

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF HUNTINGTON WOODS
RESOLUTION NO. 31

**A RESOLUTION OF THE HUNTINGTON WOODS CITY COUNCIL ADOPTING A POLICY
RELATIVE TO THE REVIEW AND GRANTING OF POVERTY EXEMPTIONS BY THE
CITY OF HUNTINGTON WOODS BOARD OF REVIEW**

At the meeting of the City Commission of the City of Huntington Woods, Oakland County, Michigan, held on the 14th day of June, 2022, at the City Hall, 26815 Scotia, Huntington Woods, Michigan 48070.

The following resolution was offered by **Commissioner Jenks** and seconded by **Commissioner Elder**:

WHEREAS, pursuant to Public Act 206 of 1893, as amended, specifically MCL 211.7u, the principal residence of persons who, by reason of poverty, are unable to contribute toward the public charges is eligible for exemption from taxation; and,

WHEREAS, P.A. 390 of 1994, which amended Section 7u of Act No. 206 of the Public Acts of 1893, as amended by Act No. 313 of the Public Acts of 1993, being sections 211.7u of the Michigan Compiled Laws, requires that the governing body of the local assessing unit 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."

WHEREAS, Public Act 253 of 2020, amends MCL 211.7u, regarding the requirements for exemption from property taxes to be granted by the board of review for qualified persons claiming the exemption; and,

THEREFORE, BE IT RESOLVED that to be eligible for a poverty exemption in the City of Huntington Woods,

An applicant must own and occupy as a principal residence the property for which the exemption is requested, have an ownership interest in the property for which the exemption is requested and must have physically occupied that property as the applicant's principal residence prior to the date of the application. An applicant who is receiving medical care outside the primary residence for an extended period of time can be granted an exemption as long as there is the intent and possibility that the applicant will return to the subject residence.

The subject property must be classified as an "improved single family residential" or "residential condominium" property with a valid Homeowner's Principal Residence Exemption (PRE) currently in effect.

The applicant or applicants must complete and timely file an application requesting a poverty exemption on a form prescribed by the State Tax Commission. The application with all supporting and required documentation must be filed after January 1 but not later than the day prior to the last day of the Board of Review.

The applicant must include with the application a copy of all of the previous year's income tax returns that the applicant was required to file (Federal Income Tax Return, Michigan Income Tax Return and the Michigan Property Tax Credit Form, etc.) Copies of the previous year's income tax returns must be supplied for all persons living in the subject residence. All new applicants and other applicants, when requested by the Board, must provide copies of all income tax filings for the three previous years.

The applicant must supply a copy of a current driver's license or other form of identification.

BE IT FURTHER RESOLVED that the applicant's total household income cannot exceed two (2) times the most current Federal Poverty Guidelines from the prior tax year poverty income figure, as reported by household size, in the "Federal Poverty Guidelines" updated annually in the Federal Register by the U.S. Department of Health and Human Services as established by the State Tax Commission-to be updated annually.

BE IT FURTHER RESOLVED that a poverty exemption is granted for one year only and must be applied for and reviewed annually based on the applicant's current situation.

BE IT FURTHER RESOLVED that the total value of the assets of the applicant and each member of the applicant's household, combined, shall not exceed four (4) times the most current Federal Poverty Guidelines from the prior tax year poverty income figure, as reported by household size excluding the property for which the exemption is requested and the principal vehicle for each driver, BUT including all other property. Property shall include, but is not limited to: cash, savings, stocks, mutual funds, certificates of deposit, insurance commodities, coin collections, boats, jewelry, art, motor vehicles, recreational vehicles, second homes, cottages or any other saleable real property or other tangible items.

BE IT FURTHER RESOLVED that the applicant(s) and all those living in the applicant's household who are submitting tax returns and related financial documents must sign a Waiver of Confidentiality prior to the Board discussing the request for a poverty exemption in which the applicant(s) and others consent to the examination and discussion of the applicant's application and all supporting documentation by the Board of Review members in a public meeting format.

BE IT FURTHER RESOLVED that meeting income level guidelines does not guarantee 100% exemption. At their discretion, the Board may grant a 100%, 50% or 25% reduction in taxable value for the tax year in which the exemption is granted.

BE IT FURTHER RESOLVED that to conform with the provisions of P.A. 390 of 1994, this resolution is hereby given immediate effect and will stay in effect for subsequent years until amended or voided.

BE IT FURTHER RESOLVED that all prior resolutions, including but not limited to Resolution No. 187 of 2021, of the Commission adopting a policy relative to the review and granting of poverty exemptions by the City of Huntington Woods Board of Review are hereby repealed and rescinded.

ROLL CALL

Ayes: Paul, Elder, Jenks, Rozell, Olsman

Nays: None

Absent: None

The Mayor thereupon declared said resolution adopted.

I, Heidi Barckholtz, City Clerk for the City of Huntington Woods, do hereby certify that the foregoing is a true and original copy of a resolution adopted by the City of Huntington Woods City Commission at a Regular Meeting thereof held on the 14th day of June, 2022.



HEIDI BARCKHOLTZ

City Clerk, City of Huntington Woods