

2021 MTA Sample Township Board Resolution to Adopt Poverty Exemption Income Guidelines and Asset Test

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 is required by MCL 211.7u to adopt guidelines for the poverty exemption;

NOW, THEREFORE, BE IT HEREBY RESOLVED, pursuant to MCL 211.7u, that _____ Township, _____ County, adopts the following guidelines for the supervisor and 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.

To be eligible for exemption under this section, a person must do all of the following on an annual basis (**Option, if township board has adopted sample resolution(s): per extension(s) as allowed under MCL 211.7u(6) and (8).**)

- 1) Own and occupy as a principal residence the property for which an exemption is requested. The person shall affirm this ownership and occupancy status in writing by filing a form prescribed by the state tax commission with the local assessing unit.
- 2) File a claim with the board of review on a form prescribed by the state tax commission and provided by the local assessing unit, accompanied by federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns, filed in the immediately preceding year or in the current year. Federal and state income tax returns are not required for a person residing in the principal residence if that 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, and an affidavit in a form prescribed by the state tax commission may be accepted in place of the federal or state income tax return.
- 3) Produce a valid driver license or other form of identification if requested by the supervisor or board of review.
- 4) Produce a deed, land contract, or other evidence of ownership of the property for which an exemption is requested if required by the supervisor or board of review.
- 5) Meet (the *federal poverty income guidelines as defined and determined annually by the United States Office of Management and Budget* OR the *current poverty income guidelines adopted by the township board*).
[NOTE: If you plan to adopt guidelines other than the federal guidelines, the alternative guidelines adopted by your unit may be higher than the federal poverty guidelines—making it easier for a person to be eligible for the exemption—but cannot be lower than the federal poverty guidelines—making it harder to be eligible.]
- 6) Meet additional eligibility requirements as determined by the township board, including: **[insert maximum asset value level/amount and asset test policies here];**

BE IT ALSO RESOLVED that the board of review shall follow the above stated policy and federal guidelines in granting or denying an exemption.

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