

Resolution 21-04

Keego Harbor Resolution for Poverty Exemption

WHEREAS, the adoption of guidelines for poverty exemptions is required of the Keego Harbor City Council; and

WHEREAS, the principal residence of persons, who the 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 (MCL 211.7u); and

WHEREAS, pursuant to PA 253 of 2020, the City of Keego Harbor, County of Oakland 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 an application with the Board of Review, accompanied by:
 - a. Most recent Federal and State income tax returns for all persons residing in the principal residence.
 - b. Most recent Senior Citizens Homestead Property Tax Form MI-1040CR-1 or General Homestead Property Tax Claim MI-1040CR-4 (Attached to the most current State Income Tax Return).
 - c. Statement from Social Security Administration and/or the Michigan Social Services as to monies paid to applicants(s) during the previous calendar year along with a current Form 4988 Poverty Exemption Affidavit if this is the sole source of income.
3. File an application reporting that the combined assets of all persons do not exceed the current guidelines. Assets include but are not limited to, real estate other than the principal residence. Assets shall include, but are not limited to: cash, savings, stocks, mutual funds, certificates of deposit, insurance commodities, coin collections, boats, jewelry, art, motor vehicles, recreation vehicles, second homes, cottages or any other saleable real property or other tangible items.
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 City of Keego Harbor guidelines adopted by the governing body.

7. The application for an exemption shall be filed after January 1, but one day prior to the last day of the Board of Review. The filing of this application constitutes an appearance before the Board of Review for the purpose of preserving the right of appeal to the Michigan Tax Tribunal.

WHEREAS, the applicant's total household income cannot exceed 1.5 times the most current Federal Poverty Times Guidelines (from the prior tax year) set forth by the U.S. Department of Health and Human Services as established by the State Tax Commission-to be updated annually.

WHEREAS, a poverty exemption shall not be granted to any applicant who owns real property, whether singly or jointly, regardless of location, other than his or her homestead.

WHEREAS, any reduction in the Taxable Value of a property is granted for one year only and must be applied for and reviewed annually based on the applicant's current situation.

WHEREAS, the total value of the assets of the applicant and each member of the applicant's household shall not exceed **\$40,000**. Excluding the property for which the exemption is requested and a principal vehicle(s) BUT including all other property, including from all other persons residing in the household. Property shall include, but is not limited to cash, savings, stocks, mutual funds, certificates of deposit, insurance commodities, coin collections, boats, jewelry, art, motor vehicles, recreation vehicles, second homes, cottages or any other saleable real property or other tangible items.

WHEREAS, for applicants meeting the income level guidelines and asset limit, the Board may approve a full exemption if deemed appropriate. Those applicants granted partial exemptions will receive a **one hundred (100%)** reduction in taxable value for the tax year in which the exemption is granted.

WHEREAS, in order to ease the burden on taxpayers and to ensure that all taxpayers have an equal opportunity to be heard by the Board of Review, the City of Keego Harbor hereby resolves, according to provisions of MCL 211.30(8) of the General Property, that the Board of Review shall receive letters of protest regarding assessment from resident taxpayers from the first Tuesday in March until it adjourns from the public hearings for which it meets to hear such protests.

NOW, THEREFORE, BE IT HEREBY RESOLVED, all notices of assessment change and all advertisements of the Board of Review meetings are to include a statement that the resident taxpayers may protest by letter to the board.

BE IT FURTHER RESOLVED, that to conform with the provisions of PA 253 of 2020, this resolution is hereby give immediate effect and will stay in effect for subsequent years until amended or voided.

Motion by: Council Member Kalman

Seconded by: Council Member Attisha


Voting Yea: 4 Mayor Lampl, Mayor Pro Tem Fletcher, Council Member Attisha and Council Member Kalman (Council Member Shimansky absent)

Voting Nay:

Abstaining:

The City of Keego Harbor, Mayor Lampl declared the resolution adopted February 18, 2021.

I, Tammy Neeb, the duly elected Clerk of the City of Keego Harbor, Oakland County, MI do hereby certify that the above is a true copy of a resolution adopted by the City of Keego Harbor City Council at a meeting held on January 18, 2021, at which time a quorum was present.



Tammy Neeb, City Clerk