



DOR Review of Assessor Practices

Municipal Assessor Institute

WI Dept. of Revenue | September 16, 2020



Presenter(s)

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Topics of Discussion

- State law and the WI Property Assessment Manual (WPAM)
- DOR assessor practice review process
- Case studies
- Resources




State Law and the WPAM




State Law – 73.09

- Assessor certification
- By rule DOR establishes
 - Levels of certification (Technician, Assessor 1, 2, 3)
 - Continuing education requirements (30 hours over 5 years)
 - Examinations
 - Temporary certification (Technician for 90 days)
- DOR grants certification to each who passes examination for that level
 - Passing an exam ensures a minimum level of knowledge and entitles an individual to work at the respective level



State Law – 73.09 (cont.)

- DOR may revoke or suspend certification assessor for practice of fraud or deceit in obtaining certification, or negligence, incompetence, or misconduct, including making a fraudulent change in the assessment roll
- DOR may deny certification if DOR determines a person is liable for delinquent taxes




State Law – 73.09 (cont.)

- DOR may require any assessor to take corrective action in order to avoid the revocation or suspension of that person's certification for the activities described under this paragraph
- DOR may reinstate after one year



State Law – 70.32

- **Real estate valuation and classification**
 - Real property, real estate, land the land all buildings and improvements, fixtures and rights and privileges appertaining thereto, except as provided in sub. (2) and except for time-share property, real property does not include memberships, vacation services, club memberships
 - Real property and real estate do not include any permit or license required to operate at a specific location one or more articles of personal property described under 70.04 (3) or any value associated with the permit or license



State Law – 70.32 (cont.)

- **Valuation and classification**
 - Value as specified in Wisconsin property assessment manual
 - From actual view or best information assessor can obtain
 - At full value which could ordinarily be obtained at private sale
 - Assessor shall consider
 - Recent arm's length sales of the property if according to professionally acceptable appraisal practices those sales conform to recent arm's-length sales of reasonably comparable property
 - Recent arm's-length sales of reasonably comparable property
 - And all factors that, according to professionally acceptable appraisal practices, affect the value of the property to be assessed



State Law – 70.34

- **Personal property valuation**
 - Valued by the assessor upon actual view at true cash value
 - Assessor shall act in the manner specified in the Wisconsin property assessment manual



State Law – 70.05

- **Notice of Property Interior Inspection**
 - If a taxation district assessor is requesting to view the interior of a residence, the assessor shall provide written notice to the property owner of the property owner's rights regarding the inspection of the interior of the owner's residence
 - DOR Form PR-300



State Law – 70.365

- **Notice of Changed Assessment**
 - When the assessor assesses any taxable real property, or any improvements taxed as personal property under 77.84 (1), and arrives at a different total than the assessment of it for the previous year, the assessor shall notify the person assessed if the address of the person is known to the assessor, otherwise the occupant of the property
 - DOR Form PR-301



State Law – 70.365 (cont.)

- **Notice of Conversion Charge**
 - If the assessor determines that land assessed under 70.32(2r) for the previous year is no longer eligible to be assessed under 70.32(2r) and the current classification under 70.32(2)(a) is not undeveloped, agricultural forest, productive forest land, or other, the assessor shall notify the person assessed if the assessor knows the person's address, or otherwise the occupant of the property, that the person assessed may be subject to a conversion charge under 74.485
 - DOR Form PR-298



State Law – 70.44

- **Add omitted property**
 - Real or personal property omitted from assessment in any of the 2 next previous years, unless previously reassessed for the same year or years, shall be entered once additionally for each previous year of such omission...



State Law – 70.43

- **Correct errors**
 - If the assessor discovers a palpable error in the assessment of a tract of real estate or an item of personal property that results in the tract or property having an inaccurate assessment for the preceding year, the assessor shall correct that error by adding to or subtracting from the assessment for the preceding year. The result shall be the true assessed value of the property for the preceding year. The assessor shall make a marginal note of the correction on that year's assessment roll.



State Law – 70.45

- **Hold Open Book**

- ...the assessment rolls will be open for examination by the taxable inhabitants....The assessor shall be present for at least 2 hours while the assessment roll is open for inspection
- DOR Form PR 130



State Law – 70.48

- **Attend Board of Review**

- The assessor or the assessor's authorized representative shall attend without order or subpoena all hearings before the board of review ...



WPAM – Property Record Card

- **Minimum requirements**

- Parcel

- Parcel number, legal description, owner name & address, acres by class (dimensions if <1), total acres, land value by class, total land value, imp value by class, total imp value, total value, value determination, land sketch or parcel identified on map

- Major buildings

- Height, type, exterior wall, age, basement, heating/air, condition, other features, quality of construction, attachments, sq ft, sketch with dimensions, interior view date / who, exterior view date / who

- See WPAM Ch 4, 7, 8




WPAM – Property Inspections

- **All assessment types**
 - New construction
 - Demolitions
 - Remodeling
 - Annexations
 - Exemptions
 - See WPAM: Ch 4, 7, 9, 20



WPAM – Classification

- **All assessment types**
 - Physically inspect each year
 - Collect additional information
 - Questionnaire
 - Interview property owner
 - Determine eligibility
 - Agricultural
 - Agricultural forest
 - Undeveloped
 - Drainage ditch
 - See WPAM: Ch 4, 7, 14, 14 Appendix D, 15)



WPAM – Sales

- **All assessment types**
 - Review each real estate transfer return
 - Inspect each property that sold-review characteristics at time of sale
 - Collect additional information-questionnaires, interviews, etc. Report sales and assessment date to DOR
 - Validate usability of sales
 - Verify sales attributes
 - See WPAM: Ch 4, 7, 9, 10



DOR Review Process



DOR Process – Summary

- Receive information
- Initial review, determine if practice review
- Collect information – continuous
- Conduct practices review
 - State laws and WPAM provide minimum requirements each year
 - Assessment type will determine items in addition to minimum requirements
- Determine course of action



DOR Process – Summary (*cont.*)

- **Review statistics**
 - 2014: 9 reviews
 - 5 filed with DOR
 - 4 DOR initiated – late/non-filer of DOR reports
 - 2015: 15 reviews
 - 1 filed with DOR
 - 14 DOR initiated – late/non-filer of DOR reports
 - 2016: 15 reviews
 - 11 filed with DOR
 - 4 DOR initiated – late/non-filer of DOR reports



DOR Process – Summary (*cont.*)

- **Review statistics**
 - 2017: 13 reviews
 - 8 filed with DOR
 - 5 DOR initiated – late/non-filer of DOR reports
 - 2018: 6 reviews
 - 6 filed with DOR
 - 0 DOR initiated
 - 2019: 8 reviews
 - 3 filed with DOR
 - 5 DOR initiated – income tax and DOR field review



DOR Process – Summary *(cont.)*

- **Review Statistics**
 - 2020: 2 reviews to date
 - 1 filed with DOR
 - 1 DOR initiated – EQ field review
 - Totals: 68 reviews
 - 1 DOR revoked certification
 - 10 did not renew certification
 - 7 voluntarily relinquished certification

DOR Receives Information, Initial Review

- DOR receives phone call, email, letter (filer)
- Initial review
 - Determine if assessor practice review or another process, ex:
 - Filer alleges increase in assessed value is wrong – refer to DOR Appeal Guide
 - Filer alleges assessment notice not sent – commence practice review
 - Municipality alleges contract issue – refer to municipal attorney
 - Follow up contacts with filer, assessor, etc.
 - Inquiry or issue can be miscommunication – contact with filer and assessor can resolve with no further DOR action
 - Clarify filer information and describe available processes



DOR Receives Information, Initial Review (*cont.*)

- DOR sends cover letter and Review of Assessor's Practices Form (PA-098)
- Cover letter explains information needed, what DOR reviews and does not review
- 3 weeks for filer to respond
- Form not required for DOR review
- DOR will not complete a review and send close to filer if:
 - No form provided *or*
 - No specific information provided

PA-098 Cover Letter

Date

Property Owner/Requestor

Property Owner/Requestor Address

Property Owner/Requestor City, WI Zip

Dear **Property Owner**:

The Wisconsin Department of Revenue (DOR) is responding to your **Date** phone call to DOR **staff name**, regarding the **(issue)** in the Municipality, County. After our conversation, we understand it is your intent to file a *Request for Review of Assessor's Practices Form (PA-098)*. If you choose to file, first consider the following information on DOR's review process.

DOR Review Process

- We review assessor practice petitions involving fraud, neglect or misconduct. Under state law, DOR may order corrective action, suspend an assessor's certification or revoke an assessor's certification.
- Note: Differences in opinion of assessed value are not grounds for review. You must address these issues through the property assessment appeal process.

Property Assessment Appeal Process

You may appeal your property assessment or property tax:

- Property assessment appeals
 - If you do not agree with your assessment, appeal to the local Board of Review (BOR)
 - Contact the municipal clerk for information, including when the BOR meets
 - If you do not agree with the BOR decision, you may appeal to DOR or the circuit court
- Property tax appeals
 - File a claim with the municipality by January 31
 - If the municipality denies the claim or takes no action, you may appeal to the circuit court

Request for Review of Assessor's Practices – submit by **Date**

1. Complete the enclosed *Request for Review of Assessor's Practices Form (PA-098)* – you must provide information supporting any allegations of fraud, neglect or misconduct
2. Supporting documents – include any written documents or other information you feel demonstrates fraud, neglect or misconduct

We may provide the assessor with a copy of your form and attachments. Information provided is also subject to disclosure under Wisconsin Open Records Law.

I hope you find this information helpful.

Sincerely,

Reviewer Name

Office of Technical and Assessment Services

Enclosures:

- PA-098 Request for Review of Assessor's Practices
- Property Assessment Appeal Guide

File this form with the Wisconsin Department of Revenue (DOR) if you have a complaint against a municipal assessor **only** for reasons of fraud, neglect, incompetency or misconduct. Filing this request is not part of the property assessment appeal process. If you would like to object to the method used and/or the amount of your assessment, you must go through the property assessment appeal process. For more details, review the Property Assessment Appeal Guide for Wisconsin Real Property Owners at: revenue.wi.gov/pubs/slf/pb055.pdf.

Send completed form and associated documents to DOR within 20 days.

Wisconsin Department of Revenue
Office of Technical & Assessment Services
PO Box 8971 #6-97
Madison WI 53708-8971

Note:

- DOR has authority to investigate and take corrective action, or suspend or revoke certification
- We may provide a copy of your submitted form and documents to the assessor who is the focus of the review

Section 1: Property Owner and Property Information

Owner name			Taxation district (Check one) <input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City			County
Mailing address			Municipality			
City	State	Zip	Street address of property			
Phone () -	Email		City	State	Zip	

Section 2: Assessor Information – (complete what you can)

Name			Company name			
Mailing address			Phone () -			
City	State	Zip	Email			

Section 3: Review Request Details

Provide detailed responses to the questions below. Attach additional sheet(s) to explain each response.

- Describe the issue(s). Provide copies of any documents or other relevant materials to assist in our investigation.
- Have you made other attempts to resolve the issue(s)? Yes No
- Have you appealed your assessment to the local Board of Review? Yes No
- Have you made prior complaints against this assessor? Yes No If yes, provide dates.
- Who else has information related to the issue(s)? Provide name, address, email and phone number for each person. Include a brief description of the information he/she can provide.

Owner Sign Here ▶	Name (please print)		- For DOR use only - Complaint no. _____ Date received _____	
	Signature	Date		



Collect Information

- Receipt of information/form – qualifies as practice review
- Initial request to assessor
 - Type of assessment (full revaluation, exterior revaluation, interim marker update, maintenance)
 - Open Book dates
 - Board of Review dates
 - Length assessing municipality
 - Property records, notices, sales verification, etc.
 - Additional information based on the requestor's allegations

Initial Request to Assessor for Review of Practices

Date

Assessor Name

Assessor Address

City, State, Zip

Dear Mr./Ms. Assessor:

The Wisconsin Department of Revenue (DOR) received a *Request for Review of Assessor's Practices (Form PA-098)* on property you assess in the Municipality, County. Listed below is information you must provide to DOR for further review.

Provide DOR with Year assessment information:

Requested information, provide:

1. Type of assessment (full revaluation, exterior revaluation, interim marker update, maintenance)
2. Open Book dates
3. Board of Review dates
4. How long you have been the assessor in the Municipality

Incorrect assessment practice allegation and information to provide DOR

Allegation 1: (Insert text of allegation)

Requested information, provide:

5. Insert text of requested information

Allegation 2: (Insert text of second allegation, etc.)

Requested information for parcels listed above, provide:

6. Insert text of requested information

Send the requested information to me at firstname.lastname@wisconsin.gov by MONTH DD, YYYY. Identify each response with the request number above.

If you have questions, contact me at (XXX) XXX-XXXX. Thank you for your cooperation.

Sincerely,

Reviewer Name

Property Assessment Practices Specialist



Collect Information *(cont.)*

- Requests to others
 - Municipality (ex: clarify/confirm open book, board of review)
 - County (ex: clarify/confirm assessment notice, assessment roll request dates)
- Follow up with assessor, request additional information as necessary
 - Request for explanations of process
 - Clarify statements/information from municipality/county/others



Conduct Practices Review

- Review assessor's response(s) and any material provided
- Lists each allegation, identify associated law and/or practice
- Summarize
 - Information from filer/questions asked of assessor
 - Assessor's responses/explanation
 - Standards/requirements from state law and WPAM
 - Findings – does assessor's information agree with state law/WPAM?
- Process for determining assessment practice compliance with state law, WPAM and next steps



Conduct Practices Review

- Findings and action based on assessor certification law 73.09
 - Fraud – intentional perversion of truth to induce another to part with something of value or to surrender a legal right
 - Deceit – act of causing someone to accept as true or valid what is false or invalid
 - Negligence – failure to exercise the care a reasonably prudent person would exercise in like circumstances
 - Incompetence – not legally qualified to, inadequate to, or unsuitable for a particular purpose
 - Misconduct – intentional wrongdoing



Determine Course of Action

- Actions can be one or more of the following
 - Dismissal (ex: valuation issue through BOR)
 - Recommendations for improvement
 - Required training
 - Voluntarily relinquish certification in lieu of revocation
 - Suspension, revocation



Determine Course of Action (*cont.*)

- Review is detailed in the close letter and includes
 - Summary of allegation(s)
 - DOR's findings
 - Summary of responses
 - Actions to be corrected by the assessor
 - Any enclosures
- Close letters to requestor, assessor, municipality with resolution and any action



Determine Course of Action (*cont.*)

- Follow up – when practices need improvement but does not result in relinquishment, suspension or cert revocation
 - Before any Notice of Changed Assessments are sent for the next assessment year
 - Typically, a reminder letter is sent to the assessor in January of the year following the close letter. The original close letter is attached to the reminder.
 - If the assessor is still non-compliant with the WPAM and/or state law, actions can include one or more of the following: suspension, revocation, on-site reviews, review notification to all jurisdictions under assessor's control

Close With No Follow Up

Date

Assessor Name

Assessor Address

City, State, Zip

Dear Mr./Ms. Assessor:

The Wisconsin Department of Revenue (DOR) completed a review of materials you provided in response to our date request. The review of your assessment practices was requested by property owner name in the Municipality, County.

Under state law (sec. 73.09(7), Wis. Stats.), DOR has the authority to investigate assessors and order corrective action, or suspend or revoke certification. Below are three allegations raised by requestor, a summary of our review, your responses, and our instructions,

Allegation 1 – Incorrect Inspection practices

- DOR review –
- Summary of your responses –
- DOR instruction –

Allegation 2 – Provided inaccurate information on the Board of Review (BOR) process

- DOR review –
- Summary of your responses –
- DOR instruction –

We are issuing this letter with the expectation that you follow the instructions. DOR considers this matter closed. You may contest these findings by contacting (name), Deputy Administrator, Division of State and Local Finance within 20 days. If you do not contest this finding within 20 days, you are expected to comply with the letter.

Thank you for your cooperation. Contact us with any questions.

Sincerely,

Name, Director

Technical and Assessment Services

cc: Name, Administrator, Division of State And Local Finance

Name, Director, Equalization

Close With Follow Up

Date

Assessor Name

Assessor Address

City, State, Zip

Dear Mr./Ms. Assessor:

The Wisconsin Department of Revenue (DOR) completed a review of materials you provided in response to our date request. The review of your assessment practices was requested by property owner **name** in the **Municipality, County**.

Under state law, (sec. 73.09(7), Wis. Stats.), DOR has the authority to investigate assessors and order corrective action, or suspend or revoke certification. Based on our review, your practices do not follow state law and the Wisconsin Property Assessment Manual (WPAM).

Below is the allegation raised by **Requestor**, DOR identified issues, summaries of your responses, and our instructions to correct your assessment practices.

Property Owner Allegation

Allegation –

- DOR review –
- Summary of your response –
- DOR instruction –

DOR Identified Issues

Issue 1 –

- DOR review –
- Summary of your response –
- DOR instruction –

Next Steps

1. Provide DOR **YYYY** assessment information
2. Complete all items listed above under "DOR instruction"

We are issuing this letter with the expectation you follow the instructions. We will review the requested **XXXX** assessment records and determine if you changed your practices to comply with state law and the WPAM.

Do not distribute **YYYY** Notices of Assessment or conduct Open Book in any jurisdictions you assess until our review is complete.

You may contest these findings by contacting **(name)**, Deputy Administrator, Division of State and Local Finance within 20 days. If you do not contest this finding within 20 days, you are expected to comply with the letter. Thank you for your cooperation.

Sincerely,

Name, Director

Technical and Assessment Services

cc: **Name**, Administrator, Division of State and Local Finance

Name, Director, Equalization



Presentation Poll

Questions 1-3



DOR Case Study 1



Property Owner Initiated Request

- Homeowner call to DOR – issues on value, assessor conduct
 - Discussion – we do not review valuation differences
 - Appeal process is available
- Issues for an assessor review in this case
 - Open Book request
 - Inspection notification



Property Owner Initiated Request (cont.)

- Standard letter and form (PA-098) was sent to property owner with a deadline for submission
- Property owner submitted the following documents
 - Completed PA-098 with additional letter of explanation
 - Copies of correspondence between himself and the assessor,
 - Copies of correspondence between himself and the town board
 - Copy of Request to Review Property Notice
 - Copy of Notice of Changed Assessment
 - Copy of Agent Authorization Form
 - Copy of BOR Determination Form



Property Owner Initiated Request (cont.)

- Submitted documents (*cont.*)
 - Screenshot text messages between himself and the Clerk
 - Copy of an independent appraisal of his property
- Total: 48 pages



Property Owner Initiated Request (cont.)

- Property owner asserted on several occasions that the assessor had violated the law
- Owner cited a failure to comply with an open records request, intentional misinformation on BOR dates, inequitable assessment, trespass, and value issues (not reviewed)
- A review was initiated based on the issues presented



Review of the Assessor

- Initial letter was sent to the assessor
- Includes request for standard information as well as any property owner allegations
- Standard requests include
 - Type of assessment for the town/village/city
 - Open Book dates
 - Board of Review dates
 - Question – how long have you been the assessor for the town/village/city?
 - Property Record Cards (PRCs) for the associated parcel(s) in question

The logo of the Wisconsin Department of Revenue is located in the top right corner. It features a circular seal with a central figure holding a scale and a sword, surrounded by the text "WISCONSIN DEPARTMENT OF REVENUE".

Review of the Assessor (*cont.*)

- Allegations are then identified based on what DOR can review
- In this case, there were three reviewable allegations based on the information from the property owner



Review of the Assessor (*cont.*)

- Allegation 1 – incorrect assessment practices
- Information requested from assessor
 - Date of most recent inspection or inspection request of parcel
 - Type of inspection conducted
 - Copy of any emails or letters requesting inspection (PR-300)



Review of the Assessor (*cont.*)

- Allegation 2 – provided inaccurate information on Board of Review (BOR)
- Questions/information requested from assessor
 - How do you respond to inquiries about BOR?
 - Did you assist the property owner with completing an agent authorization form?
 - Did you provide the property owner with the deadline to file a BOR appeal?



Review of the Assessor (*cont.*)

- Allegation 3 – failed to answer an open records request
- Questions/information requested from assessor
 - How do you respond to open record requests?
 - Did you receive an open records request from the property owner?
If yes, how did you respond to it?



Assessor Response

- Type of assessment for the municipality
 - Maintenance
- Open Book dates
 - July 25, 7-9 pm
- Board of Review dates
 - August 9 at 7 pm and August 13 at 7 pm
- How long have you been the assessor for the municipality?
 - Since 1985



Assessor Response (*cont.*)

- Allegation 1 – incorrect assessment practices
- Information requested from assessor
 - Date of most recent inspection or parcel inspection request
 - Type of inspection conducted
 - Copy of any emails or letters requesting inspection (PR-300)
- Assessor response
 - During open book he scheduled an interior inspection with the property owner for August 8 at 3 pm. He arrived at the property at the appointment time, but was denied interior view. There was no notice sent for that interior view as it was verbally agreed upon during open book.

Assessor Response *(cont.)*

- Allegation 2 – provided inaccurate information on BOR
- Questions/information requested from assessor
 - How do you respond to inquiries about BOR?
 - "I inform them that they can appeal and when"
 - Did you assist the property owner with completing an agent authorization form?
 - "I did help the owners father fill out the form"
 - Did you provide the property owner the BOR filing deadline?
 - "At Open Book I informed him of 48 hours prior to BOR deadline, as well it was on the original notice"



Review of the Assessor (*cont.*)

- Allegation 3 – failed to answer an open records request
- Questions/information requested from assessor
 - How do you respond to open record requests?
 - Did you receive an open records request from the property owner? If yes, how did you respond to it?
- Assessor response
 - Open records requests are answered typically next day. In this circumstance the assessor was out of the office and did not respond until 4 days later with the total anticipated cost for all records. Also stated that he referred the property owner to the town for the records.



Follow Up

- Based on the information from the property owner and the assessor, an additional information request was made to the town



Follow Up (*cont.*)

- Provide BOR information to DOR
 - Date(s) of each BOR meeting
 - Summary of each BOR meeting
 - Summary – Board of Review Proceedings Form (PA-800)
- Open records requests
 - How does the municipality respond to open record requests?
 - Did the municipality receive an open records request from the property owner? If yes, how and when did you respond to the request(s)?
- How long has your assessor been the assessor?
- Copy of your current contract with your assessor



Follow Up (*cont.*)

- Clerk response
 - Answers on assessor's tenure and Open Book/BOR dates matched the assessor's response
 - Explained the Meet to Adjourn date of the first BOR meeting – Notices sent had a later date listed on them
 - Provided copies of text messages with property owner's request



Follow Up *(cont.)*

- Determined no additional information required in this case
- DOR reviewed all information to determine conflicts with state laws or WPAM
- Assessor followed state laws and WPAM



Close

- In this case, no corrective action was taken
- Property owner sent close letter informing of the decision
- Assessor sent close letter, reiterating allegations and our findings that no state laws were violated
- Town sent close letter in this case, and both the town and assessor were provided open records best practices



Presentation Poll

Question 4



DOR Case Study 2



Municipal Official Contact

- In some cases the request for a review is from a municipal official
- Also receive anonymous information



Municipal Official Contact (*cont.*)

- Property owner and municipal official called – assessor concerns
 - Stated both serve as government officials – found items that do not seem accurate
 - Cited 70.52 – requires clerk to examine assessment roll for errors where they discovered the errors
 - Official also noted 70.49, 70.501, and 946.12 in letter to DOR
 - Issues to review
 - Classification errors
 - Changing assessments after signing affidavit



Municipal Official Contact *(cont.)*

- Standard letter and form (PA-098) were sent to the municipal official with a deadline for submission
- Property owner submitted
 - Completed PA-098 with additional letter of explanation
 - Copies of the Assessor Affidavit for that year
 - Copies of the Real Estate Valuation Summary for municipality, highlighting that total of Ag and Ag Forest
 - Copy of state laws referenced in letter
- Total: 8 pages



Assessor Review

- Initial letter sent to assessor
- Given the allegations from the municipal official, the Annual Assessment Report (AAR) was reviewed prior to sending initial letter. Inconsistent AAR information prompted additional questions.
- Typical requests include
 - Type of assessment for municipality
 - Open Book dates
 - Board of Review dates
 - How long have you been the assessor for the municipality?



Assessor Review (*cont.*)

- Expanded standard questions
 - AAR states 2018 is a maintenance year, yet sample 2018 Notices of Changed Assessment (NOA) provided list "revaluation" as a reason for change
 - Provide the type of 2018 assessment
 - Explain the difference between the AAR and NOAs
 - AAR, Municipal Assessment Report (MAR) and NOAs have three different Open Book dates listed: July 10, July 14 and July 21
 - Provide the 2018 Open Book date(s)
 - Explain the difference between the AAR, MAR and NOAs



Assessor Review *(cont.)*

- Expanded standard questions
 - How long have you been the assessor for the municipality?
 - Provide the names of anyone who assists you



Assessor Review *(cont.)*

- Allegation 1 – changing assessments after signing the 2018 assessment roll affidavit
 - AAR states 66 NOAs were sent with multiple reasons for change
 - 44 of the 66 NOAs had code "5-increase due to revaluation"
 - 47 of the 66 NOAs had code "6-shift in classification"
 - MAR showed no change from the 2017 to the 2018 assessment year



Assessor Review (*cont.*)

- Allegation 1 – changing assessments after signing the 2018 assessment roll affidavit
- May 4, 2018 assessment roll
 - Total assessed value of \$15,331,800
 - 11,155.142 acres of agricultural land
 - 1,511.340 acres of agricultural forestland
- July 24, 2018 assessment roll
 - Total assessed value of \$14,647,300
 - 11,868.122 acres of agricultural land
 - 798.360 acres of agricultural forestland



Assessor Review *(cont.)*

- Allegation 1 – changing assessments after signing the 2018 assessment roll affidavit
 - Open Book summary submitted with the AAR did not identify any changes at Open Book
 - Requested information from assessor
 - List the parcels with a change between May 4-July 24, 2018
 - Explain why you changed each parcel
 - Provide a copy of the NOAs sent after the May 4, 2018 assessment roll



Assessor Review *(cont.)*

- Allegation 2 – misclassification of parcels: 5 parcels listed
 - 2018 PRCs and related documents for each parcel
 - Information used to classify the property for 2018 assessment
 - Dates of you most recent inspection of these parcels
 - Types of inspections you conducted
- Assessor given three weeks to respond



Follow Up

- Municipal officials sited illegal changes to the roll, the clerk was contacted to provided support documents
 - Type of assessment year for 2018
 - Open Book – date(s), did you attend
 - Provide BOR Summary Form (PA-800)



Follow Up (*cont.*)

- Clerk information request – assessment roll and affidavit
 - When did the town provide the roll to assessor for Open Book and who provided the assessor with this version of the roll?
 - When did your municipality generate the 2018 Notices of Assessment (NOA) and who distributed them?
 - When did the municipality receive the BOR assessment roll and who provided it to the municipality?
 - When did the assessor provide the municipality with the 2018 assessment roll affidavit?
 - Did you observe the assessor making any changes to the roll after receipt of the assessment roll affidavit?



Follow Up (*cont.*)

- Clerk information request – assessor information
 - How long has this assessor been the assessor for the town?
 - Provide the name of anyone who assists your assessor
 - Provide a copy of your contract with the assessor



Clerk Response

- Type of assessment year – maintenance
- Notices sent June 2 – generated by the county tax lister
- Open Book date – July 14
 - A different assessor from the company attended Open Book
- Board of Review date – July 21
- No changes during BOR, PA-800 supports
- No contract found for the assessor, only the initial bid in 2005
- Claims there is another person who assists the assessor and is the one attending BOR prior to this year



Assessor Response

- Type of assessment year – maintenance
- Notices with multiple reasons for change – revaluation listed to make CAMA system balance. Should have been removed from notices before sending out, was an oversight.
- Open Book date – July 14
 - AAR has a typo regarding the date
- Has been the assessor for the town over 7 years
- Listed two employees that help, including the person mentioned by the clerk



Assessor Response *(cont.)*

- Claims no Open Book changes made after BOR on July 21
- Assessor sent Open Book changes via email to the county lister on July 24 (list of changes included in reply)
- Open Book changes were related to agricultural pasture land
- No revised NOAs were sent – they verbally declined written notice
- Claims no notices were required as with the Open Book changes, there were no changes from 2017 to 2018



Assessor Response *(cont.)*

- Claims all properties were viewed for new construction or razing of existing buildings
- Onsite exterior inspections were conducted with new photographs to substantiate any changes
- Attachments included – handwritten lined paper changes with header at top stating "Open Book Change" and the 5 record cards requested
- Total: 10 pages



Clerk Follow Up

- Confirm town received no other assessment roll prior to BOR
- After BOR, when was assessment roll provided to county?
- Who provided the roll to the county after BOR?



Clerk Response

- Town received no other assessment roll prior to BOR – received from county Lister on May 4 reflecting 2018 totals
- No updated roll provided to clerk before BOR, no documented Open Book changes
- Affidavit signed by assessor on July 21 prior to BOR
- No changes were made at BOR on July 21
- Clerk was sent a Valuation Summary and Statement of Assessment from county on July 24 with changes to acres and totals for agricultural land and agricultural forest



Assessor Follow Up

- Copy of Summary of Open Book Actions (PR-130)
- Assessor required to attend Open Book (70.45), BOR (70.48)
 - Did you attend Open Book on July 14?
 - Did you attend BOR on July 21?
- Additional NOA required (70.365) if assessor changes assessment as a result of Open Book unless the person assessed waives the additional NOA in writing on the PR-297
 - Provide written waivers (PR-297) of NOA for each parcel with an assessment change resulting from the Open Book



Assessor Follow Up (*cont.*)

- PRCs provided were "PA-500 insert" – did not include all required information in WPAM
- Provide complete record cards



Assessor Response

- Provided Summary of Open Book Form (PR-130) with date of September 25
 - Did not complete until DOR requested
- Claims he did not know PRCs were not compliant
- Claims DOR has never questioned his records before
- Provided PA-550 insert with no additional information-second request made-notes added to insert
- Mentioned field experience, practices not questioned before
- Mentioned plans to retire in 2020 when certification expires



Next Steps

- Close letter to assessor with next steps to correct practices that violated state law and WPAM
 - Allegation 1 – changing assessments after signing 2018 assessment roll affidavit
 - DOR instruction – document all Open Book changes with the PR-130, provide Open Book changes to county at the completion of Open Book. Provide a completed roll with signed affidavit to the clerk prior to BOR. Once you sign the assessment roll affidavit, you may no longer make assessment changes. See WPAM 7-3 to 7-7, 8-21 to 8-24 and 70.49.



Next Steps *(cont.)*

- Allegation 2 – misclassification of parcels
 - DOR instruction – view property annually to determine classification under state law and the WPAM. Classification review is an annual requirement and does not require a revaluation. Collect other information to make determinations if parcels cannot be viewed (ex: distribute questionnaires, interview property owners). Annually update the agricultural use-values and adjust by level of assessment. See WPAM 7-1, 7-37 to 7-40, 8-4 to 8-6 and Ch 14.



Next Steps (*cont.*)

- DOR identified issues
 - Issue 1 – Annual Assessment Report
 - DOR instruction – AAR is a summary of assessment work you complete for the town. You are expected to complete the AAR with accurate information.
 - Issue 2 – Property Record Cards (PRCs)
 - DOR instruction – PRCs must comply with the WPAM. The lack of system functionality does not exempt you from compliance with the WPAM and completing PRCs. See WPAM 4-3, 4-6 to 4-8, 7-38 to 7-39.



Next Steps *(cont.)*

- DOR identified issues
 - Issue 3 – Notice of Changed Assessment (PR-301), Summary of Open Book Changes (PR-130) and Waiver of Amended Assessment Notification (PR-297)
 - DOR instruction – you made initial changes, sent out NOAs and then made second changes. This constitutes two changes, requiring two NOAs. Complete the Open Book Notice of Amended Assessment (PR-297) when a property owner waives a NOA. See WPAM 8-2, 8-24 and sec. 70.385 Wis. Stats.



Next Steps *(cont.)*

- Next steps for assessor
 - Option 1 – provide DOR 2019 assessment information
 - Provide PRCs to DOR. DOR will review, determine if practices are correct. Do not send NOAs until DOR completes review.
 - Option 2 – voluntarily relinquish your certification
 - Complete form to voluntarily relinquish certification



Next Steps *(cont.)*

- Addition instruction for municipality
 - Assessor contract – expired. Current/complete contact will help with timely/accurate completion of assessment work, roll. (copy of DOR Assessment Process Guide for Municipal Officials)
 - Assessment roll – establish clear assessment roll process in assessor contract. Have assessor obtain an Open Book roll from county, report all Open Book changes to county. The county can then provide the clerk a new BOR roll. The clerk is responsible for roll accuracy before and after BOR. The clerk provides county final roll after BOR. See DOR Assessment and Tax Roll Instructions for Clerks.



Result

- Assessor relinquished certification
- Other municipalities assessed by the assessor provided letter explaining DOR's review, assessor retirement, given a copy of the DOR Guide for Municipal Officials



Presentation Poll

Question 5



DOR Case Study 3



Case Study 3

- Issues identified
 - Proper practices for classifying the owner's property were not followed
 - Assessor did not consistently assess properties with improvements not accounted for
 - Outdoor wood furnaces were not assessed
 - Town board members and town employee's properties were not assessed correctly
 - Did not value pole buildings consistently



Allegation 1

- Assessor did not classify property correctly
 - Tree Farm/Use Value classification was claimed by property owner on their parcel



Allegation 2

- Assessor did not consistently assess properties with improvements
 - Parcels were alleged to have different improvement information than what was listed
 - Sheds, garages, screen porches, wood deck, concrete patio, car port, finished basement, brick patio, gazebo, AC, enclosed porch, vinyl siding
 - Filer provided list of 185 parcels and alleged omissions



Allegation 3

- Assessor did not assess outdoor wood burners
 - Property record card did not show an improvement for an outdoor wood burner



Allegation 4

- Did not update values for municipal officials
 - A review was requested on how these properties were assessed
 - Missing improvements



Allegation 5

- Did not value pole buildings consistently
 - One property was identified as missing a storage building



Allegation 1 – Incorrect Classification

- Assessor – review of aerial, driven past property many times
- DOR review – agricultural evidence was based on drive-by view and discussion with property owner
- DOR instruction – follow data collection practices, personally verify property owner claims, review business personal property. If the owner denies an onsite view of the property you may then consider a view from the street or other public information (Note PR-300 in records)



Allegation 1 (*cont.*)

- PRC sample notes for agricultural inspection
 - Date – viewed property with (name). More than half of 20 acres spruce trees in 3 age classes. Two of the age classes are beyond harvest.
 - Date – owner called, upset that classification changed out of ag. He did admit, some areas did not keep up with tree sales in years. Call (###) if we have questions.
 - Physical inspection – by name
 - Date – viewed June 2016 aerial photos. Confirmed in drive by.





Allegation 1 *(cont.)*

- DOR instruction, review WPAM
 - Chapter 4 – classification eligibility of agricultural land
 - Chapter 8 – annual assessor requirements
 - Chapter 14 – questionable classification changes



Allegation 2

- Did not consistently assess properties with improvements
 - Assessor – stated parcels were found to have different improvement information than what is on file
 - DOR review – improvements known to exist were not included with assessments
 - DOR instruction – conduct revaluation next year, update all records and assessments, review WPAM Chapter 8 for correction information



Allegation 2 (*cont.*)

- Information requested
 - During a maintenance assessment we requested the assessor determine if sheds, garages, screen porches, wood deck, concrete patios, car port, finished basement, brick patio, gazebos, AC, enclosed porch, vinyl siding were shown on PRC
 - We also understood that the assessor was aware that some of the issues existed before the assessor took office

Allegation 2 (cont.)

- Assessor's response – detailed notes for each property
 - Date – viewed property with (name), interior has major mold issues, roof leaks in the back, deck has been removed. No furnace, well or electric. Building is usable for storage.
 - Date – viewed property, removed tub surround and put in glass walk-in shower, cabinets and tile floor
 - Date – viewed interior. The addition is a bedroom with walk in closets. One of the closets will someday be a bathroom but there is no plumbing and at this point it is still a closet. Consider the project complete and value at 100%.



Allegation 2 (*cont.*)

- Assessor's response – detailed notes for each property
 - Date – converted attached garage into master bedroom and bathroom and built on a new attached garage, as of (date) the addition was closed in for winter, studs only, value at 80%



Allegation 2 (*cont.*)

- Consider the effort required to document new construction prior to an assessor review
- Assessor also provided
 - Dates of inspection
 - Dates of new construction inspection prior to January 1
 - Who made the inspection
 - Building dimensions
 - Building type, exterior wall and RCNLD
 - Notes for the next year to return to the parcel
 - Description of the improvement, ex: open masonry/log porch



Allegation 2 (*cont.*)

- Consider the effort required to document improvements when the PRC is NOT complete
 - Corrections – identified previous records NOT complete
 - Follow up was required
 - Corrections done 1 year, revaluation done the year after
 - Omitted – identifying property omitted after 1 year or more is a challenge
 - Long periods between revaluations may contribute to poor records, resulting in omissions



Allegation 3

- Assessor did not assess outdoor wood burners
 - DOR review
 - PRC showed value of outdoor wood furnaces was under total other features
 - WPAM Vol II was used to develop the value
 - Method used to list and value outdoor wood burners was correct





Allegation 3 (*cont.*)

- Assessor did not assess outdoor wood burners
 - Assessor – no reason to physically inspect the properties, the assessments were carried over from the prior year
 - DOR review – PRC's were similar to the other records in municipality
 - DOR instruction – conduct revaluation next year, update all records and assessments



Allegation 4

- Assessed municipal officials incorrectly
 - Assessor – stated these properties did not have building permits, there was no reason to physically inspect, assessments were carried over from the prior year
 - DOR review – PRC's similar to other records in municipality
 - DOR instruction – conduct revaluation for next year, update all records and assessments

Allegation 5

- Did not value pole buildings consistently
 - Assessor – property has 13 storage units, 12 were being assessed, assessment information was used to assess the 13th unit using WPAM Vol II
 - DOR review – records not current, improvement omitted
 - DOR instruction – complete an omitted assessment under state law (70.44) for up to two years



DOR Identified Issues

- Assessment contract was not "assessment type," based on the condition and quality of the assessment records
 - DOR instruction – review assessment records before contracting with a municipality and review the assessment type with municipality. As the assessor signing the assessment affidavit, you are responsible for complete and accurate Property Record Cards (PRCs) and to ensure the municipality has records compliant with the WPAM.



DOR Identified Issues (*cont.*)

- Notice of Assessment (PR-301) did not include reason for change
 - DOR instruction – notices must contain reason for change. You are required to retain assessment notices. If your system does not maintain a complete Notice with a reason for change, you must keep a paper copy with the PRC.
 - NOA requirements – 70.365, WPAM Ch 7



Case Study 3 Conclusions

- Property records, parcel/land information
 - Land tables
 - Agricultural land by soil type, conversion charge
 - Parcel map, air photos
 - Building footprint
 - Water; sewer/septic
 - Sales, date (interior, exterior) characteristics at time of sale
 - Personal property information
 - Permits/new construction/remodels/updates
 - Waterfront/deeded access to water or dock



Case Study 3 Conclusions *(cont.)*

- Improvement information, ex:
 - Year built, age, condition, remodel
 - Dimensions, finished living area
 - Document inspection dates/notes/interior/exterior
 - Sketches
 - Costing ladder, explain adjustments
 - Story height
 - Exterior wall construction
 - Attachments, other items (wood burners, sauna, hot tubs)
- Agricultural Work Card PA-703



Presentation Poll Questions 6-7



Resources



Email Updates

- Stay informed!
- Receive email updates about law changes, filing reminders, updated reports and notifications
- Subscribe
 - Municipal officials – revenue.wi.gov/Pages/HTML/lists.aspx
 - County officials – email: otas@wisconsin.gov

Resources

- DOR website – revenue.wi.gov
- Online videos – see DOR Video Center
 - Select "Government"
 - Examples: My Tax Account, eRETR, assessment topics (frac sand, use-value)
- Annual calendar – revenue.wi.gov/slf/cotvc/tvccal.pdf

Resources *(cont.)*

- Wisconsin Property Assessment Manual – revenue.wi.gov/Pages/HTML/govpub.aspx#property
- Publications – revenue.wi.gov/Pages/HTML/pubs.aspx
- Reports – revenue.wi.gov/Pages/Report/Home.aspx
- Common questions – revenue.wi.gov/Pages/FAQS/home-pt.aspx



Thank you!
