

RESOLUTION FOR POVERTY EXEMPTION - 2024

Resolution R-24-10

WHEREAS the homestead of persons who, in the judgment of the Supervisor and Board of Review, by reason of poverty, are unable to contribute to the public charges is eligible for exemption in whole or part from taxation under MCL 211.7u, Public Act 206 of 1893, and

WHEREAS Public Act 390 of 1994 states that the governing body of the local assessing unit shall determine and make available to the public the policy and guidelines the local assessing unit uses for granting poverty exemptions, the adoption of guidelines for Poverty Exemption is within the purview of the Leland Township Board, and

WHEREAS, pursuant to PA 390 of 1994, the Township of Leland, Leelanau 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.

NOW, THEREFORE, BE IT ESTABLISHED that:

In order to be eligible for poverty exemption, the claimant shall do all the following on an annual basis:

- 1) Own and occupy the homestead for which the exemption is requested.
- 2) File a claim with the Board of Review after January 1 but one day prior to the last day of the Board of Review on the application prescribed by the State Tax Commission and provided by the Leland Township Assessor.
- 3) Provide current or preceding year Federal and State income tax returns for all persons residing in the homestead, including any property tax credit returns. If a person was not required to file a federal or state income tax return in the tax year in which the exemption under this section is claimed or in the immediately preceding tax year, an affidavit in a form prescribed by the State Tax Commission may be accepted in place of the federal or state income tax return.
- 4) Produce a valid driver's license or other form of identification if requested by the Supervisor or Board of Review.
- 5) Produce a deed, land contract, or other evidence of ownership of the homestead property if requested by the Supervisor or Board of Review.
- 6) Meet the most recent Federal Poverty Guidelines for the number of persons residing in the homestead. (age not considered)

When computing income or cash assets, the computations for subsequent years shall be based on the most recent Federal Poverty Income Guideline issued annually by the United States Department of Health and Human Services and for reference published annually by the State Tax Commission.

Cash assets for a total household may not exceed 10% of the most recent Federal Poverty Guidelines for each family size.

Non-cash assets for the total household may not exceed \$5,000. The following assets are excluded from this limit:

- Applicant's homestead property
- Applicant's household personal property
- One vehicle used for personal transportation and one additional vehicle for each gainfully employed person in the household
- Assets not accessible by the applicant or member of the household
- Farm implements and equipment used to actively cultivate qualified agricultural property

If a person meets all eligibility requirements of this Policy, the Board of Review shall grant a full exemption equal to a 100% reduction in the taxable value of the principal residence.

An appeal of a decision of the March Board of Review is made by completing and submitting a petition to the Michigan Tax Tribunal no later than July 31 of the same year. A decision of the July or December Board of Review may be appealed by completing and submitting a petition to the Michigan Tax Tribunal within 35 days of the July or December Board of Review's decision.

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

The foregoing resolution offered by Township Board Member Shirley Garthe and supported by Township Board Member Clint Mitchell.

Upon roll call vote, the following voted:

Aye: Susan Och, Shirley Garthe, Clint Mitchell, Mariann Kirch

Nay: None

The Supervisor declared the resolution passed.