

4/2/03

From: Patrick Tannhaeuser
7139 N. 43rd St.
Milwaukee, WI. 53209
(414) 352-0602

CITY OF MILWAUKEE
03 APR - 3 PM 3: 05
RONALD D. LEONHARDT
CITY CLERK

To: Office of City Attorney
300 City Hall
200 East Wells St. Rm #205
Milwaukee, Wisconsin 53202

Re: C.I. File # 03-5-59

CITY OF MILWAUKEE
RECEIVED
03 APR - 3 PM 3: 47
OFFICE OF
CITY ATTORNEY

To whom it may concern,
I wish to appeal the enclosed decision dated March 14, 2003. Please review this matter again and inform me of any required hearing and/or hearings scheduled to resolve this matter fairly.

Once again,
Thank you,

Patrick Tannhaeuser

CITY OF MILWAUKEE

2003 APR - 4 PM 3: 48

RONALD D. LEONHARDT
CITY CLERK

IMPORTANT NOTICE: The filing of this appeal does not affect the deadline date(s) on your tax bill.

CITY OF MILWAUKEE

Date: JANUARY 21, 2003
~~2003 JAN 27 PM 1:10~~

RONALD D. LEONHARDT
CITY CLERK

TO: Administrative Review - Appeals Board
Room 205, City Hall
200 East Wells Street
Milwaukee, Wisconsin 53202

RE: 7139 North 43rd Street
(Address of property in question - if applicable)

122-9879-110-0
(Tax Key Number - if applicable)

Chairperson:

Pursuant to Chapter 68 of the Wisconsin Statutes, and Section 320-11 of the Code of Ordinances of the City of Milwaukee, this is a written petition for appeal and hearing.

I am appealing the decision of DEPARTMENT OF NEIGHBORHOOD SERVICES
(Name of department or bureau)

Relative to BUILDING REINSPECTION CHARGES

I feel the City's action was improper for the following reasons:

SEE ATTACHED.

Sincerely,



(Petitioner's signature)

PATRICK J. TANNHAEUSER
(Petitioner's name - please print)

7139 NORTH 43RD STREET
(Petitioner's mailing address)

414-352-0602
(Phone number during the day)

CITY OF MILWAUKEE
RECEIVED
'03 JAN 27 PM 3:21
ATTORNEY

PETITION OF PATRICK J. TANNHAEUSER

**PROPERTY AT: 7139 NORTH 43RD STREET
MILWAUKEE, WI 53209**

TAX KEY NO: 122-9879-110-0

The orders to correct the violations were litigated in Municipal Court and reissued pursuant to a letter dated November 13, 2001, and explaining that the time of compliance has expired and reinspection charges would be charged as a lien on the tax bill at a graduated rate as described in the letter of November 13th from the Department of Neighborhood Services, signed by Mike Greylak, Asst. Suprv. D.N.S.

That the orders referenced related strictly to the exterior repairs, including repairing or replacing steps, which were completed, and painting the exterior of the building, which was not done.

That due to the Winter weather conditions, it was impossible and impractical to do the exterior painting in the cold of Winter. That it was impossible to do the exterior work through the month of April of 2002. That the Homeowner commenced painting of the exterior during the Summer, and additionally, hired outside help to complete the job in October of 2002.

It was improper and inappropriate for the building inspection of the exterior work such as the painting to be made during the cold months of Winter; and additional time during the warmer months to complete the exterior painting should be allowed.

That all of the orders have been complied with.

That it is inappropriate and improper as well as a violation of the intent of the Code to do such inspections during the Winter and on a monthly basis.

That the charge totaling \$2,975.00 is onerous and is a violation of the U.S. Constitution and the Wisconsin Constitution in taking the property; to-wit: the alleged charges without due process of law.

That the charges are alleged to be for inspecting and reinspecting the properties, and that those fees charged should be commensurate with the time expended in connection therewith, which by admission of the City Department, is \$50.00 for the first inspection and any charges beyond the \$50.00 per inspection is not a fee for services, but a penalty for failing to comply with the order which violates the Constitution as imposing a penalty without due process.

That for these reasons, it is respectfully requested that the building inspection charges set forth on the tax bill for the above property, be rescinded.



Department of Neighborhood Services
Inspectional services for health, safety and neighborhood improvement

Martin G. Collins
Commissioner

Schuyler F. Seager
Deputy Commissioner

November 13, 2001

PATRICK J. TANNHAEUSER
7139 N. 43RD ST.
MILWAUKEE, WI 53209

RE: 7139 N. 43RD ST.

Dear: MR. TANNHAEUSER

The property you own at the above address has violations of the Milwaukee building code. An order was issued to you to correct the violations. The order was litigated in Municipal Court, and is now being reissued to you.

When the time of compliance has expired, the Milwaukee Code of Ordinances allows us to place your property on a monthly increasing rate for reinspections. Starting the day the allowed time for repairs has expired, we will be reinspecting your property at the increasing rates of: \$50.00 for the first reinspection, \$75.00 for the second, \$150.00 for the third and every other reinspection will be charged \$300.00. These charges will be placed as a tax lien against the property, and will continue until the violations have been corrected.

Please do not delay making the required repairs. If you have any questions regarding this process please contact me at (414) 286-2558

Sincerely,

Mike Greylak
Asst. Suprv. D.N.S

2002 CITY OF MILWAUKEE COMBINED PROPERTY TAX BILL

ACCOUNT TYPE: **REAL ESTATE**
 TAX KEY / ACCOUNT NO.: **122-9879-110-0** **095** **2002-05**
 LOCATION OF PROPERTY: **7139 N 43RD ST**
 LEGAL DESCRIPTION: **PLAT PAGE 122-01NEIGHBORHOOD 0600**
LANDS IN NE 1/4 SEC 23-8-21
COM E LI & 360' S OF NE COR OF SD 1/4 SEC-TH S ALG E LI 45'
INCOMPLETE LEGAL DESCRIPTION SEE TAX ROLL FOR COMPLETE LEGAL

Wayne F. Whittow
CITY TREASURER
 CITY HALL, ROOM 103
 200 EAST WELLS STREET
 MILWAUKEE, WISCONSIN 53202
 TELEPHONE (414) 286-2240

PATRICK J TANNHAEUSER
7139 N 43RD ST
MILWAUKEE WI **53209**

KEEP TOP PART OF TAX BILL FOR YOUR RECORDS.
SEE REVERSE SIDE FOR MORE INFORMATION.

Class	Assessment-Land	Assmt-Improvements	Total Assessment	Detail of Special Assessments and Other Charges	
RES	10,700	51,700	62,400	DELO CITY SERVICES	340.77
Avg. Assmt. Ratio	Est. Fair Market-Land	Est. Fair Mkt-Improvements	Total Est. Fair Market	DELINQUENT WATER	244.37
.9810			63,600	BLDG REINSPECTION	2,975.00
School taxes reduced by school levy tax credit			89.36	TOTAL	3,560.14

Tax Levy	2001 Est. State Aids Allocated to Tax District	2002 Est. State Aids Allocated to Tax District	2001 Net Tax	2002 Net Tax	% Tax Change
State of Wisconsin			12.08	12.73	+5.3
Sewerage District			102.55	108.39	+5.6
Public Schools	662,663,681	681,918,823	464.52	493.28	+6.1
Technical College	11,017,223	10,823,196	122.26	127.98	+4.6
County Government	29,681,267	30,294,864	324.79	324.36	-.1
City of Milwaukee	272,032,712	273,921,648	596.54	633.36	+6.1
Total	975,394,883	996,958,531	1,622.74	1,700.10	+4.7
Lottery and Gaming Credit			-74.20	-75.64	+1.9
Net Property Tax			1,548.54	1,624.46	+4.9
Special Assessments and Charges				3,560.14	
			TOTAL DUE	5,184.60	

WARNING: If the first installment payment is not paid by the due date, the installment option is lost. The total tax becomes delinquent and is subject to interest and penalty charges. See reverse side for details.

Monthly Installment Payment Due: February through July 2003	204.21	Net Assessed Value Rate Before Lottery Credit	FULL PAYMENT DUE ON OR BEFORE JAN. 31, 2003	5,184.60
Monthly Installment Payment Due: August, September, and October 2003	146.43	27.245	FIRST INSTALLMENT PAYMENT DUE ON OR BEFORE JAN. 31, 2003	3,520.05

WHEN PAYING BY MAIL, CAREFULLY TEAR ON PERFORATION AND RETURN BOTTOM COUPON ONLY WITH PAYMENT IN THE ENVELOPE PROVIDED.

2002 CITY OF MILWAUKEE COMBINED PROPERTY TAX PAYMENT COUPON

ACCOUNT TYPE: **REAL ESTATE** TAX KEY / ACCOUNT NO.: **122-9879-110-0**
 LOCATION OF PROPERTY: **7139 N 43RD ST**

CHECK FOR ADDRESS CHANGE
(COMPLETE REVERSE SIDE)

PAID UNDER PROTEST

Make Check Payable and Mail to:
WAYNE F. WHITTOW
CITY TREASURER
BOX 78776
MILWAUKEE, WI 53278-0776

FULL PAYMENT DUE **5,184.60**
 ON OR BEFORE JAN. 31, 2003

FIRST INSTALLMENT PAYMENT **3,520.05**
 DUE ON OR BEFORE JAN. 31, 2003

PLEASE WRITE IN AMOUNT ENCLOSED

\$ _____ M

PATRICK J TANNHAEUSER
7139 N 43RD ST
MILWAUKEE WI

447

53209

095 2002-05 (1)