after the case is decided.
- The BOR clerk can participate in completion of this form.

A. PROPERTY IDENTIFICATION AND FINDINGS OF FACT

ASSESSMENT YEAR: 202 2 Tax Key Number: 276000023427000

Personal Property Account Number (if applicable) _____

Property Address: 3201 Moorland Ave

Property Owner: Cory D. & Tara L. Schmidt

Mailing Address: 3201 Moorland Ave

January 1, 202 2 Assessment Value: \$151,000

Land: \$16,500 Improvements: \$121,500 Total: \$138,000

Hearing Date: 6-10-2022 Time: 12:00 PM

Objector Received written confirmation of Hearing Date: Yes: No:

(or) Both Objector and Assessor waived 48 hour notice of hearing: _____

Note: **Taxpayer must have filed written objection before or at Board of Review.**
Check one:

Timely notice of "Intent to File an Objection" was provided by objector to clerk (either in writing or orally) at least 48 hours prior to first full session of Board of Review

Or
_____ Waiver was granted by Board of Review for:

- _____ Good Cause, or
- _____ Extraordinary Circumstances

Board members present: Natalie Chulew, Sue Pinzger,
Holly Maurer.

Board Members removed (if any): None

Board Counsel Present: John Bjelajac
Property Owner/Objector's Attorney or Representative: None
Board Members with certified training (must have at least one): Holly Maurer
and Sue Pinzger, Tara Coolidge

B. TESTIMONY

The following individuals were sworn as witnesses by the Board of Review Clerk (include Property Owner/Objector or his/her Representative, if testifying, and Assessor):

Tara L. Schmidt

Carolyn Chabron

1. Sworn testimony by Property Owner/Objector Tara L. Schmidt included:

a. A recent sale of the subject property: Yes ___ No

If yes: The subject property was sold for \$ _____

Date of sale _____

b. Recent sales of comparable properties: Yes ___ No

If yes: A total number of _____ other properties were presented.

Addresses of other properties:

c. Other factors or reasons (if presented): Yes No ___

If yes: List of summary factors or reasons presented by Property owner/objector (if evidence presented only available to one side, list corroboration of that evidence):

Please See Exhibit 1

2. Sworn testimony on behalf of Property owner/objector was presented by following other witnesses (if any): None

Summary of testimony of other witnesses for objector (if any): None

3. Sworn testimony by Assessor Carolyn Chabrian included:

a. Estimated level of assessment for the current year is _____ %.

b. A recent sale of the subject property: Yes ___ No

If yes: The subject property was sold for \$ _____

Date of sale _____

c. Recent sales of comparable properties: Yes No ___

If yes: A total number of 3 other properties were presented.

Addresses of other properties:

3105 Taylor Ave, 2113 Kentucky St,
and 2121 Indiana St.

c. Other factors or reasons (if presented): Yes No ___

If yes: List of summary factors or reasons presented by Assessor:

Please look at Exhibit 2

4. Sworn testimony (if any) on behalf of the Assessor was presented by:

None

5. Summary of testimony of other witnesses for Assessor (if any): None

C. DETERMINATIONS

1. The Assessors estimate level of assessment of the municipality has been determined to be _____ %

* The relationship between the assessed value and the equalized value of non-manufacturing property minus corrections for prior year over or under charges within a municipality – town, city or village. For example, if the assessed value of all property subject to property tax in the municipality is \$2,700,000 and the equalized value (with no prior corrections) in the municipality is \$3,000,000 then the “assessment level” is said to be 90% (\$2,700,000/\$3,000,000 = .90 or 90%)

2. The board finds that there was a recent sale of the subject property.

Yes ___ No ___
Yes ___ No ___
Yes ___ No ___
Yes ___ No ___

- a. The sale was an arms-length transaction.
- b. The sale was representative of the value as of January.
- c. The board finds that the sale supports the assessment.
- d. If all answers are 'yes.'

d1. What is the sale price? _____

d2. What if any adjustments, based on the evidence presented, should be made for such considerations as time between the date of sale and the January 1 assessment date, non-market class value in the selling price (ag-use value and fractionally assessed classes), and/or other physical changes that occurred to the property between the sale date and the January 1 assessment date?

d3. What is the full taxable value? _____

If responses in 2 through 2c were "yes," upon completion of the section proceed to section D, Decision, check all that apply and determine the assessed value.

3. The Board of Review finds that there are recent sales of comparable properties:

Yes No ___

If yes, answer the following:

Property Owner

a. Did the Property Owner present testimony of recent sales of comparable properties in the market area?

Yes ___ No

b. If yes, were the attributes satisfactorily adjusted for their differences from the subject and their contribution to value?

Yes ___ No

Assessor

c. Did the Assessor present testimony of recent sales of comparable properties in the market area?

Yes No ___

d. If yes, were the attributes satisfactorily adjusted for their differences from the from the subject and their contribution to value?

Yes No ___

Conclusion

e. LIST THE PROPERTIES AND VALUES THAT THE BOARD OF REVIEW RELIES ON TO MAKE ITS DETERMINATION AS TO FAIR MARKET VALUE:

Please see exhibit 2

4. The Board of Review finds that *the assessment should be based on other factors*: Yes ___ No ___

If Yes, list the factors that the Board of Review relies on to make its determination as to fair market value: _____

What was the most credible evidence presented:

D. DECISION (Motion must be made and seconded)

1. Sue Pinzger Moves: Exercising its judgment and discretion, pursuant to Wis. Stat. § 70.47(9)(a), the Board of Review by majority and roll call vote hereby determines see below: Natalie Cholen Seconds, (mark all that apply below)

- That the Assessor’s valuation is correct;
- That the Assessor presented evidence of the fair market value of the subject property using assessment methods which conform to the statutory requirements and which are outlined in the Wisconsin Property Assessment Manual;
- That the Assessor presented evidence of the proper classification of the subject property using assessment methods which conform to the statutory requirements and which are outlined in the Wisconsin Property Assessment Manual;
- That the proper use values were applied to the agricultural land;
- That the proper fractional assessments were applied to undeveloped land and agricultural forest land classifications;
- That the property owner did not present sufficient evidence to rebut the presumption of correctness granted by law to the Assessor;
- That the Assessor’s valuation is reasonable in light of all the relevant evidence;
- And sustains the same valuation as set by the Assessor.
- It is not relevant to present assessments of other properties as a basis for the market value of the appeal property (in certain cases).

OR

2. _____ Moves: Exercising its judgment and discretion, pursuant to Wis. Stat. § 70.47(9)(a), the Board of Review by majority and roll call vote hereby determines _____: _____ Seconds, (mark all that apply below)

- That the Assessor's valuation is incorrect;
- That the property owner has presented sufficient evidence to rebut the presumption of correctness granted by law to the Assessor;
- That the property owner's valuation is reasonable in light of the relevant evidence;
- That the full value of the property is:
 - Land: _____
 - Improvements: _____
 - Total: _____
- That the level of assessment of the municipality is at: _____ %
- And hereby sets the new assessment at:
 - Land: _____
 - Improvements: _____
 - Total: _____

I, Tara Coolidge, Clerk of the Board of Review, do hereby certify that the members of the Board of Review voted as follows:

Name of Board of Review Member:

Sue Pinger
Natalie Chulew
Holly Manner
Tara Coolidge

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

Abstain

to adopt these Findings of Fact, Determination and Decision on this 27

day of June, 2022.

[Signature]

Clerk of Board of Review

This sample script was originally prepared by John P. Macy of Municipal Law and Litigation Group, S.C., (262)548-1340, and was reviewed and modified by Rick Stadelman of the Wisconsin Towns Association and the Office of Technical & Assessment Services of the Wisconsin Department of Revenue.