

**TEACHING COPY ONLY**

Town/Village/City of \_\_\_\_\_

**Board of Review**

**Findings of Fact, Determinations and Decision\***

**A. PROPERTY IDENTIFICATION AND FINDINGS OF FACT**

ASSESSMENT YEAR: 20\_\_\_\_ Tax Key Number: \_\_\_\_\_

Personal Property Account Number (if applicable) \_\_\_\_\_

Property Address: \_\_\_\_\_

Property Owner: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

January 1, 20\_\_\_\_ Assessment Value: \_\_\_\_\_

Land: \_\_\_\_\_ Improvements: \_\_\_\_\_ Total: \_\_\_\_\_

Hearing Date: \_\_\_\_\_ Time: \_\_\_\_\_

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: \_\_\_\_\_

Board Members removed (if any): \_\_\_\_\_

Board Counsel Present: \_\_\_\_\_

Property Owner/Objector's Attorney or Representative: \_\_\_\_\_

Board Members with certified training (must have at least one): \_\_\_\_\_

**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}:

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1. **Sworn testimony by Property Owner/Objector:** \_\_\_\_\_ 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:

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

If yes: List of summary factors or reasons presented by property owner/objector:

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2. **Sworn testimony on behalf of property owner/objector was presented by following other witnesses** (if any): \_\_\_\_\_

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Summary of testimony of other witnesses' for objector (if any): \_\_\_\_\_

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3. **Sworn testimony by Assessor :** \_\_\_\_\_ 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:

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

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

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

5. Summary of testimony of other witnesses' for assessor (if any): \_\_\_\_\_

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### C. DETERMINATIONS

1. The assessor's estimated level of assessment\* of the municipality has been determined to be \_\_\_\_\_ %

2. The board finds that there was a recent sale of the subject property. Yes \_\_\_ No \_\_\_

a. The sale was an arms-length transaction. Yes \_\_\_ No \_\_\_

b. The sale was representative of the value as of January. Yes \_\_\_ No \_\_\_

c. The board finds that the sale supports the assessment. Yes \_\_\_ No \_\_\_

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?

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d3. What is the full taxable value? \_\_\_\_\_

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

*\* 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%)*

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

Yes \_\_\_ No \_\_\_

If yes, answer the following:

a. Property Owner presented testimony of recent sales of comparable properties in the market area: Yes \_\_\_ No \_\_\_

b. Were the attributes satisfactorily adjusted for their differences from the subject and their contribution to value? Yes \_\_\_ No \_\_\_

c. Assessor presented testimony of recent sales of comparable properties in the market area: Yes \_\_\_ No \_\_\_

d. Were the attributes satisfactorily adjusted for their differences from the subject and their contribution to value? Yes \_\_\_ No \_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**4. The Board of Review finds that *the assessment should be based on other 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**

**1. Exercising its judgment and discretion, pursuant to Sec. 70.47(9)(a) of Wis. Statutes, the Board of Review by majority and roll call vote hereby determine: (mark all that apply):**

- 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;
- (in certain cases), It is not relevant to present assessments of other properties as a basis for the market value of the appeal property

**OR**

**2. Exercising its judgment and discretion, pursuant to Sec. 70.47 (9)(a) of Wis. Statutes, the Board of Review, by majority and roll call vote hereby determine: (mark all that apply):**

- 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, \_\_\_\_\_, Clerk of the Board of Review, do hereby certify that the members of the Board of Review voted as follows:

<u>Name of Board of Review Member:</u>	<u>Yes</u>	<u>No</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

to adopt these Findings of Fact, Determination and Decision on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Clerk of Board of Review

\*This sample form was prepared by Atty. John P. Macy of Arenz, Molter, Macy & Riffle, S.C., (920) 548-1340, and was reviewed and modified by Atty. Rick Stadelman of the Wisconsin Towns Association and the Equalization Directors and staff at the Wisconsin Department of Revenue.