

**WISCONSIN ASSOCIATION OF HOMES & SERVICES  
FOR THE AGING**

**PUBLIC POLICY FORUM  
February 18, 2010**

**TO TAX OR NOT TO TAX  
RETIREMENT HOMES FOR THE AGED**

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- I. General Parameters in the New Statute. Wis. Stat. § 70.11(4d). (See Attachment I).
  - A. Criteria for the property to qualify for exemption.
    - 1. Property owned by nonprofit entity.
    - 2. Owner must be benevolent association.
    - 3. Property must be used as a retirement home for aged.
    - 4. Property must not be used for profit.
    - 5. As to individual units, the fair market value of the individual unit (excluding common area) must be less than 130% of the average equalized value of residential improved properties in the county for the previous year.
    - 6. Acreage limits are increased to 30 acres of land necessary for location and convenience of buildings.
    - 7. Common area is exempt if at least 50% of the retirement home's units are exempt.
  - B. The requirement that income be used solely for maintenance of the property or construction debt retirement no longer applies.
  - C. Nursing homes and assisted living facilities licensed under Wis. Stat. Ch. 50 are evaluated separately for exemption and have their own 10 acre limitation. *See* Wis. Stat. § 70.11(4).
- II. Property Owned by a Nonprofit Entity.
  - A. The entity must be qualified as a nonprofit, tax exempt entity. Generally, the entity will be qualified for tax exemption under the Internal Revenue Code § 501(c).
  - B. Property owned by a single member limited liability company whose member is a § 501(c) entity should have the same status as its member.
- III. Property Used for Nonprofit Purposes.
  - A. The property must be used for the tax exempt purpose of the organization.

- B. No potential for the resident to receive a refund of the entrance fee with an incremental value (profit) in excess of the total entrance fee paid.
  - C. Spaces leased to or used by for-profit entities need to be identified and may be taxed.
- IV. Property Used as a Retirement Home for the Aged.
- A. Primary purpose is residential housing for aged individuals.
  - B. Definition of aged – Federal Fair Housing Act is the standard recommended by the Department of Revenue. "Occupancy by at least one person 55 years of age or older per unit." See 42 U.S.C. 3607(b)(2) and Wis. Stat. § 106.50(1m)(m) and (5m)(a).
- V. Owner Must Be a Benevolent Association.
- A. The organization must be a benevolent association. The requirements for the use of the property does not include the term "benevolent."
  - B. Supreme Court held: "[t]o help retired persons of moderate means live out their remaining years is 'benevolent' whether or not it is also considered, as we would consider it to be charitable." *Milwaukee Protestant Home v. Milwaukee*, 41 Wis. 2d 284, 300 (1969).
  - C. Section 70.11(4d) has a standard to determine whether persons of moderate means can live at the facility. Moderate means can be measured by looking at the unit's fair market value to determine if unit is exempt.
- VI. Requirement to File Request for Exemption (PR-230) by March 1.
- A. If property was previously taxable or there were changes in ownership or operation of the facility.
  - B. Department of Revenue has advised that PR230 should also be filed if the municipality is verifying all exemptions.
  - C. See Attachment II for a copy of the PR230.

VII. Valuing the Property in General.

- A. Unit valuation under the new law and guidelines is relatively complex because assessors must exclude common areas and land from the valuation if some of the units are taxable.
- B. Units are taxed if they exceed 130% of the county average equalized value.
  - 1. The standard of benevolence and moderate means can be measured by reference to the unit's fair market value.
  - 2. This criterion requires the assessor to establish the value of each individual unit, excluding the value of common areas.
- C. A chart showing the average 2008 equalized value in different municipalities is in Attachment III. An updated table is expected to be released by the Wisconsin Department of Revenue in February 2010.
- D. Whether common areas are exempt depends on the percentage of the number of units that are exempt. If at least 50% of the units are exempt, the common areas are also exempt. If more than 50% of the units are taxable, the common areas are also taxable.
- E. In some situations, whether all or none of the units fall below the 130% benchmark will be apparent based on knowledge of the property values in the municipality. In many cases, the determination will be more difficult.

VIII. Fair Market Value of Units.

- A. Valued without the common areas.
- B. Valuation approach to be used will depend on the facility and should be in accordance with the typical "valuation hierarchy" under Wisconsin law.

IX. Common Areas.

- A. If 50% or more of individual units are exempt:
  - 1. Qualifying individual units are exempt.
  - 2. Common areas are exempt

3. Land up to 30 acres necessary for location and convenience of buildings is exempt.
  - B. If less than 50% of individual units are exempt:
    1. Qualifying individual units are exempt.
    2. Common areas are taxable.
    3. Land is taxable.
- X. Valuation Steps.
  - A. Determine the fair market value of the unit exclusive of "multi-user" and "amenities" common areas. Adjust for "residual common area" by subtracting 20% of value. The result is the fair market value of the unit.
  - B. Determine if the value of the unit is below the 130% benchmark.
  - C. Value land and improvements that are used "for profit," if any. These areas are taxable. *E.g.*, space leased to for-profit salon, bank, etc.
  - D. If more than 50% of the units exceed the 130% benchmark, then add back the value for the three kinds of common areas. These common areas are taxable.
- XI. In Determining the Value of the Property, the Valuation Hierarchy Applies.
  - A. Sale of the subject property retirement home.
  - B. Sale of comparable retirement homes.
  - C. Sale of other comparables (*e.g.*, apartments, adjusted for amenities and differing contractual obligation; condos adjusted for amenities, legal ownership rights and contractual obligations).
  - D. Other.
    1. Cost approach.
    2. Income approach.

XII. Valuation Tips.

- A. To determine if the 50% test for excluding common space is satisfied, evaluate whether you think most units are under the 130% benchmark.
  - 1. Value the most expensive unit first.
  - 2. If the most expensive unit is below the 130% benchmark, all units are exempt and do not value the remaining units. Common areas are also exempt.
  - 3. If the most expensive unit is over the 130% benchmark, value the next most expensive unit and proceed downward.
- B. If you think many or most of the units may be over the 130% benchmark.
  - 1. Value least expensive unit first.
  - 2. Proceed until you reach 50% of the units or until all have been included.

XIII. If Areas are Leased to For-Profit Entities, Those Areas are Taxable.

- A. Value that specific building area.
- B. Add any parking, hallways, elevators and grounds supporting and exclusively used by for profit entity.

XIV. Comparable Sales.

- A. Use comparable senior housing, if available.
- B. Choose comparables without amenities (*e.g.*, pool, tennis court, etc.).
- C. If none available, use marketplace to value retirement home amenities and remove the value of common areas. Need a credible estimate of value to exclude amenity common areas from analysis.

- D. Identify Three Types of Common Areas.
1. Multiple user common areas.
    - (a) Shared with other exempt entities and may be shared with nonexempt entities.
    - (b) *E.g.*, community room, dining room activities or gathering rooms.
  2. Amenities common areas.
    - (a) Only used by retirement home residents.
    - (b) *E.g.*, swimming pool, clubhouse, fitness center.
  3. Residual space. Guideline from Wisconsin Department of Revenue is that residual common area contributes 20% of the unit's market value.
    - (a) Normal building spaces.
    - (b) *E.g.*, halls, entryways, elevator.

XV. Income Approach.

- A. Most retirement homes are best compared to more typical apartment rental situations, although the Department of Revenue has suggested that condos may be used in limited circumstances.
- B. Use rental income and expenses of similar apartment complexes without similar amenities to exclude the value of common areas.
- C. Other Information.
  1. Comparable apartment rentals.
  2. Actual cash flow.
    - (a) Entrance fee or endowment amount.
    - (b) Entrance fees retained by the organization.
    - (c) Monthly fee related to use of the unit (proxy for rent).

- (d) Less actual expenses of the organization related to operation of retirement home and unique services (*e.g.*, payment or subsidization of care/services).

XVI. Other Valuation Issues.

- A. Unique appraisal problem: Assessor must remove the value of common areas. If available, it is best to use comparable sales of properties with minimal/no common area.
- B. Retirement home sales will have a different mix of senior housing and licensed facilities and variations of common areas.
- C. Use of actual retirement home residents' payments may include variety of fees and costs of services.
- D. Fee structures vary significantly from organization to organization.

XVII. Requests From the Assessor.

- A. Request for Exemption (Form PR230), if applicable, is due no later than March 1, 2010. *See* Attachment II.
- B. Request for income and expense information and other valuation data. See examples of letters from assessors at Attachments IV and V. Respond with caution!
  - 1. Retirement homes that are entirely or mostly tax-exempt should carefully evaluate an assessor's request for information, especially if they receive a request for an appraisal from the assessor.
  - 2. Retirement homes that are mostly taxable should focus on maintaining the lowest assessed value possible. The retirement home may need to make business decisions on how to fund the tax. For example, if the organization chooses to have the tax flow through to residents, need to confirm that the residents' contracts allow for a flow through.

# **ATTACHMENT I**

**70.105 PROPERTY TAXES**

(d) The owner of the property conveyed under threat of condemnation or by condemnation shall have been the owner of such property for at least 5 years prior to such conveyance.

(e) The property, which is acquired by the owner and for which an assessment freeze is sought, shall be used for the same general purposes as was the property conveyed or transferred either under threat of condemnation or by condemnation.

(f) The land acquired by the owner and for which an assessment freeze is sought shall not be less than 30,000 square feet in area or in the alternative, the improvements or structures located on the land shall not be less than 200,000 cubic feet in volume. The period of the assessment freeze shall not exceed 5 years from the year in which it is first granted. The maximum amount of the assessment freeze allowed shall not be greater than 50 per cent of the assessment of the property acquired and for which an assessment freeze is sought which would have been made by the assessor or the commissioner of taxation, as the case may be, had no assessment freeze been granted. In no event shall the assessment under such assessment freeze be less than the amount of the assessment of the property conveyed under threat of condemnation or by condemnation.

(g) The assessment freeze granted shall terminate in the first year of assessment following conveyance of said real property by the owner.

(h) Such other conditions may be set forth in the ordinance as the local legislative body determines.

(i) The improvements on the land acquired by the owner shall be new or the aggregate amount of such improvements made to existing structures shall be in excess of the assessment on the improvements on the real estate which was conveyed by the owner under threat of condemnation or by condemnation.

(j) In applying the provisions of this section real property functionally related to the real property conveyed under threat of condemnation or by condemnation shall be deemed an integral part of the property conveyed for the purposes of determining the assessment freeze.

(k) This section shall be applicable independent of whether the real property is conveyed under threat of condemnation or condemnation or whether an easement is granted for the purposes set forth in par. (a) 3. in lieu of condemnation.

**(4) FINDINGS AND CERTIFICATION.** The local assessor or the commissioner of assessments in such municipality shall, upon application by an owner seeking an assessment freeze, make a thorough investigation to ascertain whether such application meets the requirements of the ordinance enacted by the local legislative body. The assessor or commissioner of assessments, as the case may be, shall make findings to demonstrate that such application complies with the ordinance and shall submit a certification together with the assessor's or commissioner's findings to the local legislative body for approval. If the local legislative body determines from the commissioner of assessments' certification that an assessment freeze shall operate, the local legislative body shall by resolution provide for such assessment freeze. The local legislative body shall specify the period when such assessment freeze shall commence to operate and when new construction or remodeling of existing structures is required, shall specify the time within which such construction or remodeling shall be completed and the commencement date of the assessment freeze.

History: 1991 a. 156, 316; 1993 a. 112; 1999 a. 150 s. 672.

**70.109 Presumption of taxability.** Exemptions under this chapter shall be strictly construed in every instance with a presumption that the property in question is taxable, and the burden of proof is on the person who claims the exemption.

History: 1997 a. 237.

Exemption from payment of taxes is an act of legislative grace; the party seeking the exemption bears the burden of proving entitlement. Exemptions are only allowed to the extent the plain language of a statute permits. For tax exemptions to be valid they must be clear and express, and not extended by implication. In construing tax exemptions, courts apply a strict but reasonable construction resolving any doubts

regarding the exemption in favor of taxability. *United Rentals, Inc. v. City of Madison*, 2007 WI App 131, 302 Wis. 2d 245, 733 N.W.2d 322, 05–1440.

**70.11 Property exempted from taxation.** The property described in this section is exempted from general property taxes if the property is exempt under sub. (1), (2), (18), (21), (27) or (30); if it was exempt for the previous year and its use, occupancy or ownership did not change in a way that makes it taxable; if the property was taxable for the previous year, the use, occupancy or ownership of the property changed in a way that makes it exempt and its owner, on or before March 1, files with the assessor of the taxation district where the property is located a form that the department of revenue prescribes or if the property did not exist in the previous year and its owner, on or before March 1, files with the assessor of the taxation district where the property is located a form that the department of revenue prescribes. Except as provided in subs. (3m) (c), (4) (b), (4a) (f), and (4d), leasing a part of the property described in this section does not render it taxable if the lessor uses all of the leasehold income for maintenance of the leased property or construction debt retirement of the leased property, or both, and, except for residential housing, if the lessee would be exempt from taxation under this chapter if it owned the property. Any lessor who claims that leased property is exempt from taxation under this chapter shall, upon request by the tax assessor, provide records relating to the lessor's use of the income from the leased property. Property exempted from general property taxes is:

**(1) PROPERTY OF THE STATE.** Property owned by this state except land contracted to be sold by the state. This exemption shall not apply to land conveyed after September, 1933, to this state or for its benefit while the grantor or others for the grantor's benefit are permitted to occupy the land or part thereof in consideration for the conveyance; nor shall it apply to land devised to the state or for its benefit while another person is permitted by the will to occupy the land or part thereof. This exemption shall not apply to any property acquired by the department of veterans affairs under s. 45.32 (5) and (7) or to the property of insurers undergoing rehabilitation or liquidation under ch. 645. Property exempt under this subsection includes general property owned by the state and leased to a private, nonprofit corporation that operates an Olympic ice training center, regardless of the use of the leasehold income.

**(2) MUNICIPAL PROPERTY AND PROPERTY OF CERTAIN DISTRICTS, EXCEPTION.** Property owned by any county, city, village, town, school district, technical college district, public inland lake protection and rehabilitation district, metropolitan sewerage district, municipal water district created under s. 198.22, joint local water authority created under s. 66.0823, transit authority created under s. 59.58 (7) or 66.1039, long-term care district under s. 46.2895 or town sanitary district; lands belonging to cities of any other state used for public parks; land tax-deeded to any county or city before January 2; but any residence located upon property owned by the county for park purposes that is rented out by the county for a nonpark purpose shall not be exempt from taxation. Except as to land acquired under s. 59.84 (2) (d), this exemption shall not apply to land conveyed after August 17, 1961, to any such governmental unit or for its benefit while the grantor or others for his or her benefit are permitted to occupy the land or part thereof in consideration for the conveyance. Leasing the property exempt under this subsection, regardless of the lessee and the use of the leasehold income, does not render that property taxable.

**(2m) PROPERTY LEASED OR SUBLEASED TO SCHOOL DISTRICTS.** All of the property that is owned or leased by a corporation, organization or association that is exempt from federal income taxation under section 501 (c) (3) of the Internal Revenue Code if all of that property is leased or subleased to a school district for no or nominal consideration for use by an educational institution that offers regular courses for 6 months in a year.

**(3) COLLEGES AND UNIVERSITIES.** (a) Grounds of any incorporated college or university, not exceeding 80 acres.

(b) The fact that college or university officers, faculty members, teachers, students or employees live on the grounds does not render them taxable. In addition to the exemption of leased property specified in the introductory phrase of this section, a university or college may also lease property for educational or charitable purposes without making it taxable if it uses the income derived from the lease for charitable purposes.

(c) All buildings, equipment and leasehold interests in lands described in s. 36.06, 1971 stats., and s. 37.02 (3), 1971 stats.

**(3a) BUILDINGS AT THE WISCONSIN VETERANS HOMES.** All buildings, equipment and leasehold interests in lands described in s. 45.03 (5).

**(3m) STUDENT HOUSING FACILITIES.** (a) All real and personal property of a housing facility for which all of the following applies:

1. The facility is owned by a nonprofit organization.

2. At least 90 percent of the facility's residents are students enrolled at the University of Wisconsin–Madison and the facility houses no more than 300 such students.

3. The facility offers support services and outreach programs to its residents, the public or private institution of higher education at which the student residents are enrolled, and the public.

(b) If a nonprofit organization owns more than one housing facility, as described under par. (a), the exemption applies to only one facility, at one location.

(c) Leasing a part of the property described in this subsection does not render it taxable if the lessor uses the leasehold income only for the following:

1. Maintenance of the leased property.

2. Construction debt retirement of the leased property.

3. The purposes for which the exemption under section 501 (c) (3) of the Internal Revenue Code is granted to the nonprofit organization that owns the facility.

**(4) EDUCATIONAL, RELIGIOUS AND BENEVOLENT INSTITUTIONS; WOMEN'S CLUBS; HISTORICAL SOCIETIES; FRATERNITIES; LIBRARIES.** (a) Property owned and used exclusively by educational institutions offering regular courses 6 months in the year; or by churches or religious, educational or benevolent associations, or by a nonprofit entity that is operated as a facility that is licensed, certified, or registered under ch. 50, including benevolent nursing homes but not including an organization that is organized under s. 185.981 or ch. 611, 613 or 614 and that offers a health maintenance organization as defined in s. 609.01 (2) or a limited service health organization as defined in s. 609.01 (3) or an organization that is issued a certificate of authority under ch. 618 and that offers a health maintenance organization or a limited service health organization and not including property owned by any nonstock, nonprofit corporation which services guaranteed student loans for others or on its own account, and also including property owned and used for housing for pastors and their ordained assistants, members of religious orders and communities, and ordained teachers, whether or not contiguous to and a part of other property owned and used by such associations or churches, and also including property described under par. (b); or by women's clubs; or by domestic, incorporated historical societies; or by domestic, incorporated, free public library associations; or by fraternal societies operating under the lodge system (except university, college and high school fraternities and sororities), but not exceeding 10 acres of land necessary for location and convenience of buildings while such property is not used for profit. Property owned by churches or religious associations necessary for location and convenience of buildings, used for educational purposes and not for profit, shall not be subject to the 10-acre limitation but shall be subject to a 30-acre limitation. Property that is exempt from taxation under this subsection and is leased remains exempt from taxation only if, in addition to the requirements specified in the introductory phrase of this section, the lessee does not discriminate on the basis of race.

(b) 1. Leasing a part of property described in par. (a) that is owned and operated by a nonprofit organization as a facility that is licensed, certified, or registered under ch. 50, as residential housing, does not render the property taxable, regardless of how the lessor uses the leasehold income.

2. Leasing a part of property described in par. (a) that is occupied by one or more individuals with permanent disabilities for whom evidence is available that demonstrates that such individuals meet the medical definition of permanent disability used to determine eligibility for programs administered by the federal social security administration, as residential housing, does not render the property taxable, regardless of how the lessor uses the leasehold income.

**(4a) BENEVOLENT LOW-INCOME HOUSING.** (a) Property owned by a nonprofit entity that is a benevolent association and used as low-income housing, including all common areas of a low-income housing project. Property used for a low-income housing project, including other low-income housing projects under common control with such project, and exempt under this subsection may not exceed 30 acres necessary for the location and convenience of buildings or 10 contiguous acres in any one municipality.

(b) For purposes of this subsection, "low-income housing" means any housing project described in sub. (4b) or any residential unit within a low-income housing project that is occupied by a low-income or very low-income person or is vacant and is only available to such persons.

(c) For purposes of this subsection, "low-income housing project" means a residential housing project for which all of the following apply:

1. At least 75 percent of the residential units are occupied by low-income or very low-income persons or are vacant and available only to low-income or very low-income persons.

2. At least one of the following applies:

a. At least 20 percent of the residential units are rented to persons who are very low-income persons or are vacant and are only available to such persons.

b. At least 40 percent of the residential units are rented to persons whose income does not exceed 120 percent of the very low-income limit or are vacant and only available to such persons.

(d) For purposes of this subsection, low-income persons and very low-income persons shall be determined in accordance with the income limits published by the federal department of housing and urban development for low-income and very low-income families under the National Housing Act of 1937.

(e) For purposes of this subsection, all properties included within the same federal department of housing and urban development contract or within the same federal department of agriculture, rural development, contract are considered to be one low-income housing project.

(f) Leasing property that is exempt from taxation under this subsection or sub. (4b) as low-income housing does not render it taxable, regardless of how the leasehold income is used.

(g) 1. Annually, no later than March 1, each person who owns a low-income housing project shall file with the assessor of the taxation district in which the project is located a statement that specifies which units were occupied on January 1 of that year by persons whose income satisfied the income limit requirements under par. (b), as certified by the property owner to the appropriate federal or state agency, and a copy of the federal department of housing and urban development contract or federal department of agriculture, rural development, contract, if applicable.

2. The format and distribution of statements under this paragraph shall be governed by s. 70.09 (3).

3. If the statement required under this paragraph is not received on or before March 1, the taxation district assessor shall send the property owner a notice, by certified mail to the owner's

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last-known address of record, stating that failure to file a statement is subject to the penalties under subd. 5.

4. In addition to the statement under subd. 1., the taxation district assessor may require that a property owner submit other information to prove that the person's property qualifies as low-income housing that is exempt from taxation under this subsection.

5. A person who fails to file a statement within 30 days after notification under subd. 3. shall forfeit \$10 for each succeeding day on which the form is not received by the taxation district assessor, but not more than \$500.

**(4b) HOUSING PROJECTS FINANCED BY HOUSING AND ECONOMIC DEVELOPMENT AUTHORITY.** All property of a housing project that satisfies all of the following:

(a) It is owned by a corporation, organization, or association described in section 501 (c) (3) of the Internal Revenue Code that is exempt from taxation under section 501 (a) of the Internal Revenue Code.

(b) It is financed by the Housing and Economic Development Authority under s. 234.03 (13).

(c) The Housing and Economic Development Authority holds a first-lien mortgage security interest on it.

(d) It is in existence on January 1, 2008.

**(4d) BENEVOLENT RETIREMENT HOMES FOR THE AGED.** Property that is owned by a nonprofit entity that is a benevolent association and used as a retirement home for the aged, but not exceeding 30 acres of land necessary for the location and convenience of buildings, while such property is not used for profit, if the fair market value of the individual dwelling unit, as determined by the assessor for the taxation district in which the property is located, is less than 130 percent of the average equalized value under s. 70.57 of improved parcels of residential property located in the county in which the retirement home for the aged is located in the previous year, as determined by the assessor of the taxation district in which the property is located based on the sum of the average per parcel equalized value of residential land and the average per parcel equalized value of residential improvements, as determined by the department of revenue. For purposes of determining the fair market value of an individual dwelling unit under this subsection, the value of any common area is excluded. The common area of a retirement home for the aged is exempt from general property taxes if 50 percent or more of the home's individual dwelling units are exempt from general property taxes under this subsection. If less than 50 percent of the home's individual dwelling units are exempt from general property taxes under this subsection, the common area of the retirement home for the aged is subject to general property taxes. Leasing a part of property used as a retirement home for the aged, as described in this subsection, does not render it taxable, regardless of how the leasehold income is used.

**(4g) REAL PROPERTY HELD FOR REHABILITATION OR FUTURE CONSTRUCTION AND LATER SALE TO LOW-INCOME PERSONS.** Real property owned by a nonprofit organization if all of the following requirements are fulfilled:

(a) The nonprofit organization holds the property for the purpose of rehabilitating an existing structure or constructing a new structure on the property for sale to low-income persons for use as a personal residence.

(b) The nonprofit organization offers low-income persons loans to purchase the property for which no interest is charged.

(c) The nonprofit organization requires prospective purchasers to participate in the rehabilitation or construction of the property.

(d) The nonprofit organization acquired the property within 3 years before the assessment date.

**(4m) NONPROFIT HOSPITALS.** (a) Real property owned and used and personal property used exclusively for the purposes of any hospital of 10 beds or more devoted primarily to the diagnosis, treatment or care of the sick, injured, or disabled, which hospital

is owned and operated by a corporation, voluntary association, foundation or trust, except an organization that is organized under s. 185.981 or ch. 611, 613 or 614 and that offers a health maintenance organization as defined in s. 609.01 (2) or a limited service health organization as defined in s. 609.01 (3) or an organization that is issued a certificate of authority under ch. 618 and that offers a health maintenance organization or a limited service health organization, no part of the net earnings of which inures to the benefit of any shareholder, member, director or officer, and which hospital is not operated principally for the benefit of or principally as an adjunct of the private practice of a doctor or group of doctors. This exemption does not apply to property used for commercial purposes, as a health and fitness center or as a doctor's office. The exemption for residential property shall be limited to dormitories of 12 or more units which house student nurses enrolled in a state accredited school of nursing affiliated with the hospital.

(b) Real property leased by and used exclusively for the purposes of any hospital that has 10 beds or more, is devoted primarily to the diagnosis, treatment or care of the sick, injured or disabled and is owned and operated by a corporation, voluntary association, foundation or trust, except an organization that is organized under s. 185.981 or ch. 611, 613 or 614 and that offers a health maintenance organization as defined in s. 609.01 (2) or a limited service health organization as defined in s. 609.01 (3) or an organization that is issued a certificate of authority under ch. 618 and that offers a health maintenance organization or a limited service health organization, no part of the net earnings of which inures to the benefit of any shareholder, member, director or officer and is not operated principally for the benefit of or principally as an adjunct to the private practice of a doctor or group of doctors. This exemption applies only to real property leased from a nonprofit organization or nonprofit hospital that is exempt from taxation under this chapter and that uses the income derived from the lease only for maintenance of the leased property or construction debt retirement of the leased property or both. This exemption does not apply to property used for commercial purposes, as a health and fitness center or as a doctor's office.

(c) In this subsection, "health and fitness center" means an establishment the primary purpose of which is to provide recreational services or facilities that are purported to assist patrons in physical exercise, in weight control or in figure development, including but not limited to a health and fitness center, studio, salon or club. In this subsection, "health and fitness center" does not include a facility the primary purpose of which is to provide services or facilities that are primarily a part of a course of rehabilitation or therapy prescribed by a physician or physical therapist to treat a physical injury or dysfunction and that are aimed primarily at patients of the hospital or an affiliated entity and not at the general public and that is located within the physical confines of a hospital.

**(5) AGRICULTURAL FAIRS.** Property owned and used exclusively by any state or county agricultural society, or by any other domestic corporation formed to encourage agricultural and industrial fairs and exhibitions and necessary for fairgrounds or for exhibition and sale of agricultural and dairy property, not exceeding 80 acres. The use of such property for celebrations or as places of amusement shall not render it taxable.

**(6) FIRE COMPANIES.** Property of any fire company used exclusively for its purposes.

**(7) LAND OF MILITARY ORGANIZATIONS.** Land owned by military organizations and used for armories, public parks or monument grounds but not used for private gain.

**(9) MEMORIALS.** All memorial halls and the real estate upon which the same are located, owned and occupied by any organization of United States war veterans organized pursuant to act of congress and domesticated in this state pursuant to the laws of this state, containing permanent memorial tablets with the names of former residents of any given town, village, city or county who lost their lives in the military or naval service of the state or the

# **ATTACHMENT II**







*Note: The following text is an excerpt from Stat., Sec. 70.11. Refer to current Wisconsin Statutes for the complete language or sections applicable to the exemption of property from taxation.*

**70.11 Property exempted from taxation.** The property described in this section is exempted from general property taxes if the property is exempt under sub. (1), (2), (18), (21), (27) or (30); if it was exempt for the previous year and its use, occupancy or ownership did not change in a way that makes it taxable; if the property was taxable for the previous year, the use, occupancy or ownership of the property changed in a way that makes it exempt and its owner, on or before March 1, files with the assessor of the taxation district where the property is located a form that the department of revenue prescribes or if the property did not exist in the previous year and its owner, on or before March 1, files with the assessor of the taxation district where the property is located a form that the department of revenue prescribes. Leasing a part of the property described in this section does not render it taxable if the lessor uses all of the leasehold income for maintenance of the leased property, construction debt retirement of the leased property or both and if the lessee would be exempt from taxation under this chapter if it owned the property. Any lessor who claims that leased property is exempt from taxation under this chapter shall, upon request by the tax assessor provide records relating to the lessor's use of the income from the leased property.

Additional information:

# **ATTACHMENT III**

2008/09 Property Tax Master Data File -- Residential Property Information

AVE 2008 EQUALIZED VALUE OF IMPROVED PARCELS IN THE COUNTY PER 70.11(4d), 2009 WI ACT 28

Data Source:

Code Municipality	Eqv 2008		SOA 2008		Eqv 2008		SOA 2008		2008		2008		130% of Average Value:
	Equalized Value: Residential Land	Land	# Parcels Residential Land	Equalized Value: Residential Improvements	Land	# Parcels Residential Improvements	Average Equalized Value: Land	Average Equalized Value: Improvements	Average Equalized Value: Total	Average Value: Total	Average Value: Total	Average Value: Total	
01999 Adams County	859,434,200	26,460	17,568	1,438,187,500	32,481	81,864	114,345	148,649					
02999 Ashland County	293,885,900	9,608	7,397	589,921,100	30,588	79,751	110,339	143,441					
03999 Barron County	800,275,300	23,682	18,867	2,061,851,900	33,793	109,284	143,077	186,000					
04999 Bayfield County	1,010,229,500	16,408	11,530	1,114,632,000	61,569	96,672	158,241	205,713					
05999 Brown County	2,941,496,300	80,355	73,398	9,745,038,800	36,606	132,770	169,376	220,189					
06999 Buffalo County	76,795,900	6,167	4,911	466,625,700	12,453	95,016	107,469	139,710					
07999 Burnett County	1,072,537,000	20,973	13,793	1,372,637,200	51,139	99,517	150,656	195,853					
08999 Calumet County	525,724,700	17,998	15,902	2,146,587,700	29,210	134,989	164,199	213,459					
09999 Chippewa County	760,943,200	25,635	21,698	2,467,989,400	29,684	113,743	143,427	186,455					
10999 Clark County	157,874,500	12,768	11,079	912,164,000	12,365	82,333	94,698	123,107					
11999 Columbia County	1,027,890,600	23,516	19,662	2,844,625,800	43,710	144,676	188,386	244,902					
12999 Crawford County	126,268,400	7,437	5,784	458,453,300	16,978	79,262	96,240	125,112					
13999 Dane County	9,914,647,300	154,846	142,097	26,444,642,100	64,029	186,103	250,132	325,172					
14999 Dodge County	1,007,629,400	28,808	26,166	3,430,701,100	34,977	131,113	166,090	215,917					
15999 Door County	2,785,488,400	29,090	20,704	3,558,259,500	95,754	171,863	267,617	347,902					
16999 Douglas County	575,509,300	23,685	18,397	1,789,330,700	24,298	97,262	121,560	158,028					
17999 Dun County	305,473,900	14,758	12,433	1,476,964,100	20,699	118,794	139,493	181,341					
18999 Eau Claire County	888,471,300	32,908	29,309	3,543,546,400	26,999	120,903	147,902	192,273					
19999 Florence County	161,071,700	6,625	4,310	302,537,400	24,313	70,194	94,507	122,859					
20999 Fond du Lac County	1,040,220,400	36,415	32,184	3,956,355,600	28,566	122,929	151,495	196,944					
21999 Forest County	416,214,900	11,131	7,736	555,034,500	37,392	71,747	109,139	141,881					
22999 Grant County	286,711,300	16,776	14,450	1,327,742,100	17,091	91,885	108,976	141,669					
23999 Green County	342,191,700	13,094	11,606	1,545,847,300	26,133	133,194	159,327	207,125					
24999 Green Lake County	940,860,200	10,496	8,611	1,086,473,700	89,640	126,173	215,813	280,557					
25999 Iowa County	214,097,600	9,101	7,827	967,000,300	23,525	123,547	147,072	191,194					
26999 Iron County	359,049,200	8,069	5,460	427,243,900	44,497	78,250	122,747	159,571					
27999 Jackson County	118,601,400	9,395	7,630	642,468,800	12,624	84,203	96,827	125,875					
28999 Jefferson County	1,283,129,000	28,457	25,219	3,713,493,300	45,090	147,250	192,340	250,042					
29999 Juneau County	476,731,100	16,543	11,938	1,129,710,100	28,818	94,631	123,449	160,484					
30999 Kenosha County	2,757,900,300	58,416	51,663	8,683,340,700	47,211	168,077	215,288	279,874					
31999 Kewaunee County	190,362,500	8,271	7,390	893,823,100	23,016	120,950	143,966	187,156					
32999 La Crosse County	1,105,294,900	35,828	32,229	4,002,421,200	30,850	124,187	155,037	201,548					
33999 Lafayette County	78,937,300	5,469	4,807	453,145,500	14,434	94,268	108,702	141,313					

2008/09 Property Tax Master Data File -- Residential Property Information

AVE 2008 EQUALIZED VALUE OF IMPROVED PARCELS IN THE COUNTY PER 70.11(4d), 2009 WI ACT 28

Data Source:

Code Municipality	Eqv 2008		SOA 2008		Eqv 2008		SOA 2008		2008		2008		2008	
	Equalized Value:	Residential Land	# Parcels	Residential Land	Equalized Value:	Residential Improvements	# Parcels	Residential Improvements	Average Equalized Value:	Land	Average Equalized Value:	Improvements	Average Equalized Value:	Total
34999 Langlade County	338,295,600		13,389		912,435,200		10,838		25,267		84,189		109,456	142,293
35999 Lincoln County	508,162,800		17,061		1,271,553,700		14,177		29,785		89,691		119,476	155,319
36999 Manitowoc County	704,452,600		32,384		3,203,835,700		29,131		21,753		109,980		131,733	171,253
37999 Marathon County	1,284,409,900		50,054		5,110,621,800		43,442		25,660		117,642		143,302	186,293
38999 Marinette County	672,523,000		34,414		1,890,109,300		25,871		19,542		73,059		92,601	120,381
39999 Marquette County	301,879,800		11,973		914,842,800		9,026		25,213		101,356		126,569	164,540
40999 Milwaukee County	9,050,171,400		248,293		35,883,521,000		243,051		36,450		147,638		184,088	239,314
41999 Monroe County	246,481,000		15,800		1,345,369,700		13,384		15,600		100,521		116,121	150,957
42999 Oconto County	898,017,100		27,651		2,082,306,000		21,570		32,477		96,537		129,014	167,718
43999 Oneida County	2,984,466,100		38,137		3,401,132,600		27,123		78,256		125,397		203,653	264,749
44999 Outagamie County	1,723,726,700		61,239		7,318,795,200		54,742		28,148		133,696		161,844	210,397
45999 Ozaukee County	2,964,631,800		31,133		6,302,155,100		28,803		95,225		218,802		314,027	408,235
46999 Pepin County	68,514,100		3,392		311,115,200		2,822		20,199		110,246		130,445	169,579
47999 Pierce County	653,433,900		14,003		1,991,933,900		12,139		46,664		164,094		210,758	273,985
48999 Polk County	1,194,476,400		26,130		2,787,969,800		20,420		45,713		136,531		182,244	236,917
49999 Portage County	607,980,100		25,437		2,617,958,100		22,073		23,901		118,605		142,506	185,258
50999 Price County	246,277,100		12,312		703,100,700		9,556		20,003		73,577		93,580	121,654
51999 Racine County	2,654,630,800		69,372		9,778,522,300		63,124		38,267		154,910		193,177	251,130
52999 Richland County	105,547,000		6,626		507,167,000		5,870		15,929		86,400		102,329	133,028
53999 Rock County	1,675,180,300		57,782		5,867,063,500		52,671		28,991		111,391		140,382	182,497
54999 Rusk County	246,380,000		10,910		543,075,300		7,579		22,583		71,655		94,238	122,509
55999 St. Croix County	2,019,622,600		33,274		4,863,929,400		27,715		60,697		175,498		236,195	307,054
56999 Sauk County	1,035,995,000		28,606		3,391,090,600		22,485		36,216		150,816		187,032	243,142
57999 Sawyer County	1,664,862,500		19,732		1,509,324,000		13,406		84,374		112,586		196,960	256,048
58999 Shawano County	474,435,000		20,359		1,555,881,800		16,557		23,303		93,971		117,274	152,456
59999 Sheboygan County	1,570,171,500		41,969		5,288,067,700		38,345		37,413		137,908		175,321	227,917
60999 Taylor County	114,465,200		9,518		647,513,500		7,808		12,026		82,929		94,955	123,442
61999 Trempealeau County	151,468,400		11,196		960,669,600		9,427		13,529		101,906		115,435	150,066
62999 Vernon County	171,781,800		11,006		855,757,100		9,262		15,608		92,394		108,002	140,403
63999 Vilas County	3,761,273,100		33,210		3,409,474,900		21,876		113,257		155,855		269,112	349,846
64999 Walworth County	4,626,920,400		51,272		8,381,159,100		41,426		90,243		202,316		292,559	380,327
65999 Washburn County	890,825,600		16,473		1,286,752,200		11,655		54,078		110,403		164,481	213,825
66999 Washington County	3,085,789,700		48,692		8,078,666,300		43,829		63,374		184,322		247,696	322,005



# **ATTACHMENT IV**



## Office of the City Assessor

Room 101  
210 Martin Luther King, Jr. Boulevard  
Madison, Wisconsin 53703-3342  
PH 608 266 4531  
FAX 608 266 4257  
TTY/Textnet 866 704 2340  
[www.cityofmadison.com/assessor](http://www.cityofmadison.com/assessor)

January 28, 2010

With the passing of 2009 Wisconsin Act 28, the property tax exemption for retirement homes for the aged was recreated under Wis. Stat. § 70.11(4d), effective January 1, 2010. This change included new requirements for exemption as a *benevolent retirement home for the aged*. All entities claiming an exemption under this section must file a new Request for Property Tax Exemption for January 1, 2010. I have enclosed one for your convenience. The due date for this form is March 1, 2010.

In addition to the questions asked on the enclosed form, please provide the following:

A list of any privately owned and operated businesses within your property such as beauty shops, food vendors, etc. including the business name and contact information.

A list of all units licensed, certified, or registered under Wis. Stat. Chapter 50. For all units not cover under Chapter 50:

- detail the method of ownership or estate including all endowment fees required
- list the monthly rental or monthly fees required to occupy the unit and services included
- list any additional services offered and the cost of these services

Include a building plan showing the above units if available.

Please submit this information by March 1, 2010.

Michael G. Kurth  
Assistant Assessor  
Commercial and Personal Property  
(608) 266-4530  
[mkurth@cityofmadison.com](mailto:mkurth@cityofmadison.com)

# **ATTACHMENT V**

# CITY

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January 26, 2010

Parcel:  
Parcel Address:

Dear Property Owner:

The Assessor's Office is completing data collection for revaluation of commercial properties. Activities include the physical inspection of properties, many have already been completed, and the collection of income and expense information associated with the real estate. Physical data is essential for completing value estimates using the accepted methods: Replacement Cost, Sales Comparison and Income. Property specific income and expense data is critical for the Income approach. As the owner or manager of income producing property, you are the best source of that data. To insure complete and consistent data, we prepared the enclosed **Commercial Operating Statement**. Please consider the following when completing the form:

- If the property listed on the form is "owner occupied" and does not generate rental income, you need only provide expense data.
- We only need data on the *rental and operation of the land and building, not business income or expenses*.
- If you need additional space or you wish to include support information, please attach it to the form.

**Please complete the appropriate sections of the form by February 12, 2010, and return it to us at:  
Assessor's Office,**

State law and our office recognize the sensitive nature of income and expense data. SS 74.47(af) and City Ordinance both specify that such data is confidential and exempt from distribution under Open Record requests. Exceptions to confidentiality occur if you or your agent discloses the data during an appeal before the Board of Review, at which time the information becomes public record, or by court order.

State Statutes also recognize the importance of income and expense data in the valuation process. Just as the law requires us to maintain information confidential, it also places responsibility with the property owner to provide the data. In the event that you fail to provide the information, you may lose your right to appeal an assessment before the Board of Review:

SS 70.47(7)(af) No person may appear before the board of review, testify to the board by telephone or object to a valuation; if that valuation was made by the assessor or the objector using the income method; unless the person supplies to the assessor all of the information about income and expenses, as specified in the manual under s.73.03 (2a), that the assessor requests....

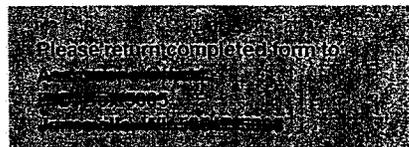
Thank you for responding to our request.

Sincerely,

City Assessor

## COMMERCIAL OPERATING STATEMENT FOR 2010

Parcel ID:  
 Owner: (   
 Property Address:



### GENERAL PROPERTY INFORMATION

Total Gross Building Area	Total Retail Area
Net Rentable Area	Total Office Area
Current Vacancy Rate %	Total Warehouse Area

### COMMERCIAL OFFICE/RETAIL/WAREHOUSE/OTHER RENT/LEASE DATA

Tenant Name or List As Vacant	Floor Level / Unit #	Rental SF Area	Lease from Mo/Yr to Mo/Yr	Escalation Clause		Annual Rent		
				Type	Yes/No	2007	2008	2009
					Yes / No			
					Yes / No			
					Yes / No			
					Yes / No			

### APARTMENTS/RESIDENTIAL/RENTAL - Indicate the following utilities or features currently included in the Rent. (No additional charges)

- |                                       |  |  |  |                                   |
|---------------------------------------|--|--|--|-----------------------------------|
| <input type="checkbox"/> Range        | <input type="checkbox"/> Fireplace                             | <input type="checkbox"/> Surface Parking | <input type="checkbox"/> Water/Sewer           | <input type="checkbox"/> Cable TV |
| <input type="checkbox"/> Refrigerator | <input type="checkbox"/> Washer/Dryer in Apt                   | <input type="checkbox"/> Covered Parking | <input type="checkbox"/> Electrical/Power      | <input type="checkbox"/> Internet |
| <input type="checkbox"/> Microwave    | <input type="checkbox"/> Washer/Dryer (free) shared by tenants | <input type="checkbox"/> Underground Pkg | <input type="checkbox"/> Heat (Gas/Elec/Other) |                                   |
| <input type="checkbox"/> Dishwasher   |  |  |  |                                   |

Unit Type	# Units Total	# Units Rented	Total # Baths/Unit	Avg SF Unit Size	Monthly Rent/Unit	Monthly Total Rent
Efficiency						
1 Bedroom						
2 Bedroom						
3 Bedroom						
_____ Bedroom						
Total						

### OTHER INCOME DATA

Parking Income	\$	\$	\$
Laundry, Sundries, etc.	\$	\$	\$
Seasonal Sales (Produce, Fireworks, Christmas trees, etc)	\$	\$	\$
Land Leases (Cell Tower, Billboards)	\$	\$	\$
CAM or Association Fees	\$	\$	\$
Other:	\$	\$	\$
Total Other Income	\$	\$	\$

### TOTAL GROSS INCOME

Total Gross Income	\$	\$	\$
Collection Loss Rate	\$	\$	\$
Vacancy Rate	\$	\$	\$
Effective Gross Income	\$	\$	\$

ENTER EXPENSE INFORMATION ON REVERSE SIDE

**ANNUAL EXPENSE**

Please list expenses paid by the owner (Do not include Depreciation allowances or Mortgage payments)

Are leases on a triple net basis?  YES  NO  SOME OF EACH

EXPENSES			
Management	\$	\$	\$
Reserves for Replacement	\$	\$	\$
Administrative (Office, Legal, Advertising, Accounting, etc.)	\$	\$	\$
Security Patrol	\$	\$	\$
Payroll (Maintenance Employee/Resident Manager)	\$	\$	\$
Trash Removal	\$	\$	\$
Utilities (Common Areas & Vacancies)	\$	\$	\$
Building Maintenance/Repairs (Interior/Exterior)	\$	\$	\$
Ground Lease	\$	\$	\$
Insurance	\$	\$	\$
Grounds Maintenance (Snow Removal, Lawn Mowing, Etc.)	\$	\$	\$
Other:	\$	\$	\$
<b>Total Expenses</b> (minus)	\$	\$	\$
Net Income Before Taxes & Recapture (Effective Gross Income – Total Expenses)	\$	\$	\$
Current Real Estate Taxes	\$	\$	\$

If you have purchased the property with building(s) in the past three (3) years, was there any portion of the sales price specifically allocated for personal property or other considerations? Please specify, if applicable:

Residential Appliances \_\_\_\_\_ Leasehold Improvements \_\_\_\_\_  
 Maintenance Equipment \_\_\_\_\_ Other (Goodwill, etc.) \_\_\_\_\_

Remodeling  
Data

Have you remodeled or made capital improvements in the last 5 years?  If yes, briefly describe and provide costs below.

New Construction  
Cost

If within last two years. \$

\_\_\_\_\_  
Signature, Owner, Mgt. or Agent.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Telephone

# **ATTACHMENT VI**

# TAX EXEMPTION REPORT FOR \_\_\_\_\_ (Year)

**THIS FORM MUST BE FILED WITH THE LOCAL CLERK NO LATER THAN MARCH 31** in even numbered years (sec. 70.337, Wis. Stats.)

(See instructions on Reverse Side)

1. Name of Organization		
2. Address of Organization	3. Purpose of Organization	
4. Location of Property <input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City of _____, _____ County		
5. Street Address of Property	6. Date Acquired (mm/dd/ccyy)	7. Number of Acres
8. Parcel Number		

9. Legal Description

---

**10. Purpose of Property** Check the box that best describes the property. See instructions if parcel has more than one building put to different uses.

Exemption Under Wis. Stat.

**Church/Religious**

Place of Worship ..... s. 70.11(4)

Other \_\_\_\_\_ s. 70.11( )  
(Explain)

**Educational (Incl. religious)**

Grades K-12 ..... s. 70.11(4)

Private College ..... s. 70.11(3)

Other \_\_\_\_\_ s. 70.11( )  
(Explain)

**Medical Facility**

Non-Profit Hospital (Incl. religious) ..... s. 70.11(4m)

Medical Research Foundation ..... s. 70.11(25)

Other \_\_\_\_\_ s. 70.11( )  
(Explain)

**Housing**

Nursing Home (Incl. religious) ..... ss. 70.11(4),(19)

Retirement Home (Incl. religious) ..... ss. 70.11(3a),(4)

Other \_\_\_\_\_ ss. 70.11(3a),(18),(19),( )  
(Explain)

**Public Benefit**

YMCA/YWCA, Scouts, Boys' Club, Youth Hockey, ss. 70.11(10),(12),(32)

Lions Camp, Bible Camp, Camp for Handicapped, ss. 70.11(10m),(11),(22)

Women's Club, Historical Society, Library Assoc., ss. 70.11(4),(31m)

Fraternal, Labor/Farmers' Temple, Agri Fair, ss. 70.11(4),(5),(16),(17)

Nonprofit Radio, Theatre, Art Gallery, ss. 70.11(14),(29),(29m)

Sports and Entertainment Facility/Stadium, ss. 70.11(31)(36)

Humane Society, ss. 70.11(28)

Historical Site, Public Trust ss. 70.11(9),(20),(34),(35)

Other \_\_\_\_\_ ss. 70.11( )  
(Explain)

**11. Estimated Fair Market Value of Parcel** Check box that best approximates the value of all improvements and land of property described in Question 10.

<input type="checkbox"/> 1. \$1.00 - \$10,000	<input type="checkbox"/> 6. \$1,000,001 - \$3,000,000
<input type="checkbox"/> 2. \$10,001 - \$100,000	<input type="checkbox"/> 7. \$3,000,001 - \$6,000,000
<input type="checkbox"/> 3. \$100,001 - \$200,000	<input type="checkbox"/> 8. \$6,000,001 - \$12,000,000
<input type="checkbox"/> 4. \$200,001 - \$500,000	<input type="checkbox"/> 9. \$12,000,001 - \$25,000,000
<input type="checkbox"/> 5. \$500,001 - \$1,000,000	<input type="checkbox"/> 10. OVER \$25,000,000

**12. Leasing of Property** Was any portion of this property leased during the preceding two years?

No    Yes

If yes, describe portion leased, percentage of property, lessee, and how lease payment was used.

---

**13. Unrelated Trade or Business**

Was this property used in an unrelated trade or business for which the owner was subject to taxation under section 511 to 515 of the Internal Revenue Code?

Yes    No

14. Name and Title	15. Signature	16. Telephone ( ) -
17. Address	State   Zip	18. Date (mm/dd/ccyy)

## INSTRUCTIONS

- This form should be completed by the property owner or representative and filed with the municipal clerk by March 31, in even numbered years (sec. 70.337, Wis. Stats.)
- Only properties exempt under sec. 70.11, Wis. Stats. are required to file this form (review list of properties at bottom of this page that are not required to be reported).

- 
1. NAME OF ORGANIZATION – Enter the organization that owns the exempt property.  
EXAMPLE: A parcel with 2 buildings – a church and a separate fellowship hall – would file 1 form since the fellowship hall serves the same purpose as the place of worship.
  2. ADDRESS OF ORGANIZATION – Enter the address of the administrative office or headquarters.
  3. PURPOSE OF ORGANIZATION – State the primary purpose of this organization.  
EXAMPLE: A parcel with a retirement home and a nursing home in the same building would indicate predominant use.
  4. LOCATION OF PROPERTY – Enter the taxation district and county in which the exempt property is located.  
EXAMPLE: A parcel with 2 buildings – a nursing home and a separate retirement home – would file 2 forms – one for the nursing home and one for the retirement home.
  5. ADDRESS OF PROPERTY – Enter the number and street name at which the exempt property is located.
  6. Enter date property was acquired.
  7. Enter number of acres of exempt property.
  8. PARCEL NUMBER – Enter the parcel number as shown in the assessment roll.
  9. LEGAL DESCRIPTION – Enter the description of the property as shown on the deed or in the assessment roll.
  10. PURPOSE/USE OF PROPERTY – Check the appropriate box that describes the use of the property. **REVIEW ALL CATEGORIES BEFORE SELECTING APPROPRIATE BOX.** Check only 1 box. If the parcel has more than 1 building put to different uses, report each use in a separate form. If all buildings on parcel are put to same use, submit only 1 report. If a parcel has a single building that is put to more than one use, report the predominant use.  
  
EXAMPLE: A parcel with 3 buildings – a church, parsonage and school – would submit 3 forms since the parcel has 3 different uses: Place of Worship, Housing (Other), Educational (K-12).
  11. ESTIMATED FAIR MARKET VALUE OF PROPERTY – Check the box that best approximates the value of the buildings and land described in Question 10.
  12. LEASING OF PROPERTY – Indicate if the property was leased during the preceding 2 years. Describe the portion leased, the name of lessee, and how the organization used the lease payments. Attach additional sheets if necessary.
  13. UNRELATED TRADE OR BUSINESS – Indicate if the property was used in a trade or business for which the owner was subject to taxation under Sections 511 to 515 of the IRC as defined in sec. 71.22(4m), Wis. Stats.  
  
NOTE: If you check yes, you must also complete form PC-227.
  - 14-18. NAME, TELEPHONE, ADDRESS – Enter the name, title, telephone number, and address of the person completing this form. Sign and date the form. File with local clerk by March 31 in even numbered years.

---

### THE FOLLOWING TAX EXEMPT PROPERTIES ARE NOT REQUIRED TO BE REPORTED:

- Property owned by the Federal Government, State Government, County Government, Municipal Government
- Cemeteries, exempt under sec. 70.11(13), Wis. Stats.
- Archeological sites, exempt under sec. 70.11(13m), Wis. Stats.
- Manure storage facilities, exempt under sec. 70.11(15), Wis. Stats.
- Secondary containment structures used to prevent leakage of liquid fertilizer or pesticides, exempt under sec. 70.11(15m), Wis. Stats.
- Treatment plant and pollution abatement equipment, exempt under sec. 70.11(21), Wis. Stats.
- All perennial plants that produce an annual crop, exempt under sec. 70.11(30), Wis. Stats.
- Property of housing authorities exempt under sec. 70.11(18), Wis. Stats. if a payment in lieu of taxes is made for that property.
- Lake beds owned by the State
- Highways, as defined in sec. 340.01(22), Wis. Stats.
- Utility property assessed under Chapter 76
- State and county forests
- School districts
- Technical college districts

# MULTI-PARCEL TAX EXEMPTION REPORT FOR \_\_\_\_\_

(Enter Year)

THIS FORM MUST BE FILED WITH THE MUNICIPAL CLERK NO LATER THAN MARCH 31, in even numbered years (sec. 70.337, Wis. Stats.)

(See instructions on reverse side)

2. Purpose of Organization \_\_\_\_\_

3. Address of Organization \_\_\_\_\_  
 Town \_\_\_\_\_ County  
 Village of \_\_\_\_\_  
 City \_\_\_\_\_

5. Property Address	6. Parcel Number or Legal Description	7. Date Acquired (mm/dd/ccyy)	8. Parcel Use (See instructions)	9. Estimated Fair Market Value Category (See instructions)	10. Was Property Leased in Last 2 Years? (See instructions)	11. Property Used in a Trade/Business Where Owner was Subject to Unrelated Business Income Under sec. 511-515 of IRC in Last 2 Years?
					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
					<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

12. Name and Title \_\_\_\_\_

13. Signature \_\_\_\_\_

14. Telephone ( ) - \_\_\_\_\_

15. Street Address \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

16. Date \_\_\_\_\_

## INSTRUCTIONS

- This form should be completed by the property owner or representative and filed with the municipal clerk by March 31, in even numbered years (sec. 70.337, Wis. Stats).
- Only properties exempt under sec. 70.11, Wis. Stats. are required to be reported on this form. See list of properties at bottom of this page that are not required to be reported.

1. **NAME OF ORGANIZATION** – Enter the organization that owns the exempt property.
2. **PURPOSE OF ORGANIZATION** – State the primary purpose of this organization.
3. **ADDRESS OF ORGANIZATION** – Enter the address of the administrative office or headquarters.
4. **LOCATION OF PROPERTY** – Enter the taxation district and county in which the exempt property is located.
5. **ADDRESS OF PROPERTY** – Enter the number and street name at which the exempt property is located.
6. **PARCEL NUMBER OR LEGAL DESCRIPTION** – Enter the parcel number as shown in the assessment roll or the legal description of the property as shown on the deed or in the assessment roll.
8. **PURPOSE/USE OF PROPERTY** – Using the categories below, indicate the use of the property. **REVIEW ALL CATEGORIES BEFORE SELECTING.** If parcel has more than 1 building and all buildings are put to same use, report only 1 use. If the parcel has more than 1 building put to different uses, report each use. If a building has more than one use, report predominant use. [SEE EXAMPLES IN NEXT COLUMN]

**EXAMPLE:** a parcel with 3 buildings – a church, parsonage and school – would indicate the 3 different uses for that parcel: WORSHIP, HOUSE-OTH, EDU-K-12.

**EXAMPLE:** a parcel with 2 buildings – a church and a separate fellowship hall – would indicate 1 use – WORSHIP – since the fellowship hall serves the same purpose as the place of worship.

**EXAMPLE:** a parcel with a retirement home and a nursing home in the same building would indicate predominant use only.

**EXAMPLE:** a parcel with 2 buildings – a nursing home and a separate retirement home – would indicate 2 uses – NURSING and RETIRE.

9. **ESTIMATED FAIR MARKET VALUE OF PROPERTY** – Indicate by entering the number 1 through 10, the value category that best approximates the value of the buildings and land described in Question 8. Enter the number of the value category for property under each use.

- |                            |                                |
|----------------------------|--------------------------------|
| 1. under \$10,000          | 6. \$1,000,001 - \$3,000,000   |
| 2. \$10,001 - \$100,000    | 7. \$3,000,001 - \$6,000,000   |
| 3. \$100,001 - \$200,000   | 8. \$6,000,001 - \$12,000,000  |
| 4. \$200,001 - \$500,000   | 9. \$12,000,001 - \$25 million |
| 5. \$500,001 - \$1,000,000 | 10. Over \$25 million          |

PURPOSE	CODE FOR ANSWERING #8
<b>CHURCH/RELIGIOUS</b>	
PLACE OF WORSHIP .....	WORSHIP
OTHER (do not report housing or schools under this category) .....	CHURCH-OTH
<b>EDUCATIONAL</b>	
GRADES K-12 .....	EDU-K-12
PRIVATE COLLEGE .....	COLLEGE
OTHER .....	EDU-OTH
<b>MEDICAL FACILITY</b>	
NON-PROFIT HOSPITAL (incl. religious) .....	HOSPITAL
MEDICAL RESEARCH FOUNDATION .....	MED RSCH
OTHER .....	MED-OTH
<b>HOUSING</b>	
NURSING HOME (incl. religious) .....	NURSING
RETIREMENT HOME (incl. religious) .....	RETIRE
OTHER (Incl. religious) .....	HOUSE-OTH
<b>PUBLIC BENEFIT</b>	
YMCA/YWCA, SCOUTS, BOYS' CLUB, YOUTH HOCKEY, LIONS CAMP, BIBLE CAMP, CAMP FOR HANDICAPPED, WOMEN'S CLUB, HISTORICAL SOCIETY, LIBRARY ASSOC., FRATERNAL, LABOR/FARMERS' TEMPLE, AGRI FAIR, NONPROFIT RADIO, THEATRE, ART GALLERY, SPORTS AND ENTERTAINMENT FACILITY/STADIUM, HUMANE SOCIETY, HISTORICAL SITE, PUBLIC TRUST .....	BENEFIT
OTHER .....	OTHER

10. **LEASING OF PROPERTY** – Indicate if the property was leased during the preceding 2 years. If yes, describe the portion leased, the name of lessee, and how the organization used the lease payments on an addendum.

11. **UNRELATED TRADE OR BUSINESS** Indicate if the property was used in a trade or business for which the owner was subject to taxation under Sections 511 to 515 of the IRC as defined in sec.71.22(4m), Wis. Stats.

NOTE: If yes, you must also complete form PC-227.

- 12-16. **NAME, TELEPHONE, ADDRESS** – Enter the name and title, telephone number, and address of the person who filled out this form and who can be contacted. Sign and date the form. File with municipal clerk.

### THE FOLLOWING TAX EXEMPT PROPERTIES ARE NOT REQUIRED TO BE REPORTED:

- Property owned by the Federal, State, County, or Municipal Governments.
- Cemeteries exempt under sec. 70.11(13), Wis. Stats.
- Archeological sites exempt under sec. 70.11(13m), Wis. Stats.
- Manure storage facilities exempt under sec. 70.11(15), Wis. Stats.
- Secondary containment structures used to prevent leakage of liquid fertilizer or pesticide exempt under sec. 70.11(15m), Wis. Stats.
- Treatment plant and pollution abatement equipment exempt under sec. 70.11(21), Wis. Stats.
- All perennial plants that produce an annual crop exempt under sec. 70.11(30), Wis. Stats.
- Property of housing authorities exempt from taxation under sec. 70.11(18), Wis. Stats. if a payment in lieu of taxes is made
- Lake beds owned by the State
- Highways, as defined in sec. 340.01(22), Wis. Stats.
- Utility property assessed under Chapter 76
- State and county forests
- School districts
- Technical college districts

# **ATTACHMENT VII**

# UNRELATED BUSINESS INCOME REPORT (s. 70.339, Wis. Stats.)

See instructions on reverse side

Submit to taxation district clerk on or before March 15

Name of Owner	Address of Owner	Telephone Number
Name of Agent or Representative	Address of Agent or Representative	Telephone Number
Type of Organization	Purpose of Organization	

Check proper box and enter name of taxation district and county in which exempt property is located:

- Town
- Village
- City

OF:

County

Legal Description (attach additional sheets if necessary)

Acres \_\_\_\_\_

Parcel Number \_\_\_\_\_

Address of Property \_\_\_\_\_

Describe the property used in trade or business:

Structure Use	Age	Total Sq. Ft. of Floor Area	Stories	Type of Construction

Describe the activities engaged in to conduct the trade or business:  
(attach additional sheets if necessary)

What percentage of the organization's income is attributable to the trade or business?

What percentage of time is the property used for the trade or business?

Signature

Date

## INSTRUCTIONS

This form must be completed **annually** by all exempt organizations that own property used during the past year in a trade or business for which the owner of the property was subject to taxation under sections 511 to 515 of the Internal Revenue Code as defined in s. 71.22(4m), Stats. This form must be filed with the taxation district clerk by March 15.

**Name of Owner** - The owner of the exempt property.

**Address of Owner** - The address of the administrative office or headquarters.

**Name, Address, and Telephone Number of the Agent or Representative** - The name, address, and telephone number of a person who can be contacted concerning the use of the property in a trade or business.

**Type of Organization** - Refers to a natural person, firm, partnership, joint venture, joint stock company, association, public or private corporation, the state of Wisconsin, and all political subdivisions, cooperative, estate, trust, receiver, executor, administrator, fiduciary, and any representative appointed by order of any court or otherwise acting on behalf of others.

**Purpose of Organization** - Refers specifically to the purpose of the organization exempted by statute, example: church, bible camp, nursing home, women's club, etc.

**Location of Property** - The taxation district and county in which the exempt property is located.

**Legal Description** - The description of the property as shown on the deed or in the assessment roll.

**Parcel number** - The parcel number as shown on the assessment roll.

**Address of Property** - The number and street name at which the exempt property is located.

### DESCRIPTION OF PROPERTY USED IN TRADE OR BUSINESS:

**Structure Use**- Indicate the use of each structure or part of structure used to conduct the trade or business.

**Age** - The date the structure was built. If unknown, give best estimate.

**Total Sq. Ft. of Floor Area** - The total square feet of floor area. Multiply the length times the width using exterior dimensions for each floor (include basement area).

**Stories** - The number of stories for each structure.

**Type of Construction** - Examples of construction: wood frame, steel frame, reinforced concrete.

**Description of activities engaged in to conduct the trade or business** - Refer specifically to the type of activity that generated unrelated business income. **Include the amount of income generated.**

**Note:** If you do not file this form by the due date, you will be notified by certified mail that failure to file the form is subject to penalty. If you do not file this form within 30 days after notification, you are subject to a penalty of \$10 for each succeeding day on which the form is not received by the taxation district clerk. The maximum amount of the penalty is \$500.

# **ATTACHMENT VIII**

**STATE OF WISCONSIN**

<b>Property Tax Year</b> <b>20</b> ____
--



Failure to file this form with the assessor by March 1 may result in a fine of up to \$500 and/or a loss of exempt status.
--

**LOW-INCOME HOUSING EXEMPTION  
PROPERTY OWNER'S CERTIFICATION OF OCCUPANCY**

This form must be filed with the assessor by March 1 to qualify for a property tax exemption as low-income housing (Sec. 70.11(4a)(g)1, Wis. Stats.). When evaluating this form, the assessor may request a list identifying each unit that was occupied on January 1, the income category that applies to that particular unit, a copy of the housing contract, and any other information necessary to determine eligibility. (Sec. 70.11(4a)(g)4)

<b>SECTION 1 - APPLICANT INFORMATION</b>			
Project Name			
Project Address (street address)			
City	State	Zip	County
Contact Person	Phone		Email address

<b>SECTION 2 - INCOME LIMITS</b>
----------------------------------

When completing this section, give totals for all sites included in the project\*. Use the HUD income limits for the current tax year when completing items 1-4 below. Income limits are available by county on the following HUD web site: [www.huduser.org/datasets/il.html](http://www.huduser.org/datasets/il.html)

	# of Units	% of Total Units	<b>Internal Use Only</b>		
1. Total number of units in this project (all sites) .....	_____	_____	75% Test	Pass	Fail
2. Occupied by persons above the HUD income limit for low income housing. To calculate percentage, divide units on line 2 by the total units on line 1 .....	_____	_____	20% Test	Pass	Fail
3. Occupied by, or vacant and only available to, persons at or below the HUD very-low income limit. To calculate percentage, divide units on line 3 by total units on line 1 ..	_____	_____	40% Test	Pass	Fail
4. Occupied by, or vacant and only available to, persons whose income falls at or below 120% of the HUD very-low income limit. To calculate percentage, divide the units on line 4 by the total units on line 1 .....	_____	_____	10/30 Acres	Pass	Fail
NOTE The sum of lines 2, 3 and 4 may be greater than the total number of units because line 4 includes units identified in item 3.			<input type="checkbox"/> Taxable <input type="checkbox"/> Partially Exempt <input type="checkbox"/> Exempt		

\* A project is defined as all the sites covered under a single contract.

**SECTION 3 – PROJECT TYPE**

On January 1 this property was under contract with the following agency to provide low-income housing:

- WHEDA (project in existence prior to January 1, 2008)
- WHEDA (project *not* in existence prior to January 1, 2008)
- Department of Housing and Urban Development (HUD)
- Department of Agriculture, Rural Development
- Other:

Contract #

Contract effective dates

Submit a copy of the contract if this is a new exemption request or if the contract has been modified in the past year.

**SECTION 4 – SITE INFORMATION** (Complete this section if there are multiple sites under the same contract.)

This project has multiple sites within the municipality (*list address and unit information for each site*)

Site 1 Address		Parcel number(s)
	← Enter total units at this site occupied by persons above HUD low income limits	
Site 2 Address		Parcel number(s)
	← Enter total units at this site occupied by persons above HUD low income limits	
Site 3 Address		Parcel number(s)
	← Enter total units at this site occupied by persons above HUD low income limits	
Site 4 Address		Parcel number(s)
	← Enter total units at this site occupied by persons above HUD low income limits	
Site 5 Address		Parcel number(s)
	← Enter total units at this site occupied by persons above HUD low income limits	

Section 70.11(4a), Wis. Stats., limits acreage for a project to no more than 30 acres within a single municipality and no more than 10 acres at a given site. Projects exceeding these limits may be partially taxable.

**SECTION 5 – CERTIFICATION**

*I certify that the information submitted on this form reflects that provided to the appropriate federal or state agency.*

Owner's or Representative's Name	Title
Signature of Owner or Representative	Date