

# R-2023-9

## **GUIDELINE RESOLUTION FOR POVERTY EXEMPTION- Fork Twp 2023-2024**

WHEREAS, the adoption of guidelines for poverty exemptions is required of the Township Board and

WHEREAS, the principal residence of persons, who the Assessor and Board of Review determines by reason of poverty to be unable to contribute to the public charge, is eligible for exemption in whole or in part from taxation under Public Act 253 of 2020; and

WHEREAS, pursuant to PA 253 of 2020, the Township of Fork, Mecosta County adopts the following guidelines for the Board of Review to implement. The guidelines shall include but not be limited to the specific income and asset levels of the claimant and ***all persons residing in the household***, including any property tax credit returns, filed in the current or immediately preceding year. To be eligible, a person shall do all the following on an annual basis:

- 1) Be an owner of and occupy as a principal residence the property for which an exemption is requested.
- 2) File a Michigan Department of Treasury Form 5737 Application for MCL 211.7u Poverty Exemption with the supervisor/assessor or Board of Review. Application must be accompanied by federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns filed in the immediately preceding year or in the current year or a Michigan Department of Treasury Form 4988, Poverty Exemption Affidavit.
- 3) File a claim reporting that the combined assets of all persons do not exceed \$15,000. Assets include but are not limited to, real estate other than the principal residence, personal property, motor vehicles (allowed one primary vehicle), recreational vehicles, boats, campers, farm equipment, motorcycles, trailers, certificates of deposit, savings accounts, checking accounts, stocks, bonds, life insurance, Individual Retirement Accounts (IRA), uncashed checks, money held by others, gaming/lottery winnings, coin collections, antiques (with the exception of antique family heirlooms), collectables, etc.
- 4) Produce a valid driver's license or other form of identification if requested.
- 5) Produce, if requested, a deed, land contract, or other evidence of ownership of the property for which an exemption is requested.
- 6) Meet the federal poverty income guidelines as defined and determined annually by the United States Department of Health and Human Services. Income includes, but is not limited to income from employment, Social Security benefits, Veteran's benefits, worker's compensation, unemployment benefits, income from renters or boarders, farm income, alimony or child support, etc. Additionally, a maximum of \$100 is allowed for annual dividend income from either taxable or non-taxable.
- 7) The application for an exemption shall be filed after January 1, but one day prior to the last day of the December Board of Review. The application is also known as Michigan Department of Treasury Form 5737.

The filing of this claim constitutes an appearance before the Board of Review for the purpose of preserving the right of appeal to the Michigan Tax Tribunal. The annual allowable income includes income for *all persons* residing in the principal residence.

PARTIAL POVERTY GUIDELINES

A partial poverty exemption is an exemption of only a part of the taxable value of the property rather than the entire taxable value. Fork Township Board of Review has the authority to grant a full 100% reduction in taxable value OR a partial exemption equal to a 25% or 50% reduction in taxable value OR any other percentage reduction in taxable value approved by the STC. As of 2023, no other percentage reduction in taxable value has been approved for Fork Township to utilize. Thus:

A full 100% exemption for any applicant that is at or below the above-mentioned income and/or asset test threshold.

A 50% exemption of taxable value for any applicant that is \$1.00 to \$2,000 over the above-mentioned income and/or asset test threshold.

A 25% exemption of taxable value for any applicant that is \$2,000 to \$4,000 over the above-mentioned income and/or asset test threshold.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Review shall follow the above stated policy and federal guidelines in granting or denying an exemption.

The foregoing resolution offered by Roberta Hazen (Township Board Member).

and seconded by Township Board Member Mitch Mackersie.

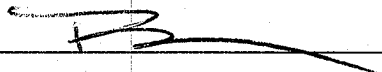
Upon roll call vote, the following

voted: "Aye":

Roberta Hazen, Mitch Mackersie, Lori Helmer, Doug Band

"Nay": NONE

The Township Clerk, Roberta L. Hazen, declared the resolution adopted.

 Clerk