

# Wisconsin Property Tax Appeals

## An Overview

WIPFLLI

# Understanding Property Taxes

Property taxes are ad valorem taxes which means they are based upon the value of the property taxed.

Wisconsin property taxes are primarily a function of four factors:

1. **The assessor's estimated market value determined as of January 1, the assessment date, each year.** Assessment as of January 1, 2021, is basis for property taxation payable in 2020. Relative tax burden is set by legislature through property classifications.
2. **Average tax rate for commercial properties 2.50%.** The exact property tax levied depends on the county in Wisconsin the property is located in. Property taxes are collected on a county level, and each county in Wisconsin has its own method of assessing and collecting taxes. As a result, it's not possible to provide a single property tax rate that applies uniformly to all properties in Wisconsin
3. Unimproved land, effective property tax rates based first, on actual use, and if no actual use, then on highest and best use permitted under the local zoning ordinances.
4. Funds required by county, city, school boards and other taxing entities based on budget.
5. Taxing district's tax base, fiscal disparities and state aids.

## Understanding Property Taxes

Typically, there are only three avenues for the taxpayer to influence their property taxes on an individual basis.

1. To obtain a reduced assessor's estimated market value (EMV).
2. To obtain a change in the property's classification.
3. To show discrimination based upon the local Assessors application of Uniformity.

# Procedures for Tax Reduction

## Informal Procedure

1. Taxpayers receive notices of the assessor's estimated market value (EMV) during or about mid-March of the year in which the assessment is made. After receipt of this notice of the assessor's estimated market value, the taxpayer or its representative can seek a reduction by informal talk with the assessor.

## Formal Administrative Procedure

1. Local, county and state boards of review/equalization.
  - a. A taxpayer or a representative of the taxpayer may make a personal or written appearance before the local board of review to contest the assessor's EMV
    - i. The boards of equalization may decrease, leave as is, or increase the EMV.
    - ii. In general, local boards meet between April 1 and September of each year. Id.
  - b. A property owner has two ways to appeal a BOR decision . One is appealing to the circuit court under state law (sec . 70 .47(13), Wis . Stats .), and the other is appealing to DOR under sec . 70 .85, Wis . Stats

## Procedures for Tax Reduction

Formal Tax Court Petition Procedures (sec. 70.47(7)(a*e*), Wis. Stats.)

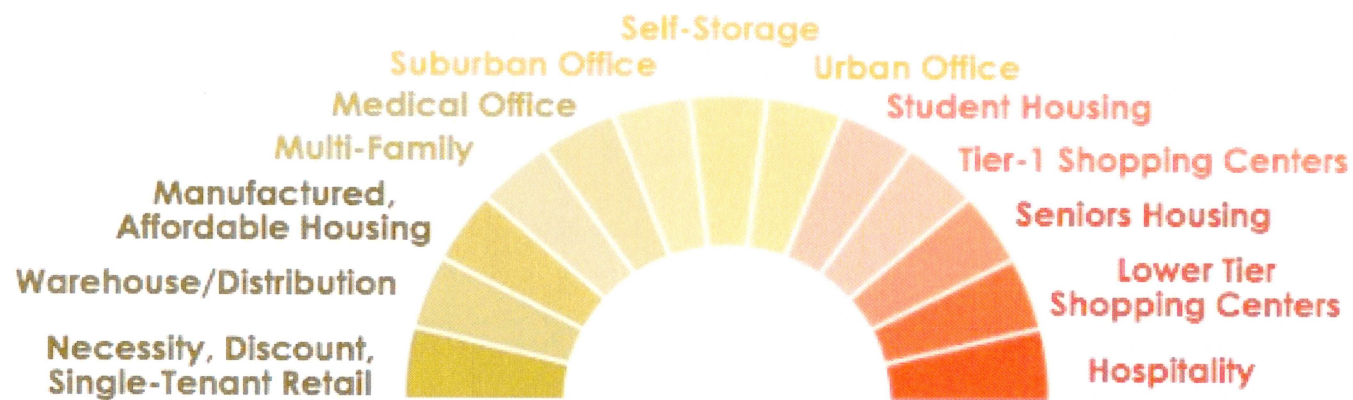
1. Pursuing formal administrative (BOR Hearing/waiver) procedures is necessary in order to pursue a reduction of taxes before the tax court.
2. Appeal a BOR Decision. A property owner has two ways to appeal a BOR decision. One is appealing to the circuit court under state law (sec. 70.47(13), Wis. Stats.), and the other is appealing to DOR under sec. 70.85, Wis. Stats. If a number of property owners feel there are severe inequities in the entire assessment roll, they may appeal for a reassessment of the entire municipality under sec. 70.75, Wis. Stats. (see 70.75 Reassessment Guide)
3. Under state law (sec. 70.47(13), Wis. Stats.), you may appeal a BOR determination by action of certiorari (a court order to review the written record of the hearing) to the circuit court. The court will not issue an order unless an appeal is made to the circuit court within 90 days after the you receive notification from the BOR. You cannot submit new evidence. The court decides the case based solely on the written record made at the BOR.
4. When you appeal a BOR decision to DOR, under state law (sec. 70.85, Wis. Stats.), DOR must receive a written complaint within 20 days after you receive the BOR's determination, or within 30 days of the date specified in the affidavit under sec. 70.47(12), Wis. Stats., DOR may not review the assessment if it is within 10 percent of the general level of assessment of all other property in the municipality, or if the property's value exceeds \$1,000,000 as determined by the BOR.

# Procedures for Tax Reduction

## Negotiated Settlements

Almost all property tax cases are resolved by negotiated settlement.

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PROPERTY PERFORMANCE, VALUATION, OUTLOOK VARIES BY SEGMENT**



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