



**RESOLUTION #24-07: 2024 POVERTY EXEMPTION
POLICY, GUIDELINES, AND DETERMINATIONS**

At a regular meeting of the Township Board of the Charter Township of Highland, Oakland County, Michigan, held in the Township Hall on April 1, 2024 6:30 p.m.

Present: Rick Hamill, Tami Flowers, Jennifer Frederick, Judy Cooper, Brian Howe, and Beth Lewis

Absent: Joseph Salvia

The following resolution was offered by Mrs. Cooper and seconded by Mr. Howe

WHEREAS, the homestead or principal residence of a person who, in the judgment of the Assessor and Board of Review, by reason of poverty, is unable to contribute to the public charges is eligible for exemption in whole or in part from the collection of taxes under the General Property Tax Act (“poverty exemption”); and

WHEREAS, the Township Board is required to determine and make available to the public, the policy, and guidelines to be used for granting poverty exemptions under the General Property Tax Act, MCL 211.7u, which as amended by Public Act 253 of 2020, also allows the Township Board to permit:

- a. Poverty exemptions granted for the 2019 and/or 2020 tax years to be continued for the 2021, 2022, and 2023 tax years without reapplication if there is no change in the ownership or occupancy status of the person who was eligible for the poverty exemption: and
- b. Poverty exemptions granted for the first time in the 2021, 2022, or 2023 tax years to be continued for an additional 3 years after the initial year of exemption, without reapplication if:
 - (i) there is no change in the ownership or occupancy status of the person who was eligible for the poverty exemption, and (ii) that person receives a fixed income solely from public assistance that is not subject to significant annual increases beyond the rate of inflation, subject to that person filing an affidavit with the Township rescinding the exemption within 45 days of no longer owning or occupying that principal residence or a change in household income or assets that defeats eligibility for the poverty exemption.

WHEREAS, MCL 211.7u, as amended by Public Act 253 of 2020, provides that if the Assessor determines that a principal residence for which a poverty exemption was granted for the 2019 or 2020 tax year is still eligible for that exemption, that poverty exemption shall remain in effect for the 2021 tax year if prior to February 15, 2021, the Township Board has adopted a Resolution that continues the poverty exemption for the 2021 tax year for all principal residences that had a poverty exemption for the 2019 and/or 2020 tax years subject to the owner of each such residence affirming the required ownership, occupancy, and poverty status to the Township on a State Tax Commission approved form.

IT IS THEREFORE RESOLVED, that the Board of Trustees, as the local governing body of the Charter Township of Highland, the local assessing unit, adopts the following policy and guidelines to be used by the Assessor and Board of Review in granting poverty exemptions under MCL 211.7u, which will take into account 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 for the poverty exemption, on an annual basis a person must:

1. Own and occupy the principal residence (homestead) for which the exemption is requested.
2. Unless not required by another provision of this Resolution, accurately and truthfully complete a State Tax Commission approved Application form and file that claim for the exemption with the Board of Review, accompanied by federal and state income tax returns for all persons residing in the principal residence (homestead), including any property tax credit returns filed in the immediately preceding year or in the current year.
3. Produce a valid driver's license or other form of identification if requested.
4. Produce (if requested) a deed, land contract, or other evidence of ownership of the property for which an exemption is requested.
5. Meet the poverty income guidelines - the total household income shall not exceed 200% of the most current Federal Poverty Guidelines from the prior tax year set forth by the U.S. Department of Health and Human Services, to be updated annually.
6. Not own a total of personal property, real property, and liquid assets exceeding \$50,000 in value. The homestead (principal residence) value and one vehicle with a value not to exceed \$20,000 are exempt from the \$50,000 maximum asset limit.

IT IS FURTHER RESOLVED THAT the Board of Review may require additional documentation or information to properly evaluate an exemption request.

IT IS FURTHER RESOLVED THAT the Board of Review shall follow the above stated policy and guidelines in granting or denying an exemption. If granting the exemption and as limited by MCL 211.7u, the Board of Review may grant a full exemption of 100% reduction in taxable value (TV of \$0) or a partial exemption equal to a 25% reduction or 50% reduction in taxable value.

IT IS FURTHER RESOLVED THAT as authorized by MCL 211.7u(6), poverty exemptions granted for the 2019 and/or 2020 tax years shall be continued for the 2021, 2022, and 2023 tax years without reapplication if no change in the ownership or occupancy status of the person who was eligible for the poverty exemption is documented annually by that person filing a completed Affidavit of Ownership and Occupancy to Remain Exempt by Reason of Poverty, State Tax Commission form with the Assessor no later than 2 days before the last day of the Board of Review for that tax year.

IT IS FURTHER RESOLVED THAT as authorized by MCL 211.7u(6), poverty exemptions granted for the first time in the 2021, 2022, or 2023 tax years shall be continued for an additional 3 tax years after the initial year of exemption, without reapplication if the person who was eligible for the poverty exemption annually files a completed Affidavit of Ownership and Occupancy to Remain Exempt by Reason of Poverty, State Tax Commission form with the Assessor no later than 2 days before the last day of the Board of Review for that tax year, affirming that there has been (i) no change in the ownership or occupancy status of the person who was eligible for the poverty exemption, and (ii) that person receives a fixed income solely from public assistance that is not subject to significant annual increases beyond the rate of inflation.

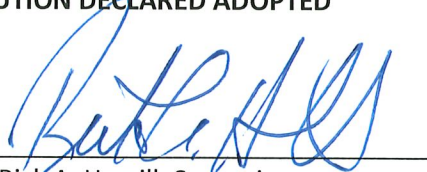
IT IS FURTHER RESOLVED THAT a person receiving the extended exemption in the preceding paragraph is required to file an affidavit rescinding the exemption with the Assessor within 45 days of no longer owning or occupying the principal residence or a change in household income or assets that defeats eligibility for the poverty exemption.

IT IS FURTHER RESOLVED that as authorized by MCL 211.7u(8), poverty exemptions are continued for the 2021 tax year for all principal residences that had a poverty exemption for the 2019 and/or 2020 tax years, subject to the owner of each such residence affirming the required ownership, occupancy, and poverty status to the Township by filing a completed Affidavit of Ownership and Occupancy to Remain Exempt by Reason of Poverty, State Tax Commission form with the Assessor no later than 2 days before the last day of the Board of Review for the 2021 tax year.

IT IS FURTHER RESOLVED THAT as required by MCL 211.7u(9), the Township will develop and implement an audit program for the continued poverty exemptions provided for in this Resolution under MCL 211.7u(6) and MCL 211.7u(8), following State Tax Commission guidance.

Ayes: Hamill, Flowers, Frederick, Cooper, Howe, and Lewis
Nays: None
Abstentions: None

RESOLUTION DECLARED ADOPTED



Rick A. Hamill, Supervisor



Tami Flowers, MiPMC Clerk

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

I, the undersigned, the duly qualified and elected Clerk of the Charter Township of Highland, Oakland County, Michigan, do hereby certify that the foregoing resolution was adopted by the Township Board of Trustees at a regular meeting held on the 1st day of April 2024.



Tami Flowers, MiPMC Clerk