

HARTLAND TOWNSHIP POLICY AND GUIDELINES **FOR GRANTING OF HARDSHIP EXEMPTIONS**

MCL 211.7u, as amended, provides that:

- (1) Homesteads of persons who, in the judgment of the Supervisor and the Board of Review, by reason of poverty, are unable to contribute toward the public charges are eligible for exemption in whole or in part from taxation under the General Property Tax act.

The following policy and guidelines have been adopted by the Hartland Township Board to govern the granting of poverty exemptions:

APPLICATION PROCEDURE

1. **Eligibility and Application:** To be eligible for a hardship or poverty exemption the applicant must be both the property owner and taxpayer. Applicant cannot be a corporation, trust or other business entity and must do all of the following on an annual basis:
 - A. Be an owner of and occupy as a homestead the property for which an exemption from property taxes is requested. "Homestead" means that term as defined in section 508 of the Michigan Income Tax Act, being MCL 206.508, as amended.
 - B. File with the Township Assessor a completed Hardship Exemption Application (copy attached) provided by the Assessor's office.
APPLICATION MUST BE ACCOMPANIED BY FEDERAL AND STATE INCOME TAX RETURNS FOR ALL PERSONS RESIDING IN THE HOMESTEAD, INCLUDING ANY PROPERTY TAX CREDIT RETURNS, filed in the immediately preceding year and in the current year.
 - C. Produce a valid driver's license or other acceptable form of identification if requested by the Supervisor, Assessor or Board of Review.
2. **Filing period and Appearance:** Fully completed Hardship Exemption Applications with required supporting information will be accepted till one week prior to the last meeting of the Board of Review. All hardship applications will be heard at the meetings of the July and December Board of Review. The filing of a completed application with required supporting documentation shall constitute an appearance before the Board of Review for the purpose of preserving the applicant's right to further appeal the decision of the Board of Review to the Michigan Tax Tribunal.

EVALUATION PROCEDURE

1. Meetings: Meetings of the Board of Review relative to Hardship Exemption applications shall be held in compliance with the Michigan Open Meetings Act. All applications and supporting documentation are confidential and not available for public review, copy or inspection.
2. Applicant's Presence: The Board of Review may request an applicant to personally appear before the Board to respond to any questions the Supervisor, Board of Review or Assessor may have.
3. Investigation: Applicants for Hardship Exemption may be investigated by Hartland Township to verify information submitted or statements made to the Supervisor, Board of Review or Assessor.
4. Oath: Applicants appearing before the Board of Review may be administered an oath affirming that the information submitted; both written and verbal is the truth.
5. Criteria for Determining Exemption: The Supervisor and Board of Review shall consider the following three (3) criteria to determine whether a poverty exemption shall be granted:
 - A. Income: The total income of the applicants and each member of the applicant's household shall not exceed the income standards as adopted by resolution of the Hartland Township Board to be the Federal Poverty Income Guidelines which are determined annually by the United States Department of Health and Human Services. **Income levels SHALL NOT BE SET LOWER than the Federal Poverty Income Guidelines.**
 - B. Assets: The value of the Homestead will not be included when determining the assets of the applicant. The assets of the applicant and each member of the applicant's household shall be examined to determine whether the assets could be reasonably invested, sold or used to pay the property taxes. Applicants with assets up to \$10,000 may still be granted a full Hardship Exemption. If the assets are of a nature and value that reasonably indicate that a condition of hardship or poverty does not exist, then a Hardship Exemption shall not be granted.
 - C. Contribution from other sources: If the Board of Review determines the applicant receives contribution toward taxes from other sources, such as a trust, inheritance, co-owner, relative, dependant, friend or occupant of the homestead, the Supervisor or Board of Review may consider the amount of such contributions as an addition to the applicant's income. If the resulting sum exceeds the Income Guidelines as adopted by the Hartland Township Board then a hardship or poverty exemption shall be denied.

6. Granting of Exemption: If the applicants:

- A. Total household income from all sources does not exceed the Income Guidelines adopted by the Hartland Township Board; and
- B. Does not have assets which can reasonably be invested, sold or used to pay the property taxes; and
- C. Does not receive or reasonably expect to receive contribution toward taxes from other sources,

The Supervisor and Board of Review may reduce the taxable value of the subject property and tax liability of the taxpayer.

7. Deviation from Hardship Policy and Guidelines: The Supervisor and Board of Review shall follow the Hardship Policy and Guidelines as set forth herein for granting or denying Hardship Exemptions unless the Supervisor and Board of Review determine there are substantial and compelling reasons why there should be a deviation from the policy and guidelines. The substantial reasons shall be communicated in writing to the applicant.