

HADLEY TOWNSHIP RESOLUTION FOR POVERTY EXEMPTION

WHEREAS, the adoption of guidelines for poverty exemptions is required of the Hadley Township Board; 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 Township of Hadley, Lapeer 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) The application for an exemption shall be filed after January 1, but one day prior to the last day of the 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.
- 3) Provide federal and state income tax returns for all persons residing in the principal residence, which were completed or filed, including any property tax credit returns filed in the immediately preceding year or on the current year. If Federal or State Tax forms are not required to be filed, each resident must file a poverty exemption affidavit.
- 4) File a claim reporting that the combined assets of all persons do not exceed the current Township asset guidelines. Assets include but are not limited to, real estate other than principal residence, real estate in excess of the minimum parcel size in a zoning district, personal property, motor vehicles, recreational vehicles and equipment, certificates of deposit, savings accounts, checking accounts, stocks, bonds, life insurance, retirement funds, etc. Farm equipment used for growing crops are excluded from the asset test.
- 5) Produce a valid driver's license or other form of identification.
- 6) Produce, if requested, a deed, land contract, or other evidence of ownership of the property for which an exemption is requested.
- 7) Meet the federal poverty income guidelines as defined and determined annually by the United States Department of Health and Human Services or alternative guidelines adopted by the governing body providing the alternative guidelines do not provide eligibility requirements less than the federal guidelines. Hadley Township poverty income guideline is currently set at 125% of the Federal poverty income guidelines.
- 8) The income must include all income for all residents of the primary residence. Income includes all monies received from all sources. It includes, but is not limited to all pension receipts, all disability receipts, all public assistance from any source, alimony, child support payments, military family allowances, dividends, interest, rental receipts, receipts from trusts and any

insurance or annuity and social security and social security disability receipts. It also includes any money received from sale of personal property, such as scrap, old appliances, automobiles, campers, etc.

- 9) Currently, the Township Asset Test states that the total of all liquid assets, not including the primary residence or farm equipment used to produce crops shall not exceed \$70,000.

The federal and Hadley Township poverty income guidelines are updated annually by the United States Department of Health and Human Services and the Township. The current Hadley Township income guidelines are set at 125% of the Federal poverty income guidelines. The annual allowable income includes income for all persons residing in the principal residence. These guidelines and all appropriate forms are available at the Hadley Township Offices.

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, unless the Board of Review determines there are substantial and compelling reasons why there should be a deviation from the policy and federal guidelines and these reasons are communicated in writing to the claimant.

The foregoing resolution offered by Township Board Member Schultz and supported by Township Board Member Hartwig.

Upon roll call vote, the following voted:

"Aye": 4 Daly, shultz, Hartwig, Monroe
"Nay": 0

The Township Clerk declared the resolution Adopted.

Cynthia Daly Cynthia Daly, Clerk
1/10/2023 Date