

RESOLUTION 2022-19

RESOLUTION OF THE BOARD OF TRUSTEES OF THE CHARTER TOWNSHIP OF LYON OAKLAND COUNTY, MICHIGAN

RESOLUTION TO ADOPT POLICY RELATIVE TO THE REVIEW AND GRANTING OF POVERTY EXEMPTIONS BY THE LYON TOWNSHIP BOARD OF REVIEW

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."

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, IT IS HEREBY RESOLVED that to be eligible for a poverty exemption in the Charter Township of Lyon, the Township adopts the following guidelines for the Supervisor and Board of Review to implement;

- An applicant or applicants 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 Board of Review session 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 supply a copy of a current driver's license or other form of identification.
- The applicant must provide a deed, land contract or other evidence of ownership if the Board requests it.

BE IT FURTHER RESOLVED that 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 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 poverty exemption for the 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 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.

NOW, THEREFORE, BE IT RESOLVED that to conform to 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. 2021-15, of the Board adopting a policy relative to the review and granting of poverty exemptions by the Charter Township of Lyon Board of Review are hereby repealed and rescinded.

The foregoing Resolution was offered by Board Member Treasurer Carcone and supported by Board Member Trustee O'Neil. Upon a roll call vote, the following voted:

VOTED FOR: Blades, Carcone, Cash, Dolan, Enlow, O'Neil, Swain

VOTED AGAINST: None

ABSENT: None

The Charter Township of Lyon Board of Trustees declared the resolution Adopted.

(Certification on next page)

I, Michele Cash, Clerk of the Charter Township of Lyon, Oakland County, Michigan do hereby certify that the above is a true copy of a resolution by the Charter Township of Lyon Board of Trustees at its meeting held on June 20, 2022 at which time a quorum was present.

Dated: June 20, 2022



Michele Cash
Township Clerk

