

Resolution

RESOLUTION TO ADOPT POVERTY EXEMPTION GUIDELINES & RESIDENT LETTERS OF PROTEST.

At a regular meeting of the City Council of the City of Ferndale, Oakland County, Michigan, held in the Council Chambers at 300 E. Nine Mile, Ferndale MI 48220 on the 13th day of June, 2022,

The following resolution was moved by Council Member Leaks-May and seconded by Council Member Mikulski:

WHEREAS MCL 211.7u, which deals with poverty exemptions, was significantly altered by PA 390 of 1994, PA 620 of 2002 and most recently PA 253 of 2020. Section 211.7u of the Michigan Compiled Laws requires that local governing bodies determine and make available to the public the policy and guidelines used by the Board of Review in granting reductions in property assessments due to limited income and assets, referred to as "Poverty Exemptions." Those income levels shall not be set lower by a city or township than the prior year federal poverty guidelines updated annually by the U. S. Department of Health and Human Services.

THEREFORE, BE IT RESOLVED that in order to be eligible for a poverty exemption in the City of Ferndale, a person shall do all of 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 Board of Review on a form provided by the local municipal office.
3. Submit the most recent year's copies of the following:
 - a. Federal and State of Michigan Income Tax Returns.
 - b. Either Senior Citizens Homestead Property Tax Form MI-1040CR-1 or General Homestead Property Tax Claim MI-1040CR-4.
 - c. Statement from Social Security Administration and/or the Michigan Social Services as to monies paid to applicants during the year accompanied by a signed STC Form 4988.
4. Produce a valid driver's license or other form of identification.
5. Produce a deed, land contract, or other evidence of ownership of the property for which the exemption is requested.

BE IT FURTHER RESOLVED that the applicant's total household income cannot exceed one and one-half times the federal poverty guidelines published in the prior calendar year in the Federal Register by the U.S. Department of Health and Human Services and established by the State Tax Commission-to be updated annually. The annual allowable income includes the income for all persons residing in the principal residence.

BE IT FURTHER RESOLVED that if a person meets all eligibility requirements, the Board of Review shall grant an exemption equal to a 25% or 50% or 100% reduction in the taxable value.

BE IT FURTHER RESOLVED that a poverty exemption shall not be granted to any applicant whose assets exceed \$15,000. An applicant's homestead and principal vehicle shall be excluded from consideration as an asset. All other property, including from all

other persons residing in the household, shall be included as an asset. Property shall include, but is not limited to: cash, savings, stocks, mutual funds, insurance commodities, coin collections, art, motor vehicles, recreation vehicles, etc.

BE IT FURTHER RESOLVED that the Board of Review shall follow the policy and guidelines set forth above when granting and denying poverty exemptions. The same standards shall apply to each taxpayer within the city claiming the poverty exemption for the assessment year.

BE IT FURTHER RESOLVED that applications will be accepted after January 1st through the day prior to the last day of the Board of Review.

BE IT FURTHER RESOLVED that a person who files a claim under this section is not prohibited from also appealing the assessment on the property for which that claim is made before the Board of Review in the same year.

BE IT FURTHER RESOLVED that in order to ease the burden on taxpayers, the assessor and the Board of Review and to ensure that all taxpayers have an equal opportunity to be heard by the Board of Review, the City of Ferndale hereby resolves, according to provisions of MCL 211.30(8) of the General Property Tax Act, the Board of Review shall receive letters of protest regarding assessments from resident taxpayers from the first Tuesday in March until it adjourns from the public hearings for which it meets to hear such protests.

BE IT FURTHER RESOLVED that all Notices of Assessment Change and all advertisements of Board of Review meetings are to include a statement that the resident taxpayers may protest by letter to the Board.

BE IT FURTHER RESOLVED that in order to conform to the provisions of P.A. 253 of 2020, and MCL 211.30(8) these resolutions are hereby given immediate effect and will stay in effect for subsequent years until amended or voided.

RESOLUTION DECLARED ADOPTED.

I, Anthony Essmaker, duly authorized Clerk for the City of Ferndale, do hereby certify that the foregoing is a true and correct copy of a motion adopted by the City Council at a regular meeting duly called and held on June 13, 2022, in the City of Ferndale, Oakland County, Michigan



Anthony Essmaker, City Clerk