

RESOLUTION NO: 2025-08-12-1

WHEREAS, the adoption of guidelines for poverty exemptions is required of the Township of Montague Board; and

WHEREAS, the principal residence of persons, who the Supervisor/Assessor and Board of Review determines by reason of poverty to be unable to contribute to the public charge, is eligible for exemption in whole or in part from taxation under Public Act 390 of 1994 (MCL 211.7u); as amended.

and

WHEREAS, pursuant to PA 390 of 1994 as amended, the Township of Montague, Muskegon County 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, filed in the current or immediately preceding year.

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

1. Be an owner of and occupy as a principal residence the property for which an exemption is requested. Include Form 5739 Affirmation of Ownership and Occupancy to Remain Exempt by Reason of Poverty.
2. File a claim on Form 5737, Poverty Exemption Affidavit, to the supervisor/assessor or Board of Review, accompanied by federal and state income tax returns for all persons residing in the principal residence, filed in the immediately preceding year and in the current year. For an individual not required to file an income tax return an affidavit affirming this, FORM 4988 must be included..
3. File a claim reporting that the combined assets of all persons do not exceed the current guidelines. Assets include but are not limited to, real estate other than the principal residence, personal property, motor vehicles, recreational vehicles and equipment, certificates of deposit, savings accounts, checking accounts, stocks, bonds, life insurance, retirement funds, etc.
4. Produce a valid driver's license or other form of identification if requested.
5. Produce, if requested, a deed, land contract, or other evidence of ownership of the property for which an exemption is requested.
6. Meet the federal poverty income guidelines as defined and determined annually by the United States Department of Health and Human Services or alternative guidelines adopted by the governing body providing the alternative guidelines do not provide eligibility requirements less than the federal guidelines.
7. Meet the Montague Township Asset Test:
A hardship exemption shall not be granted to any applicant whose total liquid assets exceed \$1,000.
8. INCOME FROM OTHER SOURCES TEST:
If the Board of Review determines that the applicant has or should have income from other sources, such as relatives, dependents, friends, they may add this income to the applicant's reported income and if the resulting sum of these incomes is greater than the Federal Poverty Income Standards, then a hardship exemption will be denied. If the amount of the income added to the applicant's reported income and the resulting sum is less than the Federal Poverty Income Standards, then a hardship exemption may be granted.

- 9. Granting hardship exemption does not relieve the taxpayer of the burden of special assessments levied against the property. Special Assessments will still be due and payable.
- 10. The application for an exemption shall be filed after January 1, but one day prior to the last day of the December Board of Review. The filing of this claim constitutes an appearance before the Board of Review for the purpose of preserving the right of appeal to the Michigan Tax Tribunal.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the supervisor/assessor and Board of Review shall follow the above stated policy and federal guidelines in granting or denying an exemption. This resolution revises resolution 2025-01-14-1 dated January 14, 2025. Guidelines for Poverty Exemption.

At a regular meeting of the Township of Montague, held at the Montague Township Hall 8915 Whitbeck Rd Montague Mi. on the 12th day of August 2025 the foregoing resolution was moved for adoption by Board member __Tracy Korthase__. The motion was supported by Board member Jake Seaver.

Ayes: _____,_____,_____,_____.

Nays:

_____ Resolution declared adopted

_____ Drew Roesler, Township Clerk

