

2021 MTA Sample Township Board Resolution to Allow Extension of Poverty Exemption

WHEREAS, the General Property Tax Act, MCL 211.7u, states that 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 the General Property Tax Act; and

WHEREAS, a township board has the option under MCL 211.7u(6) to permit by resolution a principal residence granted poverty exemption from the collection of taxes in tax year 2019 or 2020, or both, to remain exempt in tax years 2021, 2022, and 2023 without subsequent reapplication for the exemption, provided there has not been a change in ownership or occupancy status of the person eligible for exemption, and may permit a principal residence granted poverty exemption for the first time from the collection of taxes in tax year 2021, 2022, or 2023 to remain exempt for up to 3 additional years after its initial year of exempt status without subsequent reapplication for the exemption, provided there has not been a change in ownership or occupancy status of the person eligible for exemption, if the person who establishes initial eligibility receives a fixed income solely from public assistance that is not subject to significant annual increases beyond the rate of inflation, such as federal Supplemental Security Income or Social Security disability or retirement benefits; and

WHEREAS, a township board also has the option under MCL 211.7u(8) to continue poverty exemptions granted for 2019 or 2020, or both, through 2021, if the assessor determines that a principal residence of a person by reason of poverty is still eligible for this exemption if, on or before February 15, 2021, the township board adopts a resolution that continues the exemption through tax year 2021 for all principal residences within the local assessing unit that were exempt in tax year 2019 or 2020, or both; and

WHEREAS, a township board may require the owner of a principal residence exempt from the collection of taxes to affirm ownership, poverty, and occupancy status in writing by filing Treasury Form 5739—Affirmation of Ownership and Occupancy to Remain Exempt by Reason of Poverty with the township..

NOW, THEREFORE, BE IT HEREBY RESOLVED, pursuant to MCL 211.7u(6), that _____ Township, _____ County, permits a principal residence granted poverty exemption from the collection of taxes in tax year 2019 or 2020, or both, to remain exempt in tax years 2021, 2022, and 2023 without subsequent reapplication for the exemption, provided there has not been a change in ownership or occupancy status of the person eligible for exemption, and permit a principal residence granted a poverty exemption for the first time from the collection of taxes in tax year 2021, 2022, or 2023 to remain exempt for up to 3 additional years after its initial year of exempt status without subsequent reapplication for the exemption, provided there has not been a change in ownership or occupancy status of the person eligible for exemption, if the person who establishes initial eligibility receives a fixed income solely from public assistance that is not subject to significant annual increases beyond the rate of inflation, such as federal Supplemental Security Income or Social Security disability or retirement benefits.

ALSO, BE IT HEREBY RESOLVED, pursuant to MCL 211.7u(8), that _____ Township, _____ County, continues the poverty exemption through tax year 2021 for all principal residences within the township that were exempt in tax year 2019 or 2020, or both. The township board requires owners of a principal residence exempt from the collection of taxes pursuant to this provision to affirm ownership, poverty, and occupancy status in writing by filing Treasury Form 5739—Affirmation of Ownership and Occupancy to Remain Exempt by Reason of Poverty with the township.

The foregoing resolution offered by Board Member _____ and supported by Board Member _____.

Upon roll call vote, the following voted "Aye:" "Nay:"

The Supervisor declared the resolution adopted.

Clerk

I, _____, the duly elected and acting Clerk of _____ Township, hereby certify that the foregoing resolution was adopted by the township board of said township at the regular meeting of said board held on _____, 20____, at which meeting a quorum was present by a roll call vote of said members as hereinbefore set forth; that said resolution was ordered to take immediate effect.

Clerk

*Edit the sample as needed. Remove all unused sample text in parentheses.
MTA Member Information Services, January 2021*