

Article III. Tax Relief for Elderly and Disabled Homeowners

[Adopted 9-20-1982; amended in its entirety 1-28-2013]

§ 95-7. Enactment of tax relief; purpose; effective date.

The Town of Fairfield hereby enacts a tax relief program for elderly homeowners or permanently and totally disabled homeowners pursuant to Section 12-129n of the Connecticut General Statutes for eligible residents of the Town of Fairfield on the terms and conditions provided herein. This article is enacted for the purpose of assisting elderly or permanently disabled homeowners with a portion of the costs of property taxation. This program shall become effective for the assessment year commencing October 1, 2012.

§ 95-8. Conditions for eligibility.

A. Any person who owns real property in the Town of Fairfield or is liable for payment of taxes thereon pursuant to Section 12-48 of the Connecticut General Statutes and who occupies said real property as a residence and fulfills the following eligibility requirements shall be entitled to tax relief on the Grand List immediately preceding the application period provided for in § 95-9 below. The reference to "person" pursuant to this subsection shall hereinafter mean either "applicant" or "recipient."

B. After the applicant's claim has been filed and approved, such applicant shall be required to file such an application biannually. All persons receiving Town tax relief under the article on the October 1, 2011, Grand List shall refile for such tax relief for October 1, 2012, and biennially thereafter based on the year of the initial claim.

C. The applicant shall be entitled to tax relief if all the following conditions are met:

(1) Such applicant (or a spouse domiciled with such applicant) has attained age 65 or over at the end of the preceding calendar year or is 60 years of age or over and the surviving spouse of a taxpayer qualified for tax relief under this program at the time of his or her death; or has not attained the age of 65 years and is eligible in accordance with the federal regulations to receive permanent total disability benefits under social security or has not been engaged in employment covered by social security and accordingly has not qualified for benefits thereunder, but has qualified for permanent total disability benefits under any federal, state or local government retirement or disability plan, including the Railroad Retirement Act and any teacher's retirement plan in which requirements with respect to qualifications for such permanent total disability benefits are comparable to such requirements under social security.

(2) Such applicant shall have been a taxpayer of the Town of Fairfield and have paid taxes for a period of one year immediately prior to his or her receipt of tax benefits under this article.

(3) The property for which the benefit is claimed is the legal residence of such applicant and is occupied more than 265 days of each year by such applicant.

(4) Such applicant(s) shall have applied for property tax relief under any state statutes applicable to persons 65 and over and the permanently and totally disabled for which he or she is eligible. If such applicant has not applied for tax relief under any state statutes because he or she is not eligible, he or she shall so certify by filing on a form acceptable to the Assessor an affidavit attesting to his or her inability.

(5) Such persons shall have individually, if unmarried, or jointly, if married, qualifying income in an amount not to exceed limits described below for each program for the tax year ending immediately preceding the application for tax relief benefits. "Qualifying income" is defined as adjusted gross income, as defined in the Internal Revenue Code of 1986, as may be amended from time to time, plus the nontaxable portion of any social security benefits, railroad retirement benefits, any tax shelter losses, income from other tax-exempt retirements and annuity sources and income from tax-exempt bonds and any other income not includable in adjusted gross income. Unreimbursed gross medical and dental expenses (qualifying as and included on a federal income tax return of the calendar year immediately preceding the year of application as an itemized deduction before application of the 7.5% or other limitation) of such person and the spouse are deductible from their income in arriving at qualifying income to the extent such expenses exceed 30% of their qualifying income determined before this medical deduction.

(6) Such person shall have applied or reapplied in person to the Assessor for the within tax relief during the application period established in § 95-9 below.

(7) Benefits granted under this article shall be prorated by the office of the Assessor in the event of the sale or transfer of the affected real estate or the death of the applicant and the surviving spouse, if applicable.

(8) The taxpayer shall not be delinquent in payment of real property taxes, personal property taxes, motor vehicle taxes, sewer use charges, or sewer assessments for any period extending back more than one year immediately preceding the date of his application.

(9) Any applicant and spouse who qualify for property tax relief under this article shall have a qualifying total asset value (QTAV) not exceeding \$650,000. Qualifying total asset value shall consist of any and all assets of the applicant and spouse as of the date of application but shall specifically exclude the value of the applicant's primary legal residence and all tangible personal property contained therein. Each applicant to whom QTAV applies shall make a sworn statement in a form satisfactory to the Assessor that such applicant's QTAV does not exceed \$650,000.

D. A married homeowner whose spouse is a resident of a health-care facility or nursing home in Connecticut that is receiving payment related to such spouse under Title XIX (Medicaid) need not declare the spouse's social security income. Proof that the spouse is in a facility must be provided, including the period of time said spouse was in the facility, the time that Title XIX commenced, and the name and address of the facility. The statement of proof must be on the facility's letterhead and signed by the administrator or other official of the facility.

§ 95-9. Application.

In order to be entitled to the tax relief provided herein, an application must be filed with the Assessor not earlier than February 1 and not later than May 15 next preceding the fiscal year in which the tax is payable.

A. Any eligible taxpayer, or his/her authorized agent, shall file applications for tax relief and tax deferral under this chapter with the Town of Fairfield Assessor, any time from the first of February to the 15th day of May, prior to the commencement of the tax year for which tax relief is claimed, on a form or forms prescribed and furnished by the Town of Fairfield. In making such application, the taxpayer shall present to the Assessor, in substantiation of his/her application, a copy of his/her federal income tax return for the calendar year immediately preceding the year of application, a copy of the Social Security Act Administration Form 1099, or, if not required to file a return, such other evidence of qualifying income which the Assessor

may reasonably require to establish compliance with the income qualifications provided in § 95-15 of this article. The applicant, or his/her authorized agent, shall sign a sworn affidavit in the presence of the Assessor affirming the accuracy of the statements in the application.

B. When the Assessor is satisfied that the applying taxpayer qualifies under this article, he/she shall compute the amount of such tax relief and tax deferral and cause certificates of tax credit and tax deferral to be issued in such form as to permit the Tax Collector to reduce the amount of tax levied against the taxpayer and make proper record thereof, and a copy thereof shall be delivered to the applicant. Neither the Assessor nor the Tax Collector shall unreasonably withhold the issuance of such a tax credit and tax deferral to a properly qualifying taxpayer. The tax credit shall be applied to the tax payments.

C. Affidavits or applications or other documents presented in support of the application for tax relief or tax deferral shall not be open for public inspection and shall not be disclosed except in connection with claims of fraud.

D. An eligible taxpayer may make his/her application for tax relief or tax deferral to the Assessor up until August 15th of the claim year if approved for extension by the Assessor. The Assessor may grant such extension in the case of extenuating circumstance due to illness or incapacitation as evidenced by a [physician's] certificate signed by a physician or an advanced practice registered nurse, or if the Assessor determines there is good cause for doing so. Reference Public Act 12-197 amending 12-170w of the Connecticut General Statutes.

§ 95-10. Amount of tax relief per person limited.

No property tax relief provided for any person shall exceed in the aggregate 75% of the tax which would, except for the benefits provided by state statutes and the within program(s), be laid against such person.

§ 95-11. Amount of relief granted through program limited.

The total of all relief granted under the provisions of these programs shall not exceed an amount equal to 2.5% of the total real property tax levied in Fairfield in the preceding fiscal year. In the event that the foregoing limitation on relief is reached, relief shall be prorated among applicants.

§ 95-12. Relief per parcel of property limited to eligible persons.

Only one tax relief benefit shall be allowed for each parcel of real property eligible for tax relief under the within programs. In the event that title to real property is recorded in the name of the taxpayer or his or her spouse who are eligible for tax relief and any other person or persons, the tax relief under the within programs shall be prorated to allow a tax relief benefit equivalent to the fractional share in the property of such taxpayer or spouse, and the person or persons not eligible shall not receive any tax relief.

§ 95-13. Effect on other benefits.

The tax relief provided to any person under the within programs shall not disqualify such person with respect to any benefits for which such person is eligible under any state statute, and any tax relief provided under the within article shall be in addition to any such benefits.

§ 95-14. Partial waiver of lien rights.

The Town of Fairfield hereby waives any lien rights given to it by Section 12-129n of the Connecticut General Statutes with respect to the tax freeze and tax credit programs but will exercise such rights as provided below with respect to the tax deferral program.

§ 95-15. Tax relief programs.

An applicant may not apply, in any assessment year, for more than one of the following Town tax relief programs:

A. Tax freeze. Any taxpayer meeting the eligibility requirements of § 95-8 and having qualifying income not exceeding \$50,600 may elect to apply for a freeze under which such taxpayer shall pay the gross tax levied on applicable property, calculated for the first year the application is granted (the "freeze amount") and shall be entitled to continue to pay no more than the freeze amount for each subsequent year in which the taxpayer, or his surviving spouse, continues to meet such qualifications, subject to the following:

(1) In the event that the applicant shall make improvements to his property resulting in an increase in his assessment, an amount calculated by multiplying the increase in the taxpayer's assessment attributable to the improvement by the mill rate in effect in the year such reassessment takes place shall be added to the freeze amount then applicable to obtain a revised freeze amount which will be the freeze amount for subsequent assessment years;

(2) The applicant or his or her spouse must be at least 65 years of age at the time of such application;

(3) Relief under this tax freeze is limited to not more than six consecutive years (not including the initial year that is used as the year to determine the freeze amount). Should the applicant choose to apply for the tax deferral program, described below, in the year following the last year of tax freeze eligibility, the freeze amount shall be used as the deferral base under that program;

(4) An applicant and/or his or her spouse may only receive tax relief under the tax freeze program once during his or her life with an individual also being deemed to have received such tax relief under the tax freeze program if their spouse received such benefits while they were married;

(5) The qualifying income threshold of \$50,600 for the tax freeze program indicated in § 95-15A above shall be adjusted in the same manner as described in § 95-15C(2) with respect to the tax credit program; and

(6) If a decrease in the mill rate lowers the normal tax bill below the original frozen tax level, the applicant will pay the normal tax. When the normal tax bill exceeds the original frozen tax bill, the applicant will pay his original frozen tax bill. The counting of the six-year period specified in § 95-15A(3) shall be suspended during the period in which the applicant pays the normal tax.

B. Tax deferral. Any taxpayer meeting the eligibility requirements of § 95-8 and having qualifying income not exceeding \$80,000 may elect to apply for a deferral of increases under which such taxpayer shall pay the gross tax levied on applicable property, calculated for the first year the application is granted (the "deferral base") and shall be entitled to continue to pay no more than the deferral base for each subsequent year in which the taxpayer, or his surviving spouse, continues to meet such eligibility requirements, subject to the following:

- (1) The recipient shall enter into a written agreement with the Town providing for reimbursement, which shall be recorded in the land records of the Town and shall constitute a lien on the property payable upon death or conveyance.
- (2) All benefits shall be reimbursed to the Town upon the death of the recipient, unless the recipient's surviving spouse applies for benefits under this program and also qualifies under § 95-8, or conveyance of the real property subject to taxation.
- (3) All benefits shall be subject to an interest charge at the greater of the annual percentage rate of 3% and the rate on ten-year United States Treasury Notes. The rate for the purposes of this subsection shall be set by the Chief Fiscal Officer of the Town of Fairfield on January 31 in each calendar year or, if such day is a day on which the fiscal office of the Town of Fairfield is not open, on the next prior day on which it is open. Such rate shall be effective for the following year. Such interest shall be simple interest, not compounded, and shall accrue from the date of deferral until the date of repayment.
- (4) Total deferments, including accrued interest, for all years shall not exceed 70% of the most recent assessed value of the real property.
- (5) Tax can be deferred for a period of up to 13 years.
- (6) The qualifying income threshold of \$80,000 for the tax deferral program indicated in § 95-15B above shall be adjusted in the same manner as described in § 95-15C(2) with respect to the tax credit program.
- (7) If a decrease in the mill rate lowers the normal tax bill below the original deferral base, the applicant will pay the normal tax. When the normal tax bill exceeds the original deferral base, the applicant will pay the original deferral base.

C. Tax credit.

(1) Any applicant meeting the eligibility requirements of § 95-8 and having qualifying income shown in the table below, adjusted annually as provided in Subsection C(2), below, shall be entitled to a tax credit of up to a maximum (as limited by § 95-10) provided in the following table, effective for the assessment year beginning October 1, 2012, and for each assessment year thereafter:

Qualifying Income		Tax Credit	Cap
Over	To	(percentage of tax due)	(not to exceed)
\$0	\$16,700	67%	\$5,000
\$16,701	\$23,900	60%	\$4,500
\$23,901	\$29,500	50%	\$3,700
\$29,501	\$35,300	42%	\$3,500
\$35,301	\$43,400	33%	\$2,700
\$43,401	\$50,600	25%	\$2,000
\$50,601	\$70,000	15%	\$1,400

For prior credit option participants, tax credit will not be less than calculated for 2012/2013, based upon 2012/2013 qualification levels.

(2) The amounts of qualifying income shown in the above table shall be adjusted annually in a uniform manner to reflect the annual inflation adjustment in social security income, with each adjustment of qualifying income determined to the nearest \$100. Each such adjustment shall be prepared by the Secretary of the Office of Policy and Management, State of Connecticut, in

relation to the annual inflation adjustment in social security, if any, becoming effective at any time during the twelve-month period immediately preceding the first of October of each year, and shall be the amount of such adjustment which is distributed to the Assessor as of December 31 next following. Adjustments for any bracket of qualifying income not included in the adjustments made by the Secretary of the Office of Policy and Management shall be made by the Assessor by applying the same percentage used by the Secretary of the Office of Policy and Management in making its adjustments and with each adjustment of qualifying income determined to the nearest \$100.

§ 95-15.1. Report by Assessor.

The Assessor shall report to the RTM every June on the tax relief program established under Article III of Chapter 95.

§ 95-15.2. Severability.

In the event that any provision of §§ 95-7 through 95-15 of the Fairfield Town Code is found to be unlawful, only such unlawful provision shall be ineffective, and all other provisions shall remain in full force and effect.

§ 95-15.3. When effective.

The amendments to §§ 95-7 through 95-15.2 shall become effective immediately after the period for subjecting them to a referendum has expired.

§ 95-15.4. RTM Review Committee.

At its first regularly scheduled meeting in January 2014, the Representative Town Meeting shall convene a special committee to review Article III of Chapter 95, Tax Relief for Elderly and Disabled Homeowners.

Sec. 12-6.1. Property tax relief for seniors – Effective February 1, 2010

1. Statutory authority; age qualification. Pursuant to General Statutes § 12-129n property tax relief shall be provided to any resident of the town with respect to real property occupied by such resident as his or her principal residence for which the resident is liable for taxes as owner or as tenant for life or years under General Statutes § 12-48, who meets the qualifying total annual income herein and (1) who is sixty-five (65) years of age or over, (2) whose spouse, living with the resident is sixty-five (65) years of age or over, or (3) who is sixty (60) years of age or over and the surviving spouse of a taxpayer receiving relief in the town under this section at the time of his or her death. The ages specified in this section shall have been attained by December 31 preceding the application for tax relief under this ordinance.

2. Taxpayer qualification. Residents or spouses qualifying for tax relief under this section must be taxpayers of real property located in the town for one (1) year immediately preceding their receipt of tax benefits under this section and meet the requirements set forth in subsection 11 of this section with respect to the qualifying total annual income allowable for their federal income tax year preceding the year in which application is made for tax relief under this section.

3. Other relief. Prior to the granting of property tax relief, such person must first have applied for tax relief under any other statute for which he or she is eligible and shall certify to the assessor and tax collector the tax credits received thereunder. No property tax relief granted under this section, together with any property tax relief received by any such person under all applicable statutes shall exceed, in the aggregate seventy-five (75) percent of the total amount of the tax which would, except for those applicable statutes and this section, be laid against the person applying for tax relief hereunder.

4. Limit on abatement. The total **credit and deferral** abatement of property tax revenue which may be granted in each tax year by the town pursuant to the provisions of this section shall be set by the Board of Estimate and Taxation at the time it sets the mill rate for such tax year at an amount which is (a) not less than the lesser of (1) \$570,000 or (2) the amount of the tax [credits] **relief** for approved applications and (b) not greater than an amount, equal to one-half of one (½) percent of the total real property tax levied in the town in the current tax year. Such tax relief granted to eligible persons for any fiscal year shall be decreased if necessary to keep the total amount of the town tax relief within such limit by applying such decrease ratably to the [credit] **relief** for the eligible persons with the highest qualifying total annual income **and relief determined** under [S]subsections 6 and 11[(a)] and then if no [credit] **relief** is left for **persons with** such income **and relief**, by applying the decrease ratably to the [credit] **relief** for **the persons with the** next highest income **and relief** and so on for the others, until the decrease that is required to stay within such limit is met.

5. Principal residence requirement. For purposes of this section the principal

residence requirement in subsection 1 shall be met if the resident[s] seeking qualification shall have maintained residence in the property for which tax relief is being sought for at least one hundred eighty-three (183) days during the twelve (12) months immediately prior to the filing of an application hereunder **and does not otherwise qualify as a resident of any other country, state, municipality or territory.**

6. Qualifying total annual income. Qualifying total annual income for tax relief under subsection 11 of this section shall be reviewed and determined by the assessor on the basis of amounts listed in the computation of total income for federal income tax purposes furnished by the taxpayer for the year preceding the filing of an application for tax relief hereunder of the applying individual, if unmarried, or jointly, if married, regardless of whether or not separate federal income tax returns were filed by such person or his or her spouse and shall be adjusted in accordance with subsections (a) and (b) of this section.

(a) *Included in income.* Qualifying total annual income shall include income from the following sources, whether or not such sources were included in amounts listed for the computation of total income in a federal income tax return, and shall therefore be adjusted and determined by the assessor to the extent such amounts are not included as total income in a federal income tax return:

- (1) Wages, bonuses, commissions, gratuities and fees, self-employment net income;
- (2) Gross Social Security, Federal Supplemental Security Income, payment for jury duty (excluding travel allowance);
- (3) Dividends, interest, and annuities;
- (4) Taxable IRA distributions;
- (5) Black Lung payments;
- (6) Interest or proceeds resulting from gifts received;
- (7) Lottery winnings;
- (8) Net income from sale or rent of real or personal property, provided that, to the extent that there is no net income, qualifying total annual income shall not be decreased by sale and rental net income losses;
- (9) Pensions, including veterans' and railroad retirement;
- (10) Severance pay; Unemployment compensation;
- (11) Worker's compensation;
- (12) Alimony;
- (13) Capital gains, provided that, to the extent there is no capital gain, qualifying total annual income shall not be decreased by capital losses;
- (14) Partnership income, provided that, to the extent there is no net income, qualifying total annual income shall not be decreased by partnership net income losses;

(b) *Excluded from income.* Qualifying total annual income shall exclude income from the following sources, whether or not such sources were included in amounts listed for the computation of total income in a federal income tax return or

under subsection (a) above and shall therefore be adjusted and determined by the assessor to the extent that such amounts are included in a federal income tax return or under subsection (a) above:

- (1) Social Security payments specifically for a dependent person or minor child;
- (2) Casualty loss reimbursements by insurance companies;
- (3) Gifts, bequests or inheritances, except for any interest or other income produced by the gift, bequest or inheritance;
- (4) Grants for disaster relief;
- (5) Income derived through volunteer service under the Domestic Volunteer Service Act of 1973, as amended, including stipends earned under the Foster Grandparents' Program, Retired Senior Volunteer Program, Senior Companion Program, and Community Training under Department of Mental Retardation;
- (6) Life insurance proceeds;
- (7) For a married homeowner whose spouse is a resident of a health care or nursing home facility and who is receiving payment related to such spouse under Title XIX Medicaid, total income shall not include the spouse's Social Security income, provided that the following has been submitted to the Assessor on the facility's letterhead and signed by the administrator or other nursing home official:
 - (i) Proof that the spouse is in a health care or nursing home facility,
 - (ii) The name and address of the facility,
 - (iii) The period during the benefit year that the spouse was in the facility,
 - (iv) The period during the benefit year that the spouse was on Title XIX Medicaid;
- (8) Food stamps; fuel assistance; child support payments and temporary family assistance program payments.

7. Delinquent taxes. No tax relief shall be given under this section to any person who has delinquent taxes to the town from real property, personal property or motor vehicles, including capital assessments or user charges owed to the town which have not been paid in full or brought current by June 1 preceding the fiscal year for which tax relief shall be granted. For purposes of this section, abated taxes shall not be considered delinquent.

8. Form of application. The form of application for property tax relief under this ordinance shall: (a) be made by affidavit on forms provided by the assessor and accompanied by documentation of all qualifying income, including a copy of the applicant's most recent federal tax return for the taxpayer's fiscal year immediately preceding the town's fiscal year for which tax relief is being requested and[,] (b) state the qualifying information set forth in the preceding sections of this ordinance, whether or

not **the** applicant has previously applied or is currently applying for any other tax relief for the elderly or disabled under any state statute. For those persons not required by law to file a federal tax return, an affidavit from such persons shall be required attesting to the fact that they are not required to file a tax return. **In the case of an application for tax deferral as provided under this ordinance the assessor shall take from the applicant, who shall be an individual and not a trust, an agreement in writing, signed, witnessed and acknowledged as required for a conveyance of land, containing the street address and land records volume and page of the deed to the property to the applicant or other legal description, that states the obligation to repay the deferred taxes and expressly grants to the town a security lien therefor on such real estate, which agreement shall be recorded in the land records with the lien filed by the tax collector in accordance with subsection 11(b) hereof. The tax assessor shall provide the applicant for a tax deferral written notice that if the applicant's property is mortgaged entering into this agreement may violate the mortgage covenants and the applicant should contact his or her mortgage lender.**

9. Filing dates. An application for property tax relief under this ordinance, including any required affidavit and documentation, shall be filed by mail or delivered in person to the assessor's office not earlier than February 1, nor later than May 15 to obtain property tax relief for the next fiscal year. For those persons who have sought and received by May 15 an extension of time to file a tax return, the application must nevertheless be filed by May 15 and a copy of the tax return **must be** received by the assessor's office by June 15 or the application will be denied. If the qualifying total annual income for the year following that contained in the application remains less than the limit of the category approved for a resident under subsection 11 then that resident shall not be required to file an application in the next following year but shall only be required to file an application biennially and the assessor may rely on the approved application on file to continue the tax [credit] **relief** accordingly. Otherwise, based on changes for such following year in qualifying total annual income that exceed the limit of the category approved for a resident or for a claim that the resident be allowed a larger [credit] **relief** based on a lower income category under subsection 11, the resident shall notify the assessor of such change and, if still qualifying for property tax relief, shall file again annually, by the dates set forth in this subsection.

10. Assessment limit. The property tax relief available hereunder shall be available for one (1) residence only collectively for each applicant and spouse and shall not be available to any residence with an assessed value in excess of one hundred and fifty (150) percent of the **highest** median assessed value of residences sold during **each of** the prior assessment years, October 1 to September 30, **since the inception of the last town-wide revaluation** as calculated by the assessor.

11. Computation of credit or deferral. [(a)] **The tax relief provided by this section shall be elected by the applicant, subject to subsection 3, as either a credit, as provided in the following subparagraph (a), or a deferral, as provided in the following subparagraph (b), but not both.**

(a) Tax Credit.

(1) The computation of the amount of property tax credit hereunder[, subject to section 3,] for the fiscal year commencing July 1, 2009 shall be determined on the following graduated basis:

<i>Qualifying Total Annual Income</i>	<i>Property Tax Credit</i>
Less than \$24,000	\$1,900
\$24,000-\$36,000	\$1,300
\$36,001-\$50,000	\$1,000
\$50,001 - \$60,000	\$500

[(b)] (2) For fiscal years commencing July 1, 2010 and following, the amount of tax credit shall be adjusted by a percentage change from the prior year as follows:

[(1)] (i) In a fiscal year in which a tax assessment revaluation becomes effective, the percentage change shall be the product of the new mill rate times the new grand list divided by the product of the prior grand list times the prior mill rate, minus one.

Example:

Prior Grand List = \$20 Billion
 Prior Mill Rate = 12 mills
 New Grand List = \$40 Billion
 New Mill Rate = 6.2 mills
 Benefit Change = $((6.2 \text{ mills} \times \$40 \text{ Billion}) / (12 \text{ mills} \times \$20 \text{ Billion})) - 1$
 = $(\$248 \text{ million} / \$240 \text{ million}) - 1$
 = .03333 or 3.333% increase

[(2)] (ii) In a fiscal year in which a tax assessment revaluation does not become effective the percentage change shall be the same as the percentage change in the mill rate from the prior year.

(b) Tax Deferral.

(1) The amount of tax deferral hereunder for the fiscal year commencing July 1, 2010 and thereafter that persons with a qualifying total annual income of sixty thousand dollars (\$60,000) or less may apply for shall be three thousand dollars (\$3,000).

(2) The amount of tax deferred shall be reimbursed to the town on the death of the taxpayer or transfer of the property as provided in subsections 12 and 13 hereunder and shall be subject to the following: (i) the tax deferred shall be subject to an interest charge equal to the nominal rate for the United States Treasury security ten (10) year constant maturity quoted on an investment basis in the Federal Reserve Statistical Release as of each July 1, or the first business day thereafter, plus 200 basis points (2%), (ii) the interest rate will change annually, shall become effective July 1 and remain in effect for the twelve (12) month period through and including June 30 and shall compound annually, (iii) interest shall accrue from the date of deferral to the date of payment and (iv) the cumulative amount of deferred taxes plus interest may be repaid in whole at any time.

(3) Once the amount including interest that is cumulatively deferred for any property exceeds fifty (50%) percent of the assessed valuation of that property or

the taxpayer's prorated assessed valuation of that property as determined by the assessor under subsections 14 or 15 hereof the taxpayer for that property shall no longer qualify for a tax deferral.

(4) Upon the approval of an application for deferral the assessor shall forward notification of the approval together with the agreement specified in subsection 8 hereof to the tax collector who shall file in the land records the agreement together with a tax lien on the property which shall become effective and be continued in the same manner as with other tax liens for the cumulative amount of deferred taxes plus the interest specified herein.

(c) For fiscal years commencing July 1, [2010]**2011** and following the qualifying total annual income shall be adjusted by the percentage increase in the Consumer Price Index affecting the town designated "CPI-W NY-NJ-CT-PA" rounded down to the nearest \$500.

12. Death of taxpayer. Upon the death of any person entitled to tax relief pursuant to this section, the tax relief hereunder shall end the following June 30, unless his or her spouse is otherwise qualified **hereunder**. **Any deferred tax plus interest shall be paid by the expiration of 270 days from the date of death and if not paid shall become delinquent from the expiration of such time limit in the same manner as for delinquent taxes.**

13. [Conveyance] **Transfer** of property. If any person entitled to [a] tax [credit] **relief** hereunder [sells] **transfers** the property with respect to which the tax relief hereunder has been granted **to someone other than a spouse otherwise qualified hereunder**, the tax relief shall be suspended as of the date of [conveyance] **transfer, the deferred tax plus interest shall thereupon become due and if not paid within thirty (30) days shall become a delinquent tax from the date of transfer.** [and] T[t]he nonqualifying [purchaser] **transferee** of such property **shall be liable for any such unpaid taxes and** shall pay the town a prorated share of taxes **that become** [thereby] due and owing as provided by General Statutes § 12-81a.

14. Proration of relief. The property tax relief provided for in this section may, in any case where title to real property is recorded in the name of the taxpayer or his or her spouse and any other person or persons, be prorated to reflect the fractional portion of such taxpayer or spouse or, if such property is a multiple family dwelling, such relief may be prorated to reflect the fractional portion of such property occupied by the taxpayer.

15. Cooperatives. Persons qualifying in accordance with age and income requirements of this ordinance shall be eligible if they are unit owners and occupiers of a cooperative. The amount of annual property tax relief in accordance with this section to any such person shall be determined in relation to an assumed amount of property tax liability applicable to the assessed value for the dwelling unit which such person owns and occupies as determined by the assessor which may be based on the number of cooperative shares attributable to the unit compared to the total number of shares in the cooperative. For purposes of this section the assessor shall determine the assumed amount of property tax liability applicable to the assessed value for the dwelling unit of

each such person who is otherwise eligible under this section, but such determination shall not constitute a tax bill for purposes of property taxation of such cooperative or any individual dwelling unit thereof. Annually not later than the first day of June, the assessor, upon the basis of an application for such relief, shall determine, with respect to the assessment list for the assessment year commencing October first immediately preceding, the portion of the assessed value of the entire cooperative, as included in such assessment list, attributable to the dwelling unit occupied by such person. The assumed property tax liability for purposes of determining the amount of such relief shall be the product of such assessed value and the mill rate in the town as determined for purposes of property tax imposed on said assessment list for the assessment year commencing October first immediately preceding. The amount of relief to which such person shall be entitled for such assessment year shall be equivalent to the amount of tax reduction for which such person would qualify, considering such assumed property tax liability to be the actual property tax applicable to such person's dwelling unit and such person as liable for the payment of such tax.

16. Procedures. The tax collector and assessor shall prescribe with regard to their respective duties under this section, such forms and procedures as may be necessary to implement this section. The assessor, in addition, shall take such steps as are necessary to satisfactorily establish the facts as to the qualifying income of an applicant for benefits under this section by requesting and reviewing income tax forms filed therewith and any additional evidence of qualifying income, which the assessor may require. This documentation shall not be open to public inspection. The assessor may deny the application of a person who fails to provide information required by the assessor that is necessary to determine eligibility.

17. Effective date. This ordinance, as amended, shall be effective starting with applications accepted February 1, [2009] **2010** for tax relief for the fiscal year commencing July 1, [2009] **2010**.

18. All provisions of this ordinance, as amended, shall cease to be effective on June 30, [2013]**2014** unless an ordinance extending this ordinance is properly submitted to **the Board of Selectmen**, the Board of Estimate and Taxation and the Representative Town Meeting and approved prior to that date.

(RTM, 4/9/2001; RTM, 12/10/2001; RTM 6/13/05; RTM 1/20/09)
Additions **bold**, deletions [brackets]

Town Of Greenwich Local Property Tax Relief – 2012 Grand List

For Eligible Seniors 65 and over

In addition to the State Elderly Tax Relief Program, the Town of Greenwich has implemented a local tax relief program for seniors. Please return the application to the Assessor's Office by the deadline of **Wednesday, May 15th, 2013**.

GENERAL ELIGIBILITY GUIDELINES:

- Age 65 years or older or surviving spouse over age 60 by December 31st, 2012
- Greenwich taxpayer for at least one year
- Reside at the property for at least 183 days a year (primary residence)
- Residence may not exceed \$1,386,260 in assessed value on the 2012 Grand List
- Must first apply for tax relief under State programs for which applicant is eligible
- Income from all sources may not exceed \$63,000 (including gross Social Security payments). Refer to the current Town Ordinance for specific income requirements
- Applicant must not owe delinquent taxes to the Town
- Total tax relief may not exceed amounts defined in the current Town Ordinance.

TAX RELIEF FOR THE DEFERRAL AND CREDIT PROGRAMS BASED UPON 2012 INCOME:

<u>CREDIT</u>	
<u>Qualifying Income</u>	<u>Credit</u>
Less than-\$25,000	\$2,175
\$25,001-37,500	\$1,488
\$37,501-52,500	\$1,145
\$52,501-63,000	\$572

<u>DEFERRAL</u>
Taxpayers with income to \$63,000 may defer up to \$3,000. Taxes deferred will be payable to the Town on the death of the taxpayer or the transfer of the property. Interest will be charged on the deferred amount. Refer to the Revised Town Ordinance for details.

FILING PERIOD:

The filing period is **Friday, February 1st through Wednesday, May 15th, 2013**. You or your representative must fill-in your name and address, sign and date the application and complete questions 1 - 9.

DOCUMENTATION NECESSARY:

- Proof of age (if new applicant)
- 2012 Federal Income Tax Return or affidavit if no Federal Income Tax Return required
- Copy of documentation of all qualifying income, including SSA-1099(s)

DOCUMENTS PROVIDED WILL NOT BE OPEN TO PUBLIC INSPECTION AND WILL BE HELD IN STRICT CONFIDENCE.

**ASSESSOR'S OFFICE - TOWN HALL – 101 FIELD POINT ROAD
GREENWICH, CONNECTICUT
FOR SENIOR TAX QUESTIONS CALL 203-622-7885**

Town of Madison

Senior and Totally Disabled Tax Relief

What is the program?

- Any person who owns and occupies property in the Town of Madison as a primary residence may be entitled to tax relief for the elderly and totally disabled if they meet the qualifications of the program.

Who is eligible?

- Property owner/ occupant is 65 years or older at the end of the previous year.
- Property owner's spouse living with them who is 65 years or older at the end of the previous year.
- Under 65 and eligible in accordance with federal regulations to receive permanent total disability benefit under Social security, Railroad retirement and any government disability retirement plan.
- Surviving spouse of previously eligible owner, 60 years of age or older.
- Must have resided in and paid the property taxes in the Town of Madison for one year prior to application.
- Real property is house and house lot in Madison for which relief is claimed and it must be the legal domicile occupied for 250 days or more per year.
- Spouse of homeowner living in a nursing home on a permanent basis who is 60 years of age or older.
- Joint ownership tax relief will be proportional to the legal interest in the property.
- Applicant with life tenancy and/or property in trust is eligible if legally responsible for payment of property taxes.

What are the income qualifications?

- Qualifying income is the same as for the State of Connecticut program of tax credit for the elderly and totally disabled and includes total Social Security, General Assistance, Veterans Pensions and Disability, etc.
- Maximum income is \$61,672

What is the amount of tax relief?

- Qualifying resident of between one and four consecutive years with income up to \$61,672 may be eligible for \$100.00 in tax relief.
- Qualifying resident of five or more consecutive years may be eligible for tax relief as follows:

INCOME	TAX RELIEF
\$37,005 and under	\$1,000
\$37,006 - \$49,339	\$737
\$49,340 - \$61,672	\$474

Application Procedure

- Must complete application form for the State's Elderly and Totally Disabled Homeowners tax credit program.
- Must complete Town of Madison addendum for determination of Madison's Tax Relief.
- Apply between February 1st and May 15th every other year.
- Program Administrator is Madison Senior Services and appointments can be made by calling 245-5687.
- Documentation required to authenticate income; such as federal income tax return or for those not filing a return other evidence of qualifying income.

Tax Relief Programs – Town of Weston - Phone 203-222-2696

Tax Collector

56 Norfield Road

Weston, CT 06883

Weston offers five tax relief programs. Relief is available to eligible seniors, veterans, and Fire Department and EMS volunteers.

To qualify for any of Weston's three senior programs, homeowners must be 65 or older and have paid real estate taxes for at least a year prior to applying. In addition, applicants must present a copy of their completed IRS form 1040 and back-up materials to the Weston tax collector. Application deadlines are May 15th and are strictly upheld.

Tax Relief Programs include:

- **The Tax Abatement Program** – Applicant's household income (applicant's income or, if married, applicant's and spouse's income) must be under \$49,000 from all sources including Social Security, dividends, etc.) and their net worth can not exceed \$1,000,000 (including the value of their home, less mortgage). The amount abated will be calculated on the first \$400,000 of the assessed value of the home.
- **The Tax Deferral Program** – Applicant's household income must be under \$125,000. There is no net worth ceiling. The interest rate is set by the Selectmen yearly. A lien will be placed on the applicant's property and payback in full of the deferred tax is due upon sale of the home or within 15 years. The amount abated will be calculated on the first \$400,000 of the assessed value of the home.
- **The Tax Freeze Program** – Applicant's household income must be under \$100,000 and an applicant must be a resident of Weston for 10 years to qualify. There is no net worth ceiling. This program is interest free. A lien will be placed on the applicant's property and payback is due within 15 years. The freeze applies to the first \$800,000 of the assessed value of the home.
- **A Veterans Program** – Weston offers a special property tax relief program for qualified veterans. Contact the Town Assessor at 203-222-2606/2607 for details.
- **A Fire Department and EMS Volunteers Tax Abatement Program** – for further information and assistance, call the Weston Tax Collector at 203-222-2696'2697, or the Weston Department of Social Services at 203-222-2663.

IMPROVED WILTON TAX RELIEF PROGRAM FOR ELDERLY OR DISABLED HOMEOWNERS

YOU MAY BE ENTITLED TO BENEFITS UNDER WILTON'S TAX RELIEF PROGRAM FOR ELDERLY OR DISABLED HOMEOWNERS IF...

- ◆ You were at least 65 years of age or over as of December 31, 2008, or your spouse was; or you were at least 60 years of age as of December 31, 2008, and you are the surviving spouse of a taxpayer who qualified for tax relief at the time of his/her death; or
- ◆ You are under 65 years of age and permanently totally disabled under Social Security Disability; and
- ◆ You have been a Wilton taxpayer for at least one year; and
- ◆ You have occupied your Wilton property as your principal residence for more than 183 days during the past twelve months; and
- ◆ Your household income for 2008 falls within the income categories shown below.

If your total gross income in 2008 was...	You may be entitled to a reduction in your real estate tax of...	AND you may postpone payment of a percentage of the tax balance up to...
\$0 - \$38,100	\$3,700	100%
\$38,101 - \$50,800	\$1,850	100%
\$50,801 - \$63,400	\$1,050	100%
\$63,401 - \$81,100	-0-	75%

Note: Your application deadline is May 15, 2009, for tax credit and tax deferral benefits affecting your real estate tax bill payable in July 2009 and January 2010. Town of Wilton and State of Connecticut Tax Relief applications are available at the Town Hall Assessor's office. The filing period for both programs is from February 1 to May 15. For more information, contact the Wilton Assessor's Office at 563-0122.