

June

STATE BOARD OF ASSESSORS
NOTICE OF DETERMINATION

COPY

PARKER HANNIFIN, PETITIONER
APPEAL NO. 81-024-REO-15
STATE IDENTIFICATION NO. 81-36-251-R-000025146

VS

WISCONSIN DEPARTMENT OF REVENUE, RESPONDENT

RECEIVED

TO:
PARKER HANNIFIN
6035 PARKLAND BLVD
CLEVELAND OH 44124-4186

AND:
JENNIFER HUDON-CLERK
C OF MANITOWOC
900 QUAY ST
MANITOWOC WI 54220-4543

APR 4 2016
CITY CLERKS OFFICE

PLEASE TAKE NOTICE that the objection to the 2015 assessment for the above-listed parcel has been reviewed by the State Board of Assessors pursuant to sec. 70.995(8)(a), Wis. Stats., and that this Board has determined that the property in question be assessed as follows:

AGGREGATE RATIO: 1.048202480

	ORIGINAL 2015 FULL VALUE ASSESSMENT	REVISED 2015 FULL VALUE ASSESSMENT	ORIGINAL 2015 EQUATED VALUE ASSESSMENT	REVISED 2015 EQUATED VALUE ASSESSMENT
LAND	\$275,300	\$275,300	\$288,600	\$288,600
IMPROVEMENT	\$4,627,800	\$3,190,600	\$4,850,900	\$3,344,400
TOTAL	\$4,903,100	\$3,465,900	\$5,139,500	\$3,633,000

Interest per sec. 70.511(2)(b), Wis. Stats., is applicable.

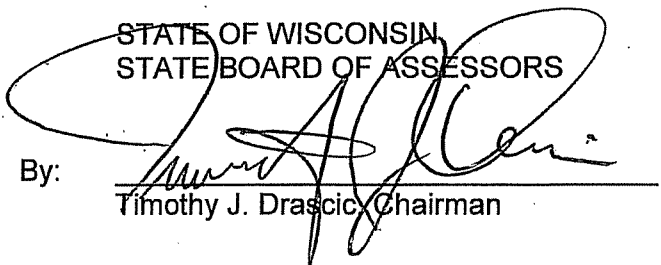
You shall be deemed to have accepted this determination unless you notify the Wisconsin Tax Appeals Commission of your desire to present testimony before that Commission challenging the assessed value here determined. The proper forms may be obtained by writing or calling:

Wisconsin Tax Appeals Commission
5005 University Ave Ste 110
Madison, WI 53705
(608) 266-1391

APPEALS MUST BE FILED WITH THE TAX APPEALS COMMISSION WITHIN 60 DAYS OF THE DATE ON THIS ORDER as set forth in sec. 73.01(5), Wis. Stats.

Dated at Madison, Wisconsin, this 30th day of March 2016.

cc: STEPHANIE NYHUS
DUCHARME MCMILLEN & ASSOC INC
7650 EDINBOROUGH WAY STE 415
EDINA MN 55435-5891
Bonnie Jorstad, WI Tax Appeals Commission
Green Bay Manufacturing & Utility District Office

STATE OF WISCONSIN
STATE BOARD OF ASSESSORS
By: 
Timothy J. Drascic, Chairman

In accordance with sec. 70.995(8)(a), Wis. Stats., determinations made by the Wisconsin State Board of Assessors (BOA) may be appealed by both the taxpayer and the municipality. Appeals must be made to the Wisconsin Tax Appeals Commission within 60 days of the issuance date of the Board of Assessor Determination. The Tax Appeals Commission will contact you after receiving the appeal. If you need to confirm that there is no further appeal, the Tax Appeals Commission contact number is (608) 266-1391.



If an appeal is filed to the BOA, state statutes require you to do the following:

Assessed Value

Municipality

- If the assessed value is **sustained** - no further action is required.
- If the assessed value is **reduced**, after the delivery of the equated assessment roll, change the equated assessment roll value for the appropriate year using the procedure found in sec. 70.48, Wis. Stats.
- If the assessed value is **increased**, after delivery of the equated assessment roll, the Wisconsin Department of Revenue (DOR) will add the value as omitted property on the next year's roll.

Note: When the appeal is ultimately resolved, remove the appeal pending notice from the original equated assessment roll.

Property Tax

Taxpayer

- If the assessed value is **sustained**, no further action; no change in taxes.
- If the assessed value is **reduced**, and your tax bill was based on the reduced assessment, no further action is required.
- If the assessed value is **reduced**, and your tax bill was based on the original assessment, sec. 70.511, Wis. Stats., applies. Send a claim for a refund of excess taxes paid plus interest, by November 1, to the municipal clerk. (If a further appeal produces an additional change, DOR will notify you of that change).
- If the assessed value is **increased**, and your tax bill was based on the original assessment, DOR will send you a Notice of Omitted Property Assessment (during the next assessment year) for the increase, and the municipality will bill you for the additional taxes on the next tax roll.

Municipality

- If the assessed value is **sustained**, no change in taxes.
- If the assessed value is **reduced**, and the tax bill was based on the original assessment, refund the taxes and interest in response to the taxpayer's claim. If the taxpayer files the claim on or before November 1, you must pay the refund by the following January 31. If taxes are refunded, the municipality may proceed under sec. 74.41, Wis. Stats., and file an "Inquiry Related to Rescinded or Refunded Taxes" (Form PC-201) with the DOR. Before you electronically submit Form PC-201 (<http://www.revenue.wi.gov/forms/govtvc/pc-201.pdf>), the amount of the rescinded/ refunded tax must have been \$500 or more **or** your tax district must have accumulated a total of at least \$5,000 of rescinded/refunded taxes which were levied for the same year. Questions regarding Form PC-201 can be emailed to lgs@revenue.wi.gov.
- If the assessed value is **increased**, and the tax bill was based on the original assessment, there is no change in original taxes. DOR will provide you with an Omitted Property Assessment Notice and Roll (with the next equated assessment roll).

Interest

Municipality

- If the assessed value is **reduced**, and the tax bill was based on the original assessment, interest must be paid to the taxpayer per sec. 70.511(2)(b) Wis. Stats., "...Interest on the claim shall be paid to the taxpayer when the claim is paid at the average annual discount rate determined by the last auction of 6-month U.S. treasury bills before the objection per day for the period of time between the time when the tax was due and the date that the claim was paid. If the taxpayer requests a postponement of proceedings before the reviewing authority, interest on the claim shall permanently stop accruing at the date of the request. If the hearing is postponed at the request of the taxpayer, the reviewing authority shall hold a hearing on the appeal within 30 days after the postponement is requested unless the taxpayer agrees to a longer delay. If the reviewing authority postpones the hearing without a request by the taxpayer, interest on the claim shall continue to accrue. No interest may be paid if the reviewing authority determines under s. 70.995(8)(a) that the value of the property was reduced because the taxpayer supplied false or incomplete information...". If the exception applies, it will be noted on the face of this determination.
- Interest rates can be found at the Federal Reserve Board: H.15 Release - Selected Releases and Historical Data (<http://www.federalreserve.gov/releases/h15/data.htm>)

**Property Tax Refund Requests
and the
Chargeback Process**

2014

Wisconsin Department of Revenue
Division of State & Local Finance
Local Government Services Bureau 6-97
PO Box 8971
Madison WI 53708-8971



I. Introduction

This publication addresses a property owner's responsibility to request a refund from the municipality (town, village or city) for taxes paid in error as a result of a delayed determination from a Board of Review (BOR), Board of Assessors (BOA), or a court. It also explains when and how a municipality files a request to chargeback refunded taxes under sec. 74.41, Wis. Stats., with the Department of Revenue (DOR) and request an interest refund from the Department of Administration (DOA).

The table on page 4 details steps, and the timing of those steps, that a property owner and a municipality must take in order to recover and chargeback refunded taxes paid in error as determined by a reviewing authority under sec. 70.511, Wis. Stats.

By October 1 of each year, the municipal clerk may submit to DOR, a PC-201 (Request for Charge Back of Rescinded or Refunded Taxes) form for those general property taxes on the tax roll that meet at least one of the following:

- Have been refunded to taxpayers under sec. 70.511, Wis. Stats.
- Have been rescinded or refunded to taxpayers under sec. 74.33, Wis. Stats.
- Have been refunded or collected under sec. 70.43, Wis. Stats.
- Have been rescinded or refunded to taxpayers under sections 70.74 or 75.25(2), Wis. Stats.
- Have been refunded to taxpayers under sections 74.35 or 74.37, Wis. Stats.
- Have been corrected under sec. 70.73(1m), Wis. Stats.

And:

- The total of all chargeback requests that will be submitted equals at least \$5,000 per tax year, or
- The tax to be charged back for any single description for any one year is \$500 or more.

Form PC-201 must be electronically filed on the DOR website at:

<http://www.revenue.wi.gov/forms/govtvc/index.html>

II. DOR Determination

In response to a chargeback submission, DOR determines the amount of change, if any, in the equalized value of the taxation district. If DOR determines that the equalized value of the taxation district is changed, DOR shall do one of the following:

- Adjust the equalized value of the taxation district under sec. 70.57, Wis. Stats., or
- Determine the amount of rescinded or refunded taxes to be charged back to, and collected from, each taxing jurisdiction for which taxes were collected by the municipality, and determine the amount of taxes collected under sec. 74.33, Wis. Stats., to be shared with each taxing jurisdiction for which taxes were collected by the municipality.

The amount determined may not include any interest except on refunds issued under sec. 70.511(2)(b), Wis. Stats., paid for property assessed under sec. 70.995, Wis. Stats., and that is not paid to the municipality by the DOA under sec. 70.511(2)(bm), Wis. Stats.

If the chargeback request is approved – Notice and Payment – sec. 74.41(5), Wis. Stats.

- DOR certifies the chargeback amount to the municipal clerk and notifies each affected taxing jurisdiction by November 15.
- Each taxing jurisdiction shall pay the amount certified to the municipal treasurer by February 15 of the year following the determination.

No effect on the mill rate limits – sec. 74.41(6), Wis. Stats.

- A tax levied by a taxation jurisdiction to fund an amount which the taxing jurisdiction is required to pay shall **not** be considered in determining whether the taxing jurisdiction is in compliance with any statutorily imposed mill rate limit.

If the chargeback request is denied because the change did not affect the equalized value, or the request did not meet the minimum requirement of sec. 74.41, Wis. Stats., the municipality is responsible for the entire refund except for 20 percent of the interest refunded.

Levy limit under sec. 66.0602, Wis. Stats.

- The political subdivision's share of any refund or rescission determined and certified by DOR under sec. 74.41(5), Wis. Stats., is exempt from that subdivision's levy limit. The subdivision's share of refunded/rescinded tax should be entered on page 2 of the levy limit worksheet.

Questions relating to DOR determinations should be directed to your Equalization District office.

III. Delayed Action of Reviewing Authority Under sec. 70.511, Wis. Stats. – Determination Made After Taxes Levied

Section 70.511 (2) (a), Wis. Stats., states: "If the reviewing authority has not made a determination prior to the time of the tax levy with respect to a particular objection to the amount, valuation or taxability of property, the tax levy on the property or person shall be based on the contested assessed value of the property. A tax bill shall be sent to, and paid by, the person subject to the tax levy as though there had been no objection filed, except that the payment shall be considered to be made under protest. The entire tax bill shall be paid when due under s. 74.11, 74.12 or 74.87 even though the reviewing authority has reduced the assessment prior to the time for full payment of the tax billed."

Section 70.511 (2) (b), Wis. Stats., states in part: "If the reviewing authority reduces the value of the property in question, or determines that manufacturing property is exempt, the taxpayer may file a claim for refund of taxes resulting from the reduction in value or determination that the property is exempt. If claim for refund is filed with the clerk of the municipality on or before the November 1 following the decision of the reviewing authority, the claim shall be payable to the taxpayer from the municipality no later than January 31 of the succeeding year. A claim filed after November 1 shall be paid to the taxpayer by the municipality no later than the 2nd January 31 after the claim is filed."

IV. Value to be Used in Setting Tax Rate

If the reviewing authority has not completed its work prior to the time set by a municipality for establishing its current tax rate, the municipality shall use the total value, including contested values, shown in the assessment roll in setting its tax rate.

V. Interest

Under sec. 70.511, Wis. Stats., interest on the claim shall be paid to the taxpayer when the claim is paid at the average annual discount rate determined by the last auction of 6-month U.S. treasury bills before the objection per day for the period of time between the time when the tax was due and the date that the claim was paid. If the taxpayer requests a postponement of proceedings before the reviewing authority, interest on the claim shall permanently stop accruing at the date of the request. If the hearing is postponed at the request of the taxpayer, the reviewing authority shall hold a hearing on the appeal within 30 days after the postponement is requested unless the taxpayer agrees to a longer delay. If the reviewing authority postpones the hearing without a request by the taxpayer, interest on the claim shall continue to accrue. No interest may be paid if the reviewing authority determines under s. 70.995(8)(a) that the value of the property was reduced because the taxpayer supplied false or incomplete information.

VI. Municipality's Request for Refund of Interest Paid to a Manufacturer

If a municipality pays interest to a manufacturing property assessed under sec. 70.995, Wis. Stats., the municipality may request a refund of 20 percent of such interest from DOA under sec. 70.511(2)(b), Wis. Stats. A written notification/request must be sent to DOA no later than July 1 for all such interest payments made in the previous fiscal year. The requests should include the details of the refund including the name of the manufacturer, the amount of taxes refunded, the total amount of interest paid, and the amount of interest to be refunded to the municipality by DOA (20 percent of the total interest). Include a copy of the determination or stipulation agreement. Send the request to:

Department of Administration
101 East Wilson Street – 10th Floor
PO Box 7864
Madison WI 53707-7864

A copy of the request should also be sent to:

Local Government Services Bureau 6-97
Department of Revenue
PO Box 8971
Madison WI 53708-8971

Under sec. 70.511(2)(b), Wis. Stats., DOA shall reimburse a municipality (no later than the 3rd Monday of November) 20 percent of the interest the municipality paid in the previous fiscal year related to taxes refunded for property assessed under sec. 70.995, Wis. Stats.

VII. Submitting a Chargeback Request Under sec. 74.41, Wis. Stats.

When a property assessment is reduced by a reviewing authority, a municipality may either:

- Request (or DOR may initiate) an adjustment under sec. 70.57, Wis. Stats., to the next year's equalized value of the taxation district, which would adjust the district's apportionment of the overlying taxing jurisdiction's levies, or
- Electronically submit Form PC-201 to DOR no later than October 1 at <http://www.revenue.wi.gov/forms/govtvc/index.html>.

Remember, the overpaid taxes must have been refunded, along with all applicable interest, to the property owner prior to the submittal of a chargeback request to DOR. The table located on page 4 of this publication provides an overview of the steps in the process.

VIII. Summary

1. An assessed value is reduced by the BOA or a court after taxes have been levied (i.e., a delayed action under sec. 70.511, Wis. Stats.)
2. Property taxes must be paid by the property owner even if a determination is made before the taxes are due.
3. The property owner must request a refund from the municipality of overpaid taxes.
4. The municipality refunds overpaid taxes and applicable interest to the property owner.
5. The municipality notifies DOA and DOR of their request for reimbursement of 20% of the interest paid to a manufacturer due to an adjustment to the value of property assessed under sec. 70.995, Wis. Stats.
6. The municipality submits Form PC-201: *Request for Charge Back of Rescinded or Refunded Taxes* to DOR no later than October 1.
7. DOR determines by November 15 if the municipality can chargeback the rescinded or refunded taxes to the other taxing jurisdictions and notifies the municipality and each affected taxing jurisdiction of the amount owed.
8. Each taxing jurisdiction must pay the municipal treasurer the amount owed by February 15 of the year following the determination.

Delayed Action of Reviewing Authority Refund of Tax and Interest & Chargeback Process

Property Owner Submits Refund Request to Municipality	Municipality Must Issue Refund By	Option (note 2)	If Refund is Issued to Property Owner	Municipality Requests Interest Refund From DOA (note 3)	Municipality May Submit Chargeback Request to DOR BY	DOR Will Issue Chargeback Determination BY	Taxing Jurisdictions Must Reimburse Municipality BY (note 4)
BY Nov 1 in year determination issued (2014)	January 31 of succeeding year (2015)	1	BEFORE Oct 1 in year of determination (2014)	No later than July 1 of each year	Oct 1 of year of determination (2014)	Nov 15 of that year (2014)	Feb 15 of succeeding year (2015)
AFTER Nov 1 (after Nov 1, 2014 but before Oct (2015)	2 nd January 31 of the succeeding year (2016)	2	AFTER Oct 1 in year of determination (2014)	No later than July 1 of each year	Oct 1 of the succeeding year (2015)	Nov 15 of that year (2015)	Feb 15 of 2 nd succeeding year (2016)
		3	BEFORE Oct 1 (2015)	No later than July 1 of each year	Oct 1 of that year (2015)	Nov 15 of that year (2015)	Feb 15 of succeeding year (2016)
		4	AFTER Oct 1 (2015)	No later than July 1 of each year	Oct 1 of the succeeding year (2016)	Nov 15 of that year (2016)	Feb 15 of 2 nd succeeding year (2017)

Notes:

- Years listed in this table are for purposes of example only.
- Select option 1 or 2 if the property owner submits a request for refund PRIOR to November 1 in the year the determination is issued. Select option 3 or 4 if the property owner submits a request for refund AFTER November 1 in the year the determination is issued but BEFORE October of the succeeding year.
- This column only applies to interest related to manufacturing property assessed under sec. 70.995, Wis. Stats.
- Only if chargeback is approved.

