**§ 589. Change in allocation factor.** 1. At any time after the allocation factor is initially certified to the assessing unit, upon the request of the city or the owner of the parcel burdened by the easement, the commissioner may compute and certify a new allocation factor based on a change in circumstances. A request for a review of the allocation factor shall be made by submitting to the commissioner (a) a written request by the landowner, (b) a written request by the city setting forth the claimed change in circumstances, (c) a written stipulation entered into by the city and the landowner setting forth the new allocation factor, or (d) an appraisal or appraisals performed by a licensed real estate appraiser within one year of submission setting forth the current fair market value of the easement and the current fair market value of the land subject to the easement exclusive of improvements and unencumbered by the easement. The commissioner shall define the changes in circumstances required to change the allocation factor. The party seeking the change in allocation factor shall provide copies of the appraisals and written request to the other party.

2. If one party objects to a change in the allocation factor, the party may submit the appraisals specified in subdivision one of this section within ninety days of receipt of the other parties' appraisal or written request.

3. The commissioner shall review the materials submitted and issue a current allocation factor determined by the materials submitted.

4. If judicial review is sought to challenge a determination under this section, the action shall be commenced in the county in which the real property is located.