

Resolution 23-03

**Township of St. Clair
St. Clair County, Michigan**

Resolution Setting Poverty Guidelines for 2023

Whereas, local governing bodies are required to adopt guidelines that set income levels for their poverty exemption guidelines; and

Whereas, those income levels shall not be set lower by a city or township than the Federal Poverty Guidelines updated annually by the U.S. Department of Health and Human Services; and

Whereas, the Federal Poverty Guidelines per STC Bulletin No. 19 of 2022, PROCEDURAL CHANGES FOR THE 2023 ASSESSMENT YEAR, November 15, 2022 state income levels as follows:

Size of Family Unit	Poverty Guidelines
1	\$13,590
2	\$18,310
3	\$23,030
4	\$27,750
5	\$32,470
6	\$37,190
7	\$41,910
8	\$46,630
For each additional person	\$4,720

Whereas, PA 390 of 1994 states that the poverty exemption guidelines established by the governing body of the local assessing unit shall also include an asset level test. An asset test means the amount of cash, fixed assets or other property that could be used, or converted to cash for use in the payment of property taxes. The asset test should calculate a maximum amount permitted and all other assets above that amount should be considered as available; and

Resolves, that the asset level test shall meet the following requirements:

1. All applicants must obtain and complete the attached application in its entirety.
2. Applicants must own and occupy the property as their primary residence for which the exemption is requested. Applicants must produce a deed, land contract or

other proof of property ownership if asked by the Board of Review. The principal residence exemption (PRE) percentage, as determined by the General Property Tax Law 211.7dd, will determine the percentage that can be considered for exemption.

“Principal Residence” means the one place where an owner of the property has his or her true, fixed and permanent home to which, when ever absent, he or she intends to return and that shall continue as a principal residence until another principal residence is established.

3. Cash and Non-cash assets for the total household may not exceed \$15,000.

The following assets are excluded from this limit:

- a. Applicants homestead.
 - b. Applicants' household personal property.
 - c. Licensed vehicles used for personal transportation and titled to a member of the household.
 - d. Assets not accessible by the applicant, co-owner of any member of the applicant's household.
 - e. Insurance policies.
4. The township clerk will review for person/s registered to vote at the address of a property that is being considered by the Board of Review for a poverty exemption.

The Board of Review will consider all revenue and non-revenue producing assets of the owner, co-owner, and all members of the household. Any attempt to hide and/or shift income and/or assets to another person, business or corporation shall be grounds for immediate denial.

To be eligible for a Poverty Exemption, a person shall do all of the following on an annual basis:

1. Be an owner of and occupy as a homestead the property for which an exemption is requested.
2. File form 5737, Application for MCL 211.7u Poverty Exemption, Form 5739, Affidavit of Ownership and Occupancy to remain exempt by reason of poverty and Form 4988, Poverty Exemption Affidavit with the Board of Review. These forms 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 or in the current year.
3. Produce a valid driver's license or other form of identification if requested.
4. Produce a deed, land contract, or other evidence of ownership of the property for which an exemption is requested if requested.
5. Meet the Federal Poverty Income Standards as defined and determined annually by the United States Department of Health and Human Services.

PA 253 of 2020 made changes related to granting full or partial poverty exemptions. MCL 211.7u(5) states that if a person claiming the poverty exemption meets all eligibility requirements, the Board of Review shall grant the poverty exemption, in whole or in part, as follows:

1. A full exemption equal to a 100% reduction in taxable value for the year in which the exemption is granted; or
2. A partial exemption equal to a 50% reduction in taxable value for the year in which the exemption is granted; or
3. A partial exemption equal to a 25% reduction in taxable value for the year in which the exemption is granted.

Now, therefore, be it hereby resolved that the Board of Review shall follow the above stated policy and federal guidelines in granting or denying a poverty exemption.

The following resolution was offered by Dale Kays and supported by Joyce Skonieczny.

Votes on this Resolution, 5 members being present as follows:

AYES: 5

NAYS: 0

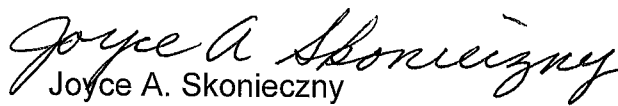
ABSENT: Brenda Boeck and Gary Hovis

Duly adopted this the 16th day of January, 2023.

RESOLUTION DECLARED AND ADOPTED.

CERTIFICATION

I Joyce Skonieczny, Clerk of St. Clair Township, County of St. Clair, Michigan do hereby certify that the foregoing is a true and complete copy of this Resolution adopted by the Township Board of Trustees at a meeting on the 16th day of January, 2023 and that said meeting was conducted with a quorum present by a roll call vote of said members, public notice of said meeting as given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting are kept and will be or have been made available as required by said Act; that said resolution was ordered to take immediate effect.


Joyce A. Skonieczny
Clerk