

**CITY OF NEW BALTIMORE
MACOMB COUNTY, MICHIGAN
RESOLUTION NO. 960**

REAL PROPEERTY TAX POVERTY EXEMPTION RESOLUTION

At the regular meeting of the City Council for the City of New Baltimore held in the Council Chambers at 36535 Green Street, City of New Baltimore, Macomb County, Michigan, 48047, on the 13th day of March, 2023, commencing at 7:00 p.m.

Present: Covert, Dittrich, Duffy, Eason, Hayman

Absent: Szymanski

The following preamble and resolution were offered by Councilperson Duffy and supported by Councilperson Hayman.

WHEREAS, Section 211.7u of Act No. 206 of the Public Acts of 1893, as amended, provides that the homestead of a person who, in the judgment of the Board of Review, by reason of poverty, is unable to contribute toward the public charges are eligible for exemption in whole or in part from taxation under the Act; and,

WHEREAS, said section provides certain eligibility requirements for exemption under said section; and,

WHEREAS, said section requires that an applicant meet the prior tax year federal poverty income standards as defined and determined annually by the United States Office of Management and Budget or alternative guidelines adopted by the governing body of the local assessing unit; provided, however, such alternative guidelines do not provide income eligibility requirements less than the federal guidelines; and,

WHEREAS, the City Council for the City of New Baltimore is the governing body of the local assessing unit;

NOW, THEREFORE, BE IT RESOVED that the following standards be adopted in relation to applications for the Real Property Poverty Exemptions:

**CITY OF NEW BALTIMORE
BOARD OF REVIEW**

**STANDARDS AND GUIDELINES FOR APPLICANTS
REQUESTING CONSIDERATION FOR POVERTY EXEMPTIONS**

In order to qualify for the Poverty Exemption, the claimant **MUST** meet all of the following requirements. It may be possible that a claimant meets the income standard for the Poverty Exemption but not meet the asset standard or other standards as set forth in these guidelines. In this instance the claimant would **NOT** qualify for the exemption even though the income standard was met.

The Board of Review shall follow these guidelines when granting or denying a Poverty Exemption. The same standards shall apply to each claimant in the City for the assessment year. If a person meets all eligibility requirements in statute, the Board of Review must grant a full exemption equal to a 100% reduction in taxable value **OR** a partial exemption equal to a 25% or 50% reduction in taxable value **OR** any other percentage of reduction in taxable value approved by the State Tax Commission.

In granting Poverty Exemptions, the Board of Review realizes that this represents a shift of those property taxes exempted to the other taxpayers of the City. Poverty exemptions are intended to assist those who are in temporary financial straits and are **NOT** intended as a permanent subsidy. Poverty exemptions shall apply only to the applicant's qualified homestead and the property must be classified **RESIDENTIAL** for property tax purposes. Under no circumstances shall a poverty exemption be granted or apply to the property of a business, partnership or corporation.

Applicants who have purchased their principal residence within the current year are not eligible for the exemption in the same current year. When a home is purchased, it is expected that the buyer considers the cost to maintain the home, including the State mandated property taxes, when determining their affordability of the home purchase. Not doing so, creates a self-induced hardship, which will not be considered eligible for the exemption.

The amount of relief due to hardship that will be granted by the Board of Review for any qualifying applicant shall not exceed the amount as determined by the **CITY OF NEW BALTIMORE HARDSHIP EXEMPTION INCOME LEVEL CALCULATION REPORT.**

To be eligible for exemption by reason of poverty, a person shall do all of the following on an annual basis:

Applicants **MUST** be an owner of and occupy as a homestead (as defined by MCL 211.7dd) the property for which an exemption is being requested. Vacant, unplatted, contiguous land shall not qualify as homestead property for purposes of these guidelines.

1. Applicants MUST complete in its entirety a "Hardship Exemption Application" with the Board of Review on a form provided by the Assessing Department. Applications are to be filed after January 1st and before the day prior to the last day of the March, July or December Board of Review meetings for that assessment year. Incomplete applications and/or applications of taxpayers not meeting the eligibility requirements will be returned to the Applicant and will not be considered by the Board of Review. Qualified Applicants, or their authorized Representative, must appear in person before the Board of Review in order to be considered for relief due to financial hardship. Applicants who wish to send a Representative to appear on their behalf must provide them with a Notarized Letter of Authorization. The Representative will be required to present photo identification along with the letter. Applicants meeting all eligibility requirements will be scheduled for an appointment to appear before the Board of Review.
2. Applicants MUST provide copies of the following forms, including all supporting documents and schedules, for **ALL PERSONS RESIDING IN THE HOUSEHOLD**, filed in the immediately preceding year or in the current year:
 - Federal Income Tax Returns (1040 or 1040A)
(Applicants MUST file this tax return even if they owe no income tax or are not required to file a Federal Income Tax Return if they meet the requirements for receiving an Earned Income Tax Credit).
 - Signed Federal Form 4506-T: Request for Transcript of Tax Return
 - State of Michigan Income Tax Returns (MI-1040)
(Applicants MUST file this tax return even if they owe no income tax or are not required to file a Michigan Income Tax Return if they were granted a Federal Earned Income Tax Credit. The State will provide a 6% supplemental EITC when the Applicant files his/her State Income Tax Return).
 - If applicant did not file a Federal or State Income Tax return, they MUST complete and file an Income Tax Exemption Affidavit (Treasury Form 4988) for all persons residing in the residence who were not required to file in the current year or in the immediately preceding year, **and** who did not meet the qualifications for receiving an EITC.
 - Michigan Homestead Property Tax Credit Claim (MI-1040CR)
 - W-2 Forms
 - Social Security Benefit Statement (form SSA-1099) for **ALL PERSONS RESIDING IN THE HOUSEHOLD**, who receive Social Security benefits.
 - Proof of all sources of income if not included on the W-2 Forms, including any check stubs or receipts from contributions by relatives or other persons living in the household, or from State or Federal Government checks.
 - Current year mortgage verification showing loan balance plus principal and interest payment amounts.
 - Bank and/or credit union statements, for the current and immediately preceding six months, of **ALL** checking and savings accounts.

- **Current** credit reports for all persons residing in the household. (Credit reports are available at no cost to the applicant once per year from all 3 of the following credit reporting bureaus: Equifax, Experian and TransUnion. Free credit reports are available at myfreecreditreport.com)
- Statements for all household expenses and debt payments for the immediately preceding **six months**.
- A valid Michigan driver's license or other legal form of photo-identification, which indicates residing property address for all persons in the household.
- Copy of State of Michigan Registration for all vehicles.
- Copy of a deed, land contract, or other evidence of ownership of the property for which an exemption is requested.

The City requires all Applicants to provide copies of their originally-filed tax returns and will not accept summary information reports or reproduced tax returns. Federal and State tax returns must be signed unless "e-filed" documents are included. The City retains the right to request a copy of any household occupant's federal income tax returns from the Internal Revenue Service or Michigan Income Tax Returns from the Department of Treasury pursuant to MCL 205.28, and all vehicle or titled asset registration information from the Secretary of State.

3. Applicants **MUST** meet poverty income standards determined by the City of New Baltimore. These income standards shall be posted annually in the Department of Assessment and made available upon request at no charge. These income standards will be based upon the current year Federal Poverty Thresholds multiplied by a rate of 135% (1.35).

The Board of Review shall consider income from all sources and from all occupants of the homestead when determining whether an Applicant meets City poverty income standards as established by the City Council. Income includes:

- Money, wages, and salaries before deductions.
- Regular payments for social security, railroad retirement, unemployment and worker's compensation, veteran's payments and public assistance.
- Gifts, loans and contributions by all persons, whether living in the household or not.
- Alimony, child support, and military family allotments.
- Non-cash benefits, such as Medicaid, WIC, food stamps and school lunches.
- Private pensions, governmental pensions, regular insurance or annuity payments, and inheritance payments.
- College or university scholarships, grants, fellowships, educational trust disbursements and financial aid.

In addition to meeting the income level requirements as noted above, applicants must also meet requirements based on asset level.

ASSET GUIDELINES USED IN THE DETERMINATION OF POVERTY EXEMPTIONS

As required by PA 390 of 1994, all guidelines for poverty exemptions are established by the governing body of the local assessing unit **SHALL** also include an asset level test. The following asset test shall apply to all applications for poverty exemption.

- The applicant shall not have “liquid” assets (excluding the value of the principal residence subject to the exemption requested) in excess of two (2) times the amount of the estimated tax obligation of the current assessment.
- The applicant shall not have total assets (excluding the value of the principal residence subject to the exemption request) in excess of ten (10) times the amount of estimated tax obligation of the current assessment.

All asset information, as requested in the Application for Poverty Exemption must be completed in total. The Board of Review may request additional information and verification of assets if they determine it to be necessary and may reject any application if the assets are not properly identified.

Liquid Assets may include but are not limited to:

- Bank accounts
- Stocks and Bonds
- IRA's and other investment accounts
- Pension
- Life Insurance Policies
- Inheritance
- Money received from the sale of property such as stocks, bonds, a house or car unless a person is in the specific business of selling such property.

In addition, total assets may also include but are not limited to:

- A second home
- Excess or vacant land
- Rental property
- Buildings other than the residence
- Equipment
- Other personal property of value
- Extraordinary vehicles
- Recreational vehicles - shall not exceed the amount of the current annual property tax obligation. Recreational vehicles include snowmobiles, boats, jet skis, camping trailers,

travel trailers, motorcycles, motor homes, off-road vehicles, or anything else which may be considered a recreational vehicle.

- Food or housing received in lieu of wages and the value of food and fuel produced and consumed on farms.

It is not the intent of the City to adopt a policy of an individual being “automatically entitled” to exemption.

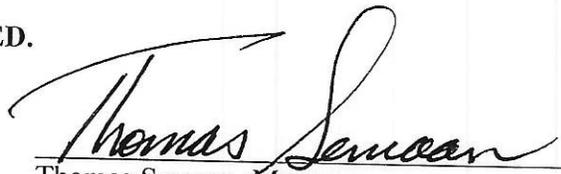
Any and all resolutions in conflict herewith are repealed, only to the extent necessary to give full force and effect to the foregoing provisions.

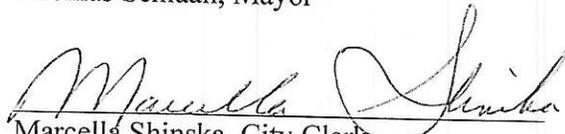
AYES: Duffy, Hayman, Covert, Dittrich, Eason

NAYS: None

ABSENT: Szymanski

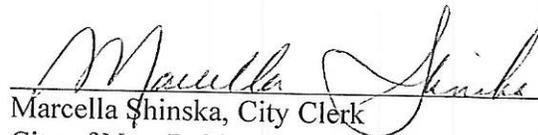
RESOLUTION DECLARED ADOPTED.


Thomas Semaan, Mayor


Marcella Shinska, City Clerk

CERTIFICATION OF CLERK

I hereby certify that the foregoing constitutes a true and complete copy of a Resolution adopted by the Council of the City of New Baltimore, County of Macomb, State of Michigan, at a regular meeting held on March 13, 2023, and that public notice of said meeting was given as required by Act 267, Public Acts of 1976, as amended and that the minutes of said meeting were kept and will be, or have been made available as required by the Act.


Marcella Shinska, City Clerk
City of New Baltimore