

HAMBURG TOWNSHIP

RESOLUTION TO ESTABLISH POLICY RELATIVE TO THE REVIEW AND GRANTING OF FINANCIAL (POVERTY) HARDSHIP EXEMPTIONS BY THE HAMBURG TOWNSHIP BOARD OF REVIEW

PRESENT: Hohl, Dolan, Negri, Hahn, Hughes, Menzies, Michniewicz
ABSENT: None

The following preamble and resolution was moved by Hohl and supported by Michniewicz to adopt the following resolution.

RESOLUTION

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

AND WHEREAS, P.A. 253 of 2020 also amended Section 7u of Act No. 206 of the Public Act of 1893, as amended by Act No. 313 of the Public Acts of 1993, being sections 211.7u of the Michigan Compiled Laws, and required the use of state prescribed forms and limited to certain percentages the exemption amount which could be granted.

THEREFORE, BE IT RESOLVED to be eligible for a poverty exemption in Hamburg Township

- An applicant(s) must physically occupy and be the "sole" owner(s) of the property for which the exemption is requested.
- The subject property must be classified as an "improved single family residential" or "residential condominium" property with a valid Homeowner's Principal Residence Exemption currently in effect.
- The applicant or applicants must complete and timely file the Michigan Department of Treasury Form 5737, Application for MCL 211.7u Poverty Exemption. The application with all supporting documentation must be received by the township after January 1st but before the day prior to the last day of the March Board of Review session and the day prior to the July and December Board of Review sessions at which the property owner is requesting consideration.
- The applicant must include with the application a copy of all documents required by Form 5737.
- The applicant must include form 5739 Affirmation of Ownership and Occupancy to Remain Exempt by Reason of Poverty
- The applicant must supply a copy of a current driver's license or other form of identification.
- The applicant must provide proof of income

BE IT FURTHER RESOLVED the applicant's total household income, cannot exceed the 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. The annual allowable income includes the income for all persons residing in the principal residence.

BE IT FURTHER RESOLVED the value of the applicant's total assets, excluding the property for which the exemption is requested and one automobile, but including all savings, retirement accounts, stocks and bonds and other real estate, cannot exceed the Total Household Resources (THR). An ownership interest in any real estate other than the applicant's principal residence automatically disqualifies the applicant from consideration for a hardship exemption under normal circumstances.

BE IT FURTHER RESOLVED any reduction in the Taxable Value of a property 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 in reviewing the application and all supporting documentation, the Board of Review will consider income, assets, and all other matters as permitted by statute.

BE IT FURTHER RESOLVED the Board of Review will grant a 100% reduction in taxable value for the tax year in which the exemption is granted.

BE IT FURTHER RESOLVED 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.

A roll call vote on the foregoing resolution was taken and was as follows:

AYES: Hohl, Dolan, Negri, Hahn, Hughes, Menzies, Michniewicz

NAYS: None

ABSENT: None

CERTIFICATION

I, Michael Dolan, being the duly elected Clerk of the Township of Hamburg, Livingston County, Michigan hereby certify that (1) the foregoing is a true and complete copy of the Resolution duly adopted by the Township Board on January, 17, 2023; (2) the original of such resolution is on file in the records of the Clerk's office; (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended); and (4) minutes of such meeting were kept and have been (or will be) made available required by the Open Meetings Act.



Michael Dolan, Hamburg Township Clerk