Chapter 6
Statutory Revaluation and Reassessment

Revaluation and reassessment are two similar processes with the objective of achieving equitable, full value, assessments. However, a reassessment is the doing over of an existing assessment roll, while a revaluation is the creating of a new assessment roll.

Revaluations – General

There are several reasons to complete a revaluation:
1. The current assessments may not have been made in compliance with the law
2. Inequities may exist within classes of property
3. Inequities may exist between classes of property
4. The governing body may desire an updating of records to show the physical characteristics of all its taxable property
5. The governing body may desire a complete inventory of all taxable property

Notice

Sec. 70.05(5)(b), Wis. Stats., requires notification that must be published or posted prior to commencement of a revaluation by an assessor. The law states in part "Before a city, village, or town assessor conducts a revaluation of property under this paragraph [Section 70.05(5)(b) Wis. Stats.], the city, village or town **shall** publish a notice on its municipal website that a revaluation will occur and the approximate dates of the property revaluation. The notice **shall** also describe the authority of an assessor, under sec. 943.13, Wis. Stats., and sec. 943.15, Wis. Stats., to enter land. If a municipality does not have a website, it **shall** post the required information in at least 3 public places within the city, village or town." (Emphasis added)

Municipalities may consider publishing this notice every year. It is recommended municipalities provide links to the statutory references for taxpayers.

Sample Revaluation Notice

A revaluation of property assessments in the (*municipality*) shall occur for the (*year*) assessment year. The approximate dates of the revaluation notices being sent to property owners is expected to be in (*month/year*). Please also notice that the Assessor has certain statutory authority to enter land as described in sec. 943.13 and 943.15, Wis. Stats.

The ability to enter land is subject to several qualifications and limitations, as described within the foregoing statutes. Copies of the applicable statutes can be obtained at public depositories throughout the State of Wisconsin, and from the State of Wisconsin Legislative Reference Bureau website or a copy may be obtained from the municipal clerk upon payment of applicable copying charges.

Sec. 70.05(4n), Wis. Stats., Viewing Property

When requesting view of a property for purposes of data collection, assessors must provide notice to the property owner. DOR recommends sending the Request to View Property Notice (PR-300) under sec. 70.05(4n), Wis. Stats., through regular mail and allowing 14 calendar days for a response. In addition, during a revaluation, contact may be supplemented with a notice in the local paper or a notice included with a recent tax bill. This supplementary contact during revaluation also helps assessors avoid criminal trespass.

Documenting Consent or Denial

If property owners do not respond to the initial contact, an optional next step is to obtain consent or denial to view the property in person. If the property owner is unavailable, leave a door hanger listing contact information. For any remaining unresponsive property owners, send the PR-300 under sec. 70.05(4n), Wis. Stats., through certified mail. Allow 14 calendar days to respond. Record denials by maintaining a list.

Lack of Consent or Denial

If property owners remain who have not responded with an affirmative consent or denial to the request to view the property, the following options are available:

- Consider using the next best information available (see Chapter 9) to establish a supportable valuation
- Use the special inspection warrant (see WPAM Appendix for warrant template) to gain view if the next best information is insufficient to develop a supportable valuation
- Note the lack of response and opportunity to view the property at the Board of Review (BOR), if applicable
- Right to enter a property may be exercised once per year if the statutory requirements in the following section ("Avoiding Trespass") are met

Avoiding Trespass

Secs. 70.05(5)(b), 943.13(4m)(am), and 943.15(1m), Wis. Stats., list the following requirements before entry onto private property or a construction site (not including buildings, agricultural land or pasture, or livestock confinement areas) is allowed, once per year (assessment cycle), for property tax assessment purposes unless the property owner authorizes additional visits:

- **Purpose**: the reason for the entry must be to make an assessment on behalf of the state or a political subdivision
- **Date**: the entry must be on a weekday during daylight hours, or at another time as agreed upon with the property owner
- **Duration**: the assessor's visit must not be more than one hour
- **Scope**: the assessor must not open doors, enter through open doors, or look into windows of structures*

  *As the inspection of a property has been held to be subject to Fourth Amendment protections in *Milewski v. Town of Dover*, 2017 WI 79, 377 Wis. 2d 38, 899 N.W.2d 303, an assessor should avoid the curtilage of a residence if relying solely on the trespass statute to enter the property. Curtilage is the area surrounding the home that is so intimately tied to the home itself that it is placed under the home's "umbrella" of protection. Factors to consider: (1) proximity of the area to the home, (2) whether the area is within an enclosure surrounding the home, (3) the nature and uses to which the area

is put, and (4) the steps taken by the resident to protect the area from observation of passersby. (See: *U.S. v. Dunn*, 480 U.S. 294 (1987).
- **Notice**: if the property owner or occupant is not present, the assessor must leave a notice on the principal building providing the owner information on how to contact them
- **Denial of entry**: the assessor may not enter the premises if they have received a notice from the property owner or occupant denying them entry. The assessor must leave if the property owner or occupant asks them to leave, sec. 943.15(1m)(f), Wis. Stats.

Do not enter a property when receiving a refusal to a reasonable written request (see Notification Process on page 5-10) to view the property. The assessor may seek a special inspection warrant to view the property, if necessary (see Chapter 8 for further discussion). The assessment should be based on the best information available – recent sale of the subject or comparable properties, building permits, or previous viewings. The assessor must not "penalize" the property owner for denying a view of the property. The assessor must be able to defend the assessment in relation to the assessment of similar properties. The assessor must still follow state law and assess property at full value.

It is recommended assessors consider the following when viewing property:
- Use photo identification and authorization from the municipality for viewing property
- Have identification on your vehicle (ex: "Municipal Assessor")
- Notify local police of your presence in a particular area and explain your activities
- **Do not enter any buildings or dwellings without consent directly from the property owner**
- **Do not remain on the land after a property owner asks you to leave**
- **Do not enter lands after darkness or at unreasonable times of day, except by appointment with the property owner**
- **Do not enter dangerous, potentially confrontational areas, or clearly and overtly designated private property**

Public Relations

It is important to keep taxpayers informed prior to, and throughout the revaluation. The municipality should publish articles on the municipality's website and in the local newspaper prior to the revaluation and inform taxpayers the purpose of the revaluation, who will perform it, when it will begin, and what to expect. The assessor, or expert help, and the governing body should coordinate news releases to the public. Personal contacts are an important aspect of public relations. When contacting taxpayers, the assessor and expert help should be courteous, cooperative, and helpful.

The municipality should also prepare a letter or notification that introduces all field staff. The field staff should present this introduction document with a picture identification when viewing property. This may help property owners who are reluctant to allow someone enter their home.

The governing body regularly meets with the assessor or expert help for updates on the revaluation and addressing any problems. The continual updates allows the governing body to keep the public informed and to plan for the Open Book period and BOR.

Cost of a Revaluation

Cost can be a major factor in determining whether or not to conduct a revaluation. The cost for a revaluation is determined by the number of properties to be appraised, the availability of maps, the quality of existing records, the different classes of property involved, access to the area with regard to roads, etc.

Compensation to the Assessor

The assessor's compensation to complete a revaluation is a decision for the governing body, and should be commensurate with the degree of participation expected of the assessor. When expert help is hired to perform a revaluation, under sec. 70.055, Wis. Stats., the assessor and expert help are equally responsible for the assessments. However, under sec. 70.05(2), Wis. Stats., the assessor has sole responsibility for the assessments, and under sec. 70.75(3), Wis. Stats., the assessor, expert help, and DOR designee are all equally responsible for the assessments. The assessor is actively involved in the revaluation. This involvement will help ensure proper maintenance of the assessments in future years, and should be reflected in the assessor's compensation.

Revaluation Process

A revaluation includes the following:
- Preparation of property records for each parcel, including vacant land
- Classification and grading of land
- On-site views of each property
- Measuring each building
- Recording the interior and exterior physical characteristics
- Estimating the full value of each property based on the following:
  - Property sales
  - Construction costs
  - Income producing capability of the property

Obtain Assessment Forms

The assessor must obtain all of the necessary assessment forms and records, including property records, assessment notices, occupational tax forms, maps, soil surveys, aerial photos, real estate transfer returns, building permits, cost manuals and any other records for the revaluation. It is important that the assessor have current maps for verifying legal descriptions and verifying a complete listing of all property in the municipality.

Distribute Reporting Forms

The assessor distributes the various forms, such as the occupational tax forms to the appropriate taxpayers. The forms are distributed well in advance of the due date so taxpayers have enough time to properly complete the forms.

Review Legal Descriptions

Review legal descriptions as listed in the assessment roll for errors, incorrect acreages, omissions, overlap, and failure to close. This is done using current maps, and helps guarantee that all property is listed in the municipality. Review the real estate transfer returns for parcel splits and combinations that may require new legal descriptions. Research incorrect legal descriptions using documents at the Register of Deeds Office and by contacting the county Real Property Lister.

Preparation of Records

The assessor must prepare complete and accurate property records for each parcel in the municipality. The records include the property owner's name and address, legal description, parcel number, and size of the parcel when available. This information is generally available from the county real property lister. Using up-to-date maps, complete lot sketches and dimensions on the residential and commercial property records. Sketches are desirable for parcels that are not delineated on the maps (refer to the legal descriptions for parcel size and shape) or if maps are not available.

Data Organization

Organizing property records in a logical sequence for office and field operations. Ex: group all property records for one subdivision together and arrange by blocks in numerical sequence. Ex: group rural area records for one section together, then arrange in order beginning with those in the NE NE, then the NW NE, then the SW NE, etc.

Zoning

Using current zoning maps, the zoning of each parcel should be recorded on the property records. Private deed restrictions are also noted on the records.

Review of Building Permits

Review building permits and compare them to the property records for completeness and accuracy. This provides a history of any construction that has taken place on a building.

Collect and Analyze Cost Data

Collect cost data from builders, developers, and property owners. This information can be used to verify the cost schedules in WPAM Vol. 2 and to determine whether adjustments are needed to the local modifiers.

Collect and Analyze Income Data

Contact investors, lending institutions, realtors, and property managers and obtain data to for use in the income approach. Income data can also be obtained from property owners during the listing phase of the assessment process. Data collected and analyzed includes economic rents, typical vacancy rates, typical operating expense ratios, discount rates, and recapture rates. The income and expense data must be sufficient to derive capitalization rates, and accurate estimates of net income to apply the income approach. When valuing income producing properties, all data must be properly documented and adequate records prepared showing the determination of value by the income approach.

Collect and Analyze Sales Data

The assessor must collect and analyze all available sales data for the municipality to apply all three approaches to value. Real estate transfer returns are the primary source of sales information, and are provided to local assessors by DOR. The assessor must verify the data contained on each transfer return to find out if the sale is arm's-length, learn the terms of the sale, and whether the sale price included personal property. After removing non arm's length sales, the assessor can use the remaining data to perform sales analyses.

Analyze sales by dividing into groups that can be compared against one another for valuation purposes. This is known as stratification. The sales should first be stratified by property classification. If there are a large number of sales, it may be possible to further stratify the sales by neighborhood, age, size, etc. Once the sales have been stratified, analyze to separate the amount of attributable to land and improvements; develop unit values for land; measure accrued depreciation by the difference between the cost of replacement new and sale price attributable to improvements; develop a record for the analysis of each sale. Use the sales records at BOR hearings and for future reference. See Chapter 10 for additional information.

The assessor may supplement real estate transfer return data by contacting realtors, lending institutions, and property owners. All sales data should be posted on the property records.

Collection of Neighborhood Data

When performing field work, collect neighborhood data to delineate, ex: a neighborhood is an area exhibiting homogeneity in residential amenities, land use, economic and social trends, and housing characteristics. Each neighborhood should be assigned a neighborhood code and documented on the property record. Apply neighborhood data to determine variations in selling prices due to location. The data should include school district; neighborhood characteristics such as the type (urban, suburban), the predominant use class, whether it is declining, improving, or relatively stable, accessibility to the central business district, shopping centers, housing characteristics, range of selling prices, etc.; and a rating of the relative desirability of the neighborhood.

Collection of Property Data

The data collected on each property should be complete, accurate, and consistent. All information should be collected and recorded on the property records. When making a field viewing, the lister should:

1. Provide identification and explain the purpose of the viewing to the property owner
2. Verify any sales information on the property
3. Check the property address
4. Verify the property classification and zoning
5. Interview the property owner and record all pertinent facts
6. View the interior of the building, recording physical data
7. Measure and view the exterior of the building recording the story height and dimensions
8. Sketch (top view) the improvement showing all additions and porches
9. Select the proper quality and grade of the improvements consistent with the cost manual
10. Record site characteristics
11. Review the property record for completeness and accuracy
12. Record the date of viewing on the property record

When the listing is performed by the assessor the observed condition and “percent good” determination for the improvements can also be determined when collecting property data. After the field viewing is completed, the information is applied for calculation of area and cost computations.

In those cases where the assessor or lister is unable to find the property owner at home, a “call back” form should be left at the property. The form should not be left in the mailbox since this is a violation of postal regulations. A call back is simply a form stating the purpose of the viewing, with a phone number and person to contact to arrange an appointment for the assessor to view the property.

In those cases where the assessor is unable to gain entry to a property, list and value the improvement according to the best information available. See Chapter 9, Data Collection section, for further discussion on collection of next best information.

Land Valuation

Agricultural land is assessed at its agricultural use-value. DOR provides assessors with agricultural land values on an annual basis. See Chapter 14 for additional information.

Use aerial photographs and soil surveys with field viewings to classify undeveloped and forest lands. Prepare overlays to show ownership lines, acreages, land classification and unit values for each parcel. Record land classification and grading on the property record.

Basic unit values for residential and commercial lands are derived from an analysis of sales, rents, leases, and other available market data. In the analysis of market data, adequate records should be prepared showing the data collected and unit value determinations. Once unit values have been determined, they are applied to each parcel with adjustments made as necessary to account for the particular characteristics of the site. Land computations should be shown for each parcel on the property records.

Mobile Homes

In municipalities without a mobile home ordinance under sec. 66.0435, Wis. Stats., the assessor must determine if mobile homes are either taxable real property, or exempt. In municipalities with a mobile home ordinance, the assessor must determine the market value of each mobile home against which the prior year's net tax rate is applied to arrive at the monthly parking fee. The mobile home values, however, are not entered in the assessment roll since mobile homes subject to an ordinance are exempt from the general property tax.

Use a mobile home listing form and document the physical features when valuing mobile homes. Collect the following information on each mobile home includes: manufacturer, model, serial number, size, age, appearance, condition, number of rooms, foundation, siding, type of heat, utilities, any additions such as patios, porches, skirting, etc., and any extras such as air conditioning, fireplaces, basement, etc. Check a price manual for information on the resale value. Contact mobile home dealers for current cost. Where there have been mobile home sales, prepare a sales analysis to study the local market and compare with the cost approach.

Approaches to Value

The assessor must analyze the data collected on each property and consider the factors influencing the value of each property compared to others, then process the data into a value by using the cost, income, and sales approaches (as applicable) to value.

The assessor must determine the value according to sec. 70.32(1), Wis. Stats., by first considering "any recent arm's-length sales of the [subject] property to be assessed if according to acceptable appraisal practices those sales conform to recent arm's-length sales of reasonably comparable property." If no recent sales of the subject property exist, then the assessor must consider "recent arm's-length sale of reasonably comparable property." If no recent sales of the subject property and no recent sales of comparable property exist, then the assessor must consider "all factors that, according to professionally acceptable appraisal practices, affect the value of the property to be assessed."

Final Review

After determining initial value estimates, review each property record and value estimate. This is done to verify (1) data accuracy, (2) replacement costs, and (3) the overall condition, desirability, and usefulness of each improvement for the depreciation estimates. When appropriate, net income should be capitalized into an indication of value to determine the loss of value attributable to functional and economic obsolescence. The depreciated improvement value is then added to the land value, and the total property value is reviewed against sales data for comparable properties to be certain that it is reasonable, and against the assessments of other properties to assure equity between properties. Where a determination of value has been made using the income approach, review the value estimate for the proper correlation between the cost, market, and income approaches. A final review is important for any revaluation. It helps to eliminate computations errors, ensure uniformity in record and form completion by various personnel, and to confirm correct listing and valuation of all land and improvements.

Measurement Assessment Performance

Once assessments are estimated for each property, complete an assessment/sales analysis to determine if equitable and at full value. See Chapter 10 for analysis processes.

Completion of Assessment Roll

After the assessments have been reviewed in the field, and any necessary changes have been made, the assessor completes the assessment roll. The class code, acreage, and assessment for each parcel are entered in the appropriate section of the roll. Following the Open Book period, any additional changes that have been made in the assessments are recorded in the assessment roll, each page of the assessment roll is totaled and the assessment roll summary is completed. When the assessment roll is turned over to the clerk the assessor completes the assessor's affidavit and signs the roll. See Chapter 7 for additional assessment roll information.

Report to DOR

The expert help is responsible for completing the Municipal Assessment Report (MAR) (PR-001) when completing a revaluation. If the local assessor performs the revaluation, the assessor continues to be responsible for submitting the MAR to DOR by the second Monday in June. If the revaluation is not complete by the second Monday in June, submit an estimated MAR. The MAR includes increases in valuation due to annexations, new construction, property formerly exempt and now assessed, losses in value due to annexation, demolitions, and property becoming exempt.

Assessment Notices

Distribute Notices of Changed Assessment (PR-301) upon completion and review of the assessments. Under sec. 70.365, Wis. Stats., these notices must be mailed at least 15 days prior to BOR, except for any year that the taxation district conducts a revaluation under sec. 70.05, Wis. Stats., the notices shall be sent at least 30 days before BOR. **Note:** state law requires a 7-day period between Open Book and BOR. Sec. 70.47(1), Wis. Stats., states in pertinent part: *The board of review shall meet annually at any time during the 45-day period beginning on the 4th Monday of April, but no sooner than 7 days after the last day on which the assessment roll is open for examination under s. 70.45.* This is done for the convenience of taxpayers so they have time to review their assessments and make arrangements to contact the assessor during the Open Book period. DOR prescribes the notice under sec. 70.365, Wis. Stats., which must include the dates and times for Open Book and BOR.

Open Book Period

The Open Book period is an informal time that is held for property owners to review the assessment roll and discuss assessments with the assessor or expert help, learn how they were derived, and compare their assessments with others. DOR's Standard Specifications and contract forms specify that an Open Book conference must be held by expert help when a revaluation is conducted under secs. 70.055 or 70.75, Wis. Stats. The contacts with property owners during Open Book may occur over the phone, through virtual meeting or in person at the municipality. The assessor should accommodate property owner requests for in person meetings. These property owner contacts are prior to turning the assessment roll over to the BOR and allow the assessor to resolve problems and correct any errors that are discovered, thus decreasing the number of formal objections presented to the BOR.

After the Open Book period is complete, the assessment roll is completed, signed by the appropriate person(s), and turned over to the clerk.

Completion Date for a Revaluation

The completion date for a revaluation or a reassessment will vary depending on the size of the municipality, types of properties, number of staff, quality of maps, accuracy of legal descriptions, and other factors. It is not uncommon for the completion date to extend beyond the statutory meeting date for the BOR. However, the completion date should not extend beyond the normal time for extending the tax rolls and collecting taxes.

Board of Review

When a revaluation extends beyond the statutory meeting date for the BOR, the BOR must still meet during the 45-day period beginning on the fourth Monday of April. However, at that time it would adjourn to the date when it is anticipated the assessment roll will be completed. The clerk must post written notice on the outer door of the place of meeting, stating the date and time to which the meeting has been adjourned. If the assessment roll still is not completed on the adjourned meeting date, the BOR must meet again and adjourn to another date when it is anticipated the roll will be completed. The clerk must again post a written notice on the outer door of the meeting place stating the new date and time to which the meeting has again been adjourned. This procedure must be followed each time the assessment roll is not completed on the adjourned meeting date until the date that the assessment roll is completed. When the assessment roll is finally completed and the BOR meets, it must be in session the hours required by statute for the first meeting of the BOR.

The BOR's powers, duties, and limitations are consistent with any other assessment year and do not change with a revaluation. However, DOR appoints a special Board of Corrections when ordering a reassessment under sec. 70.75(1), Wis. Stats. The Board of Corrections is responsible for the review and correction of the assessments and the regular BOR is relieved of any responsibility. See Chapter 20 for additional information.

Maintenance of the Assessments and Assessment Records

Following a revaluation or a reassessment, it is important that the assessments and the assessment records be properly maintained on an annual basis. See Chapter 4 for additional information.

State Laws to Complete a Revaluation

There are a number of different ways to complete a revaluation or reassessment:

1. The local assessor may complete the revaluation under sec. 70.05(1), Wis. Stats.
2. The municipality may hire one or more assistant assessors under sec. 70.05(2), Wis. Stats., to assist the local assessor with completing a revaluation
3. DOR may order special supervision under sec. 70.05(5), Wis. Stats.
4. The municipality may hire expert help under sec. 70.055, Wis. Stats.
5. DOR may receive a petition and order a reassessment under sec. 70.75, Wis. Stats.

Note: state law requires use of DOR's prescribed Standard Specifications and contract forms for a reassessment under sec. 70.75, Wis. Stats., and a revaluation under sec. 70.055, Wis. Stats. See pages 28-40 of the Property Assessment Process Guide for Municipal Officials.

Sec. 70.05(1), Wis. Stats., Local Assessor

It is not necessary that the municipality hire expert help under sec. 70.055, Wis. Stats., or assistant assessors under sec. 70.05(2), Wis. Stats., to perform a revaluation. In some cases the municipality may need a revaluation and have the assessor complete the work. In municipalities with a full-time assessor, this may require hiring additional staff. Where the assessor is a part-time position, it may require that the position be made full-time to complete the revaluation, and may require additional staff.

Staffing needs will be dependent on the amount of work and the revaluation timeframe. See Chapter 3 for additional information.

Sec. 70.05(2), Wis. Stats., Assistant Assessor

Many municipalities hire expert help under sec. 70.05(2), Wis. Stats., to perform a revaluation while acting in the official capacity of assistant assessor. In such cases, most of the assessment work is performed by the expert help as under sec. 70.055, Wis. Stats.; however, the municipal assessor is responsible for the assessment.

When a revaluation is conducted under sec. 70.05(2), Wis. Stats., the law does not require the municipality to use DOR's Standard Specifications and contract forms. However, the municipality's contract needs to include the following:

- Scope of the work to be performed, including services to be provided by the expert help, local assessor, and municipality
- Number and type of properties to be valued; the availability of existing records; the correction of legal descriptions
- Whether mapping services are to be provided
- Type of public relations the expert help must provide
- What standards of performance are required

- Whether the expert help must complete Open Book
- Insurance and bonding requirements for the expert help
- When work begins and ends
- Compensation process and timing
- Turnover of records upon completion of the project; and any other areas that the municipality feels are important and will help to ensure a good revaluation.

Note: DOR's Standard Specifications and contract forms include these items, use is recommended though not required by state law.

Clear contract specifications for a revaluation allow for a competitive bidding process on the same criteria. In addition, problems can be avoided when parties understand work responsibilities and timing prior to beginning the revaluation.

Once the municipality finalizes a contract, bids should be solicited from certified expert help. Based upon the bids received, the municipality selects the assistant assessor to work with the local assessor in performing the revaluation. The same factors considered when hiring expert help under sec. 70.055, Wis. Stats., are considered when hiring an assistant assessors under sec. 70.05(2), Wis. Stats.

While the assistant assessors help complete the assessment work, the assessor is responsible for the assessments under state law. The assessor must continually review the assistant assessor's work data collection, land classification, sales analyses, values, manual usage, computations, and documentation, as discussed previously. Continual involvement is important for the assessor's ability to sign the assessment roll's assessor's affidavit.

Note: it is possible that the assessor and assistant assessors may have different opinions on methods and the assessments themselves, resulting in the assessor’s refusal to sign the assessment roll's assessor's affidavit. Should this occur, defense of the assessments then becomes the responsibility of the municipality (see *Bass* v. *Fond du Lac County*, 60 Wis. 516, 19 N.W. 526 (1884)). The court found that absence of the assessor’s signature on the assessment roll is evidence of the inequality or injustice of the assessment, and shifts the burden of proving it equitable and just to the municipality.

Sec. 70.05(5), Wis. Stats., DOR Special Supervision Order

Under sec. 70.05(5)(d),Wis. Stats., the assessed value of each major class of property must be within 10% of the full value of the same major class of property, in the same year, at least once in the five-year period consisting of the current year and the four previous years. Full value is defined as the total taxable value of each major class of property (excluding manufacturing) as determined by DOR. Major class of property means any class of property, except Agricultural, that includes more than 10% of the non-manufacturing full value of the taxation district. For purposes of this law, Undeveloped Land, Agricultural Forest, Productive Forest, and Other (classes 5, 5m, 6 and 7) are treated together as one class. Agricultural land, by statute, is not considered a major class.

If DOR determines that the assessed value to full value of each major class of property (excluding manufacturing) has not been established within 10% of each other, in the **same**

year, at least once in the four-year period consisting of the current year and the three previous years, DOR will notify the clerk of the district. DOR's official notification will be in writing and mailed to the clerk on/or before November 1 of the year of determination.

If DOR determines that the taxation district remains out of compliance in the five-year period consisting of the current year and the four previous years, DOR will issue a second and final Notice of Non-compliance, on or before November 1 of the year of determination.

If, in the next year (the sixth year out of compliance), the assessed value of each major class of property is not within 10% of the full value of the same major class of property, DOR will order special supervision of the subsequent year's assessment under sec. 70.75(3), Wis. Stats. Special supervision under sec. 70.05, Wis. Stats., does not require a public hearing to gather information. All DOR costs in connection with special supervision are billed to the taxation district.

Sec. 70.055, Wis. Stats., Expert Help

A revaluation is conducted under sec. 70.055, Wis. Stats., when the governing body determines it is in the public interest to employ expert help and establish assessments in compliance with the law. The governing body initiates action under sec. 70.055, Wis. Stats., by passing an Expert Assessment Resolution (PR-203). DOR provides revaluation resources (DOR's prescribed Standard Specifications, contract forms, list of certified expert help) to assist the governing body.

The municipality completes the following portions of DOR's Standard Specifications and contract forms for soliciting revaluation bids:

1. Name of the district to be revalued
2. Year of the revaluation
3. Parcel count
4. Completion date for the revaluation
5. Number of days for Open Book conferences
   Note: state law requires a 7-day period between Open Book and BOR. Sec. 70.47(1), Wis. Stats., states in pertinent part: *The board of review shall meet annually at any time during the 45-day period beginning on the 4th Monday of April, but no sooner than 7 days after the last day on which the assessment roll is open for examination under s. 70.45.,*
6. Individual to whom the bids are to be submitted
7. Date that the bids will be opened and an appraiser selected

Expert appraisers with DOR assessor certification at the appropriate level may submit proposals on the standard contract forms. These proposals are returned to the governing body who selects the expert help.

Selecting Expert Help

When selecting expert help to perform a revaluation, the municipality should consider the amount of the bid and the qualifications and experience of the person or firm. The lowest bid may not always be the person or firm with the best qualifications and experience. Municipalities should analyze the terms of the base compensation, amount charged for the assessment of additional parcels, charges for BOR meetings, etc. The municipality should request a list of municipalities where the person or firm has performed revaluations, contact each to learn about the quality of the work. Past revaluation experience is an important factor for the municipality to consider when selecting the person or firm. The municipality must also consider the ability of the expert help's available personnel to complete the revaluation accurately, completely and within the project timeline. After considering all of these factors, the municipality selects an individual or firm that it feels is capable of completing the revaluation in a timely and equitable manner. The person or firm hired must have a current DOR assessor certification at the appropriate level.

Prior to beginning work, the expert help must file an oath of office with the municipal clerk, under sec. 19.01, Wis. Stats. The expert help must also file a list of all personnel performing work and the type of work (excluding clerical staff). With the exception of clerical staff, all personnel must also have a current DOR assessor certification at the appropriate level.

Responsibilities of the Local Assessor

With the execution of the contract, an assessment board is created which includes expert help and the local assessor. For the term of the contract, the expert help has the same powers and duties as the local assessor. However, state law identifies the local assessor as jointly responsible for the assessment. Sec. 70.055, Wis. Stats., states in part, "when so appointed, such expert help, together with the assessor, shall act as an assessment board in exercising the powers and duties of the assessor during such employment, and the concurrence of a majority of such board shall be necessary to determine any matter upon which they are required to act …"

The local assessor should regularly meet with expert help to monitor the quantity and quality of the work throughout the revaluation. Specific areas for review include:

- **Data collection:** review the property records and verify the data collected. Complete, accurate, and consistent data must be collected on each property to determine accurate assessments.
- **Land classification:** review land classification and grading, confirm with field visits
- **Sales analysis:** review the sales analysis documentation and how the sales were used in estimating full value assessments. All sales must be analyzed to determine (1) usable sales (2) the amount attributable to land and improvements (3) unit values for land, (4) depreciation for improvements, etc.
- **Values**: review land unit values. There should be a range of values for each land unit because of the wide range of desirability, productivity, and use of land. Statistical data on land values can be obtained from the DOR district offices, and should be used to check the unit values. Once the assessments for both vacant and improved properties have been completed, they should be compared against the assessments of similar properties for equity, and against recent comparable sales to determine if they reflect the market. In areas where there are sufficient sales, dispersion studies should be performed to measure assessment performance. See Chapter 10 for more information.
- **Manual use**: review the records to confirm residential and agricultural properties have been listed using WPAM Vol. 2, with proper base costs and local modifiers. Review market adjustments, confirm justified and documented on the property records.
- **Computations**: the pricing of the records should be checked for errors in computation and pricing procedures.
- **Documentation**: there should be adequate documentation to show how the assessments were derived. This will greatly aid the assessor in maintaining the assessments in subsequent years. Documentation should be provided for all data used in the income

approach, such as rental data, operating statements, and derivation of capitalization rates; unit values for land; depth factor tables, justification for the local modifiers, and all sales analyses performed for vacant and improved properties.

Any problems or errors that are found in any of these areas should be discussed with the expert help so they can be resolved before completion of the project.

The situation may occur where the assessor and expert help have differing opinions regarding work methods, valuation procedures, and the final value estimates. This can be a problem since the law requires that the concurrence of a majority of the assessment board is necessary to determine any matter upon which they are required to act. If it becomes apparent that this will be a problem throughout the revaluation, the governing body may request that a DOR employee be designated to serve as a member of the assessment board along with the assessor and expert help. All three parties then become responsible for the assessments and as such, would sign the assessment roll. If no members of the assessment board are willing to sign the roll, signature by a majority of the board would still constitute a legal assessment roll.

In summary, the local assessor maintains responsibilities during a revaluation; therefore, the municipality must still have an assessor even though the expert help completes the assessment work. The municipality may not hire expert help, under sec. 70.055, Wis. Stats., to serve in the dual capacity of expert help and assessor. The dual capacity would constitute a conflict of interest that could jeopardize the validity of the entire assessment.

Municipality's Role

A municipality has the following obligations when hiring expert help and using DOR's Standard Specifications and contract forms:

1. Office space: municipality shall furnish adequate office space at no cost in or near the municipal hall. Office space shall include desks, tables, chairs, file cabinets, heating, lighting, and janitorial services but shall not include office machinery and equipment.
2. Access to records: municipality shall allow access and make available municipal records such as, but not limited to, previous assessment rolls and records, sewer and water layouts, building permits, tax records, records of special assessments, plats, and any other maps currently in the possession of the municipality, at no cost
3. Property identifications: to furnish the name and address of the owner and the block and lot number, size or other identifying description of each parcel to be appraised; such information to be placed on property record cards or on adhesive backed labels by the municipality
4. Provision of forms: municipality shall provide approved forms, binders, record cards, adhesive backed labels, assessment notice forms prescribed by DOR as required under sec. 70.365, Wis. Stats., and other materials as necessary for the completion of the revaluation
5. Maps: the municipality shall furnish two (2) sets of all plat maps, section maps, and any other maps currently in the possession of the municipality, to the appraiser, at no cost
6. Notices for new assessments: to furnish the name and correct address if known, to the appraiser for notices to be sent on the assessed values
7. Assessor’s duties: the municipal assessor shall
   - Value mobile homes subject to the monthly mobile home parking permit fee and other duties specified in sec. 66.0435, Wis. Stats., where necessary

8. Miscellaneous general agreements
   - That the necessary funds are available and will be provided by the municipality as agreed herein and in the standard contract
   - Municipal governing body shall refrain from interfering with, or influencing any value estimate by the assessment board
   - Municipality shall aid the appraiser in a reasonable promotion of public information concerning the work under this agreement

Payment of the Expert Help

Under the DOR's Standard Specifications and contract forms, the municipality pays the expert help for services performed on a monthly basis. The expert help submits statements to the municipal clerk each month, reflecting the amount of work completed for that month, and the amount due less a 10% retainment. The retainment is held by the municipality and paid to the expert help upon the final adjournment of the BOR, along with any additional compensation for BOR appearances, correction of legal descriptions, assessment of additional parcels, etc., as provided in the contract.

All statements should be reviewed by the clerk for errors in computation, and verified by the assessor to ensure that they accurately reflect work completed. Upon approval of each statement, it should be promptly processed for payment.

Sec. 70.75, Wis. Stats., Reassessment and Supervised Assessment

Under sec. 70.75, Wis. Stats., property owners may petition DOR for reassessment of the taxation district. The basis for the petition must be that the assessments are not in compliance with the law and that it is in the public interest for all property to be reassessed. If, after conducting a public hearing and investigating the assessment situation, DOR finds that the inequities in the assessments are extensive and of a nature to warrant intervention by DOR, it may order either a reassessment under sec. 70.75(1), Wis. Stats., or a supervised assessment under sec. 70.75(3), Wis. Stats. See Chapter 20 for additional information.

A revaluation, reassessment, or supervised assessment will each produce equitable and uniform assessments. However, the term "reassessment" as it relates to sec. 70.75, Wis. Stats., means the actual doing over of the assessment roll. DOR would order a reassessment after an investigation that confirms assessments are not in compliance with the law. DOR would appoint one or more persons to reassess the municipality, preparing a new assessment roll. The roll prepared by the appointed person(s) is a legal substitute for the original assessment roll.

The term "revaluation" usually refers to the hiring of an assistant assessor(s) or expert help to aid in making a new assessment, although the assessor may perform a revaluation without outside assistance. There is no impact to the previous year's assessment roll as compared to a reassessment.

Closely related to the revaluation is a supervised assessment. This is the alternative to a reassessment and is provided for under sec. 70.75(3), Wis. Stats. Under this alternative, DOR, or another appointed by DOR, assists the assessor in making the assessment for a year following the year of the assessment petition. The effect of a supervised assessment is essentially the same as a revaluation under sec. 70.055, Wis. Stats.

DOR selects the expert help to perform the work when ordering a supervised assessment or a reassessment. DOR considers the same factors discussed previously when selecting expert help. The expert help uses DOR's Standard Specifications and contract forms for work under secs. 70.75(1) and 70.75(3), Wis. Stats. Should extenuating circumstances exist, such as the unavailability or unwillingness of expert help to complete the work, DOR can be appointed to perform the assessments.

Involvement of DOR

A difference between sec. 70.75, Wis. Stats., and secs. 70.055 and 70.05(2), Wis. Stats., is DOR's involvement. A municipality has no authority over the assessment process when a reassessment is performed under sec. 70.75(1), Wis. Stats. DOR solicits contract proposals and hires expert help. DOR supervisors all work performed by the expert help. In addition, DOR appoints a special three-person Board of Corrections to replace the local BOR. This board is responsible for examining the assessment roll prepared by the expert help, and reviewing and correcting the assessments in the same manner as a BOR. All costs incurred by DOR, including supervision and payment of the expert help, are billed to the municipality when the project is completed.

When a supervised assessment is conducted under sec. 70.75(3), Wis. Stats., the local assessor is a member of the assessment board, along with the expert help, and a DOR designee. While DOR supervises the assessments, the local assessor, as a member of the assessment board, should be aware of the revaluation and the procedures used in performing the assessments. The assessor is also responsible for valuing mobile homes subject to the monthly mobile home parking permit fee. When a supervised assessment is performed, the local BOR has the same powers, duties, and limitations as in any ordinary assessment year. In summary, a supervised assessment is similar to a revaluation under sec. 70.055, Wis. Stats., with the exception of DOR's selection, payment, and supervision of the expert help.