

City of Roosevelt Park County of Muskegon

Resolution No. 23-15

RESOLUTION FOR POVERTY EXEMPTION



WHEREAS, the adoption of guidelines for poverty exemptions is required of the Roosevelt Park City Council; and

WHEREAS, the principal residence of persons, who the Supervisor/Assessor and 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 390 of 1994 (MCL 211.7u); and

WHEREAS, pursuant to PA 390 of 1994, the City of Roosevelt Park, Muskegon 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;

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 a claim with the supervisor/assessor or Board of Review, 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 or a signed State Tax Commission Form 4988, Poverty Exemption Affidavit.
3. File a claim 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, personal property, motor vehicles, recreational vehicles and equipment, certificates of deposit, savings accounts, checking accounts, stocks, bonds, life insurance, retirement funds, etc.
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 federal poverty income guidelines as defined and determined annually by the United States Department of Health and Human Services.
7. The application for an exemption shall be filed after January 1, but one day prior to the last day of the December Board of Review. The filing of this claim constitutes an appearance before the Board of Review for the purpose of preserving the right of appeal to the Michigan Tax Tribunal.

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

BE IT FURTHER RESOLVED, this resolution is made a part of the minutes of the City of Roosevelt Park meeting on December 4, 2023.

At a regular meeting of the City Council of the City of Roosevelt Park, held in the Council Chambers at the Roosevelt Park City Hall, 900 Oak Ridge Road, on the 4th day of December, 2023, the foregoing resolution was moved for adoption by Council Member Burmeister. This motion was supported by Council Member Cruz.

Upon roll call vote, the following voted:

Ayes: 7
Nays: 0
Absent: 0



RESOLUTION DECLARED ADOPTED

Ann Wisniewski
Ann Wisniewski, City Clerk
Date:

**POLICY AND GUIDELINES FOR POVERTY EXEMPTIONS FROM TAXATION CITY OF
ROOSEVELT PARK
YEAR OF 2024
AS REQUIRED BY PA 390 OF 1994**

In order to comply with the General property Tax Act, P.A. 206 of 1893 as amended, Section 211.7u, which reads: "The homestead of persons who, in the judgment of the supervisor and board of review, by reason of poverty, are unable to contribute toward the public charges is eligible for exemption in whole or in part from taxation under this act", the following policy for applicants requesting consideration for poverty exemptions will be followed:

1. All requests for Poverty Exemption must be made on the form(s) provided by the State of Michigan. Handicapped or infirmed applicants may call the assessor's office to make necessary arrangements for assistance.
2. Applications may be filed with the City of Roosevelt Park Assessing Department after January 1, but before the day prior to the last day of the March, July or December Board of Review.
3. Applications are to be reviewed by the Board of Review, and may be reviewed without the applicant being present. However, the Board of Review may request that any or all applicants be physically present to respond to any questions the Board of Review may have. This means an applicant may be called to appear on short notice.
4. The applicant(s) may have to answer questions regarding financial affairs, health, the status of people living in his/her home before the board, at a meeting which is open to the public at large.
5. The Board of Review will use as a basis for the granting of such exemption the following listed items and requirements.
 - a. Public Act 390 of 1994, also known as MCL 211.7u, as amended. (Copy attached).
 - b. Bulletin No. 6, June 6, 2017, Michigan Department of Treasury, State Tax Commission to include the definitions and requirements. (A copy of Bulletin 6 is on file at the City for review or purchase).
 - c. Poverty thresholds as provided by the United States Office of Management and Budget. Income is defined in Bulletin No. 6. (Specific poverty thresholds list is attached).
 - d. Asset thresholds for the entire household as determined by the City of Roosevelt Park. (Specific requirements thresholds list is attached).
 - e. Specific requirements by the City of Roosevelt Park that must be met before the application will be considered for approval. Be advised that some of the listed requirements are included as part of P.A. 390 of 1994. (Specific requirements list is attached).
 - f. Data submitted to the board by the petitioner.
 - g. Testimony taken from petitioner and information gathered from any source the board may wish to use.
6. Any successful applicant may be subject to personal investigation by the City. This would be done to verify information submitted or statements made to the assessor or

board of review In regard to the applicant's property tax abatement claim. Should any representation by the applicant appear to be false¹ the exemption shall be denied.

7. Applications for poverty exemption are for one year only. A new application must be submitted for the following year.
8. The supervisor, or secretary of the Board of Review, will keep minutes of all proceedings before the Board of Review and all meetings must be held in a municipal building and pursuant to the Open Meetings Act.
9. The Board of Review shall follow this policy when considering all requests for a poverty exemption. The same standards shall apply to each applicant in an assessment year.
10. Poverty Exemptions denied by the Board of Review may be appealed to the Michigan Tax Tribunal by July 31st of the current year or within 35 days of denial at a July or December Board of Review.

Michigan Tax Tribunal
PO Box 30232
Lansing1 MI 48909
Phone: 517-373-3003
Fax: 517-373-1633
Email: taxtrib@michigan.gov

**SPECIFIC REQUIREMENTS FOR POVERTY EXEMPTION
(As adopted by the City Council)**

In addition to the requirements outlined in PA 390 of 1994, also known as MCL 211.7u, as amended, the following apply:

1. Applicant must provide current copy of deed or land contract showing ownership in principal residence.
2. Applicant must provide copies of the most recent Michigan Income Tax Return for all persons residing in the principal residence, including Homestead Property Tax Credit Claim [MI 1041 CR-1 (Senior) or CR-4 (General) if he/she is required to file a state income return.
3. Applicant must provide copies of most recent Federal Income Tax Return (1040) for all persons residing in the principal residence, if he/she is required to file federal income return. If applicant is not required to file income tax returns, they must indicate this on the application.
4. Any applicant or person residing in the principal residence who is not required to file Michigan or Federal Income Tax Return is required to file an affidavit (Treasury Form 4988).
5. Applicant must provide copies of W-2 forms or 1099 forms pertaining to tax forms presented.
6. Applicant must provide a copy of a current Michigan driver license or state identification card for identification.
7. The Board of Review will apply a three (3) part test to determine the eligibility and amount of the exemption.
 - I. THE INCOME TEST:
An eligible applicant must meet the published federal poverty income standards as determined annually.
 - II. THE ASSET TEST:
A poverty exemption shall not be granted to any applicant whose total liquid assets exceed \$1,500.

Under no circumstances shall a poverty exemption be granted to any applicant who owns any interest in marketable real estate in addition to their principal residence.

Under no circumstances shall a poverty exemption be granted to any applicant who owns any interest in a recreational vehicle.

III. INCOME FROM OTHER SOURCES TEST:

If the Board of Review determines that the applicant has or should have income from other sources, such as relatives, dependents, friends, they may add this income to the applicant's reported income and if the resulting sum of these incomes is greater than the Federal Poverty Income Standards, then a poverty exemption will be denied. If the amount of the income added to the applicant's reported income and the resulting sum is less than the Federal Poverty Income Standards, then a poverty exemption may be granted.

8. Granting a poverty exemption does not relieve the taxpayer of the burden of special assessments levied against the property. Special Assessments will still be due and payable.

2023 Poverty Guidelines: 48 Contiguous States

Size of Family Unit	Poverty Guidelines
1	\$ 14,580
2	\$ 19,720
3	\$ 24,860
4	\$ 30,000
5	\$ 35,140
6	\$ 40,280
7	\$ 45,420
8	\$ 50,560
For each additional person	\$ 5,140