



Discover ★ Enjoy ★ Celebrate!

P.O. Box 178 • 114 Woodhull Street • Laingsburg, Michigan 48848-0178
Phone (517) 651-5374 • Fax (517) 651-5512
www.laingsburg.us

CITY OF LAINGSBURG
SHIAWASSEE COUNTY, MICHIGAN

RESOLUTION 2214

UPDATE POVERTY EXEMPTION POLICY & GUIDELINES

At a regular meeting the City Council of the City of Laingsburg, Shiawassee County, Michigan, held at the Laingsburg City Hall, on the 12th of September, 2022 at 7p.m., Eastern Standard Time.

PRESENT: Culpepper, Geasler, Rhodabeck, Judd & Nickols

ABSENT: Fredline & Ducastel

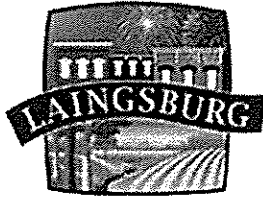
The following amendment to the Poverty Exemption Resolution was made by Nickols and supported by Geasler

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

WHEREAS, the principal residence of persons, who the 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 Laingsburg Shiawassee 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;

WHEREAS, to be eligible, a person shall adhere to the following Policy and Guidelines on an annual basis:



CITY OF LAINGSBURG
PROPERTY TAX
POVERTY EXEMPTION POLICY & GUIDELINES

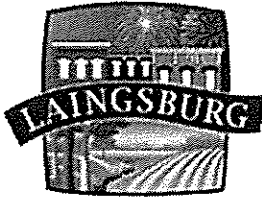
BY LAW ALL BOARD OF REVIEW MEETINGS AND THE INFORMATION DISCUSSED ARE OPEN TO THE PUBLIC. DOCUMENTATION SUBMITTED TO THE BOARD OF REVIEW OR THE ASSESSOR IS SUBJECT TO THE RULES PRESCRIBED IN THE FREEDOM OF INFORMATION ACT AND REQUESTS FOR INFORMATION MAY BE RELEASED TO THE PUBLIC.

POLICY

The City of Laingsburg will grant partial exemptions due to poverty according to Section 211.7u of the Michigan Compiled Laws. **Property Tax Poverty exemptions must be applied for each year.**

The Assessor and the Board of Review will apply the guidelines as adopted by the City uniformly to all applicants without prejudice and shall not deviate from the adopted guidelines.

Note: P.A. 253 of 2020 removes the "supervisor" from statute. Only BOR grant/deny poverty exemption. BOR must not deviate from adopted policy guidelines for "substantial & compelling reasons", BOR must grant (full) 100%, 50%, and 25% for person who meets eligibility requirements or the City will need STC approval for any other percentage reduction.



GUIDELINES

The applicant shall:

-Be the owner and occupant of the homestead property for which an exemption is applied (211.7u)

- File a Claim (application on the form provided by the City Assessor's office. The filing of a claim constitutes an appearance before the Board of Review for the purpose of preserving the claimant's right to appeal (211.7u). **The application form shall be fully completed.**

-Sign the application at the Assessor's office when the application is returned. If the applicant cannot personally return the application, a notarized application is acceptable.

-Supply a copy of federal and state income tax returns for **all** persons residing in the homestead, including any property tax credit returns, filed in the immediately preceding or in the current year (211.7u). Or sign affidavit if non-filer.

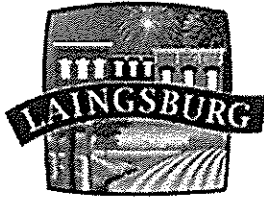
-Supply a copy of proof of income for the most recent one-month period for **all** household members (current pay stubs, benefit statement, etc.)

-Supply identification, proof of residency and ownership if requested by the Assessor of Board of Review (211.7u)

If the applicant fails to supply the required documents or if it is found that the information supplied is fraudulent the application **shall be denied**.

Income Test

Applicant's annual household income shall not exceed the federal poverty income thresholds as defined and determined annually by the U.S. Department of Commerce. (See defined Federal Income)



2022 Federal Income Standards Poverty Threshold

Number of persons residing in homestead	Annual allowable income
1 person	12,880
2 persons	17,420
3 persons	21,960
4 persons	26,500
5 persons	31,040
6 persons	35,580
7 persons	40,120
8 persons	44,660
Each additional person, add	4,540

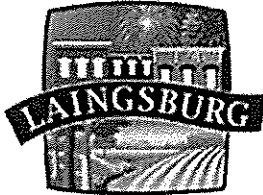
Income of students under the age of 18 years, shall not be included as income

Asset Test

The value of property in excess of what is considered part of the original homesteads minimum zoning required footprint for that home shall be considered an asset.

According to the MTT Small Claims Division Docket 236230, 8/13/1997, the MTT views the asset test to be: **an indication of funds available which may be used to pay one's taxes....and not the inclusion of equity in one's home.**

Assets include, but are not limited to: real estate other than principal residence minimum footprint, motor vehicles, recreational vehicles and equipment, certificates of deposits, savings accounts, checking accounts, stocks, bonds, life insurance, retirement funds, etc. For purposes of this paragraph, the Board of Review shall consider the value of the assets and shall not reduce such value by any indebtedness owed on such assets, or indebtedness otherwise owed by the applicant(s).



Assets (except the original homestead and minimum zoning required footprint, essential household goods and the first \$5,000 of the market value of a motor vehicle), shall not exceed \$4,000 (four thousand) dollars for individual applicant and/or \$6,000 (six thousand) dollars per household if more than one financial contributor.

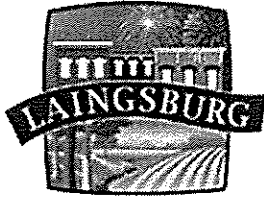
The Bureau of the Census defines income to include the following:

1. Money wages and salaries before any deductions.
2. Net receipts from non-farm self-employment. These are receipts from a person's own business, professional enterprise, or partnership, after deductions for business expenses
3. Net receipts from farm self-employment. These are receipts from a farm which one operates as an owner, renter, or sharecropper, after deductions for farm operating expenses.
4. Regular payments from social security, railroad retirement, unemployment compensation, strike benefits from union funds, worker's compensation, veteran's payments, public assistance (including Aid to Families with Dependent Children Supplemental Security Income, Emergency Assistance money payments, and non-Federally-funded General Assistance or General Relief money payments).
5. Alimony, child support, and military family allotments or other regular support from an absent family member or someone not living in the household.
6. Private pensions, government employee pensions (including military retirement pay), and regular insurance or annuity payments.
7. College or university scholarships, grants, fellowships, and assistantships.
8. Dividends, interest, net rental income, net royalties, periodic receipts from estates or trusts, and net gambling or lottery winnings.

Income does not include the following:

Page 4 of 5

I:\2022 POVERTY RESOLUTION AND POLICY\CITY OF LAINGSBURG POVERTY EXEMPTION POLICY.docx



1. Money received from the sale of property such as stocks, bonds, a house, or a car unless a person is in the business of selling such property.
2. Withdrawals of bank deposits and borrowed money.
3. Tax refunds, gifts, loans, lump-sum inheritances, one-time insurance payments.
4. Food or housing received in lieu of wages and the value of food and fuel produced and consumed on farms.
5. Federal non-cash benefit programs such as Medicare, Medicaid, food stamps, and school lunches.

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

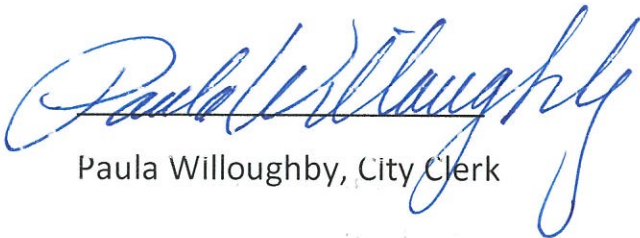
Upon roll call vote, the following voted:

YEAS: Culpepper, Geasler, Rhodabeck, Judd & Nickols

NAYS: None

ABSENT: Fredline & Ducastel

Resolution declared adopted.



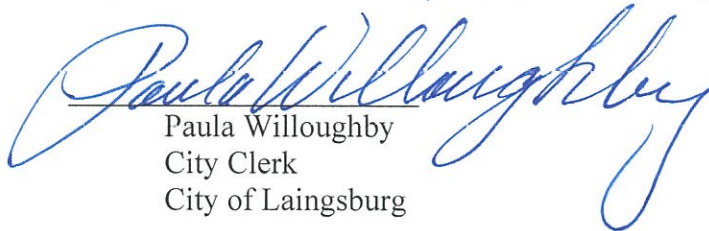
Paula Willoughby, City Clerk

9/13/22

Date

STATE OF MICHIGAN)
) ss:
COUNTY OF SHIAWASSEE)

I, Paula Willoughby, the duly qualified clerk of the City of Laingsburg, Shiawassee County, Michigan (the "City") do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a meeting held on September 12, 2022, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, including in the case of a special or rescheduled meeting, notice by publication or posting at least eighteen (18) hours prior to the time set for the meeting. IN WITNESS WHEREOF, I have affixed by official signature this 13th Day of September 2022.



Paula Willoughby
City Clerk
City of Laingsburg

SEAL