

FILED
11-05-2025
Anna Maria Hodges
Clerk of Circuit Court
2025CV009593
Honorable William S.
Pocan-26
Branch 26

STATE OF WISCONSIN, CIRCUIT COURT, MILWAUKEE COUNTY

PETITION FOR WRIT OF CERTIORARI

(Under Wis. Stat. §70.47(13))

Michael Fischer,)
Petitioner)
1665 Mountain Ave. Wauwatosa WI 53213-2331)
v.)
City of Wauwatosa – Board of Review)
Respondent)
7725 W. North Ave. Wauwatosa WI 53213-2331)

Class Code 30955

Comes now the Petitioner, Michael Fischer, who respectfully petitions this Court to issue a **Writ of Certiorari** to review the decision of the Board of Review for the City of Wauwatosa (“BOR”) concerning the assessment of his property located at:

Property Address: 1665 Mountain Avenue, Wauwatosa, WI 53213-2331

Parcel No.: 345-0640-001

Tax Year: 2025

- I. In support of this Petition, the Petitioner states as follows:
 - A. Petitioner is the owner of the above-described property located in the City of Wauwatosa, Milwaukee County, Wisconsin.
 - B. On or about **16 September 2025**, the Board of Review issued a determination on Form PR-302 sustaining an assessment of **\$ 956,200** for the above property.
 - C. Petitioner seeks judicial review pursuant to Wis. Stat. §70.47(13).

D. Specifically, Petitioner alleges that:

- a. The BOR actions were contrary to the law and in violation of §70.32(1).
- b. The BOR's decision was arbitrary, unreasonable, and procedurally unfair.
- c. The BOR's decision lacked substantial evidence and relied on inaccurate data.

E. Petitioner has timely filed this Petition within 90 days of the BOR determination, as required by law.

II. **WHEREFORE**, Petitioner respectfully requests that this Court:

- A. Issue a **Writ of Certiorari** directing the City of Wauwatosa Board of Review to return to the Court the record of proceedings related to the assessment of the above property;
- B. Upon review, reverse, vacate, or modify the decision of the Board of Review as justice may require; and
- C. Grant such other and further relief as the Court deems appropriate.

Dated: 05 November, 2025

Respectfully submitted,

Signature: 

Michael Fischer, Petitioner (Pro Se)

1665 Mountain Ave.

Wauwatosa, WI 53213-2331

763 360-7659

mfischer@aol.com

EXHIBITS

A: Form PR-302 (Notice of Board of Review Determination.

EXHIBIT A:**Notice of Board of Review Determination**

Under state law (sec. 70.47(12), Wis. Stats.), your property assessment for the current year 2034 as finalized by the Board of Review (BOR) is listed below.

Property Owner	General Information
Michael C and Cindy Fischer 1665 Mountain Ave Wauwatosa, WI 53213	Date issued 9 - 16 - 2025 Parcel no. 345-0640-001 Address 1665 Mountain Ave Legal description <u>LOT 1 CERTIFIED SURVEY MAP</u> <u>NO 9414 SE 1/4 SEC 22-7-21 2023</u> <input type="checkbox"/> Town <input type="checkbox"/> Village <input checked="" type="checkbox"/> City Municipality <u>Wauwatosa</u>

Assessment Information			
2025 Original Assessment		2025 Final Assessment <small>(determined by BOR)</small>	
Land	\$ 342,900	Land	\$ 342,900
Improvements	\$ 613,300	Improvements	\$ 613,300
Personal property	\$ 0	Personal property	\$
Personal property	\$ 0	Personal property	\$
Personal property	\$ 0	Personal property	\$
Total personal property	\$ 0	Total personal property	\$
Total all property	\$ 956,200	Total all property	\$ 956,200

Appeal Information

If you are not satisfied with the BOR's decision, there are appeal options available. Note: Each appeal option has filing requirements. For more information on the appeal process, review the [Guide for Property Owners](#).

Appeal to:

Department of Revenue (DOR) – must file within 20 days after receipt of the BOR's determination notice or within 30 days after the date specified on the affidavit if there is no return receipt. A \$100 filing fee is required. It is not available for properties with an assessed value over \$1 million or properties located in first-class cities (Milwaukee). DOR may revalue the property any time before November 1 of the assessment year or within 60 days after receiving the appeal, whichever is later. If adjusted, the value is substituted for the original value and taxes paid accordingly. (sec. 70.85, Wis. Stats.)

Circuit Court - Action for Certiorari – must file within 90 days after receiving the determination notice. The Court decides based on the written record from the BOR. You cannot submit new evidence. (sec. 70.47(13), Wis. Stats.)

Municipality - Excessive Assessment – must first appeal to the BOR and have not appealed the BOR's decision to Circuit Court or to DOR. You cannot claim an excessive assessment under sec. 74.37, Wis. Stats., unless the tax is timely paid. A claim under section 74.37 must be filed with the municipality by January 31 of the year the tax is payable.