



CITY OF OTSEGO

Otsego MI 49078

269-692-3391

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Commissioner Moore offered the following resolution and moved for its adoption, seconded by Commissioner Krueger.

CITY OF OTSEGO
ALLEGAN COUNTY, MICHIGAN
RESOLUTION NO. 2023-02

A RESOLUTION OF GUIDELINES FOR APPLICANTS REQUESTING CONSIDERATION
FOR POVERTY EXEMPTION

WHEREAS, the adoption of guidelines for poverty exemptions is within the purview of the Otsego City Commission, County of Allegan; and

WHEREAS, the homestead of persons who, in the judgment of the Board of Review, by reason of poverty, are unable to contribute to the public charges is eligible for exemption in whole or part from taxation under Public Act 390 of 1994 (MCL 211.7u) and as amended by PA 620 of 2002 and as further amended by PA 253 of 2020; and

WHEREAS, PA 253 of 2020 removes the word “supervisor” from statute. Only the Board of Review may grant or deny a poverty exemption. The Board of Review must not deviate from the adopted policy guidelines. The Board of Review will grant full exemption for person who meets eligibility requirements; and

WHEREAS, pursuant to PA 267 of 1976, the Open Meetings Act, the Board of Review cannot go into a closed session and meet privately to discuss poverty exemption appeals, disabled veteran exemptions or any other appeal. Information contained in documents provided to the Board of Review that is exempt should be redacted before given to the Board of Review; and

WHEREAS, pursuant to PA 390 of 1994 and PA 620 of 2002 and as further amended by PA 253 of 2020, the Otsego City Commission, County of Allegan adopts the following guidelines for the Board of Review to implement. The guidelines shall include but not be limited to the specific income and asset levels of the claimant and all persons residing in the household.

To be eligible, 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 a complete application for an exemption after January 1, but before the day prior to the last day of the December Board of Review with the Assessor’s Office. The application must be completed on Treasury Form 5737 as approved by the State Tax Commission. Incomplete applications will be denied. The application must include federal and state income tax returns for all persons residing in the homestead. Per PA

135 of 2012, an affidavit (Treasury Form 4988) must be filed for all persons residing in the residence who were not required to file federal or state income tax returns in the current year or in the immediately preceding 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 required, if requested.
5. Meet the federal poverty income standards as defined and determined annually by the United States Department of Health and Human Services.
6. Have assets totaling no more than \$15,000, not including the primary residence and one vehicle.

NOW, THEREFORE BE IT HEREBY RESOLVED that the Board of Review shall follow the above stated policy and federal guidelines in granting or denying an exemption.

YEAS: Commissioners: Stacey Withee, Chuck Moore, Lauri Krueger, Jason Smith,
Wayne Rayburn

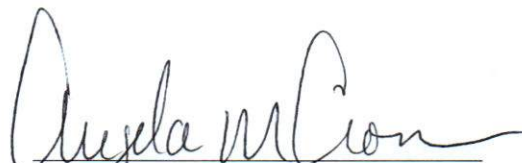
NAYS: Commissioners: None.

ABSTAIN: Commissioners: None.

ABSENT: Commissioners: None.


RESOLUTION DECLARED ADOPTED.

Dated: January 9, 2023


Angela M. Cronen, City Clerk

CERTIFICATE

I, Angela M. Cronen, the duly appointed clerk of the City of Otsego do hereby certify the foregoing is a true and complete copy of a resolution adopted by the Otsego City Commission at a regular meeting held Monday, January 9, 2023, in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of Michigan, 1976, as amended, the minutes of the meeting were kept and will be or have been made available as required by said Act.

Attest: 
Angela M. Cronen, City Clerk