

**RESOLUTION NO. 23-05**

**CITY OF ST. CLAIR  
COUNTY OF ST. CLAIR, MICHIGAN**

**A RESOLUTION FOR THE ANNUAL ADOPTION OF POVERTY EXEMPTION POLICY AND GUIDELINES**

WHEREAS, the adoption of guidelines for poverty exemptions is required of the City Council; and

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

WHEREAS, Section 211.7u(1) of the Michigan General Property Tax Act defines the poverty exemptions as a method to provide relief for those who, in the judgment of the Board of Review are unable to fully contribute to the annual property tax burden of their principal residence due to their financial situation.

WHEREAS, pursuant to PA 390 of 1994, the City of St. Clair, St. Clair 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, including any property tax credit returns, 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.
2. File a claim with the Assessor or Board of Review, accompanied by federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns filed in the immediately preceding year or in the current year or a signed State Tax Commission Form 4988, *Poverty Exemption Affidavit*.
3. Produce a valid driver's license or other form of identification if requested.
4. Produce, if requested, a deed, land contract, or other evidence of ownership of the property for which an exemption is requested.
5. 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.
6. 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.
7. The Board of Review shall follow the guidelines of the local assessing unit in granting or denying an exemption.
8. Persons applying for a hardship exemption will be encouraged to meet in person with the Board of Review in order to answer any questions relative to their application. Applicants or their authorized agents may have to answer questions regarding such subjects as financial affairs, health and/or the status of people living in their home at a meeting that is open to the public.

9. A person who files for a hardship exemption is not prohibited from also filing an appeal on the assessment and/or taxable value.
10. The applicant must also meet the Asset Guidelines in accordance with PA 390 of 1994 as adopted by the City of St Clair (which are attached).

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Assessor and the Board of Review shall follow the above stated policy and federal guidelines in granting or denying an exemption, unless the Board of Review determines there are substantial and compelling reasons why there should be a deviation from the policy and federal guidelines and these reasons are communicated in writing to the claimant.

**RESOLUTION DECLARED ADOPTED.**

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Bill Cedar, Jr., Mayor  
City of St. Clair, Michigan

**CERTIFICATION**

The foregoing is a true and complete copy of a Resolution adopted by the City Council in the City of St. Clair, St. Clair County, Michigan at a regular meeting held on the 6th day of February, 2023. Public Notice of the meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of 1976, and the Minutes of said meeting were kept and will be or have been made available as required by said Act.

Members Present: Mayor Cedar, Members Gottler, Kuffa, LaPorte, Paul, Volz, Watt  
Members Absent: None

It was moved by Member LaPorte and supported by Member Kuffa to adopt the Resolution.

Members Voting Yes: Watt, Gottler, Kuffa, LaPorte, Paul, Volz, Cedar  
Members Voting No: None

The Resolution was declared adopted by the Mayor and has been recorded in the Resolution Book.

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Annette Sturdy, City Clerk  
City of St. Clair, Michigan

APPLICANT: Your application for poverty exemption may be denied if:

1. Your Hardship Exemption Application is not filled out completely or includes inaccurate information.
2. Savings account, checking account, investments, interest earnings, dividends or other liquid assets either in total or individually meet or exceed double the amount of the current annual property tax obligation.
3. Applicant does not otherwise meet the asset levels set by the local governing body.
4. Recreational Vehicles\* owned or leased in total exceed the amount of the current asset guidelines.
5. Total Household Income exceeds eligibility guidelines as adopted by the City of St Clair Council.

*Recreational vehicles may include snowmobiles, boats, camping trailers, travel trailers, motor home, Jet ski, motor cycles, off road vehicles, or anything which may be considered a Recreational Vehicle.*

**CITY OF ST CLAIR  
BOARD OF REVIEW**

**GUIDELINES FOR APPLICANTS  
REQUESTING CONSIDERATION FOR POVERTY EXEMPTIONS**

All applicants must obtain the property application from the City Offices. Handicap or disabled applicants may call the Assessor's Office at 810-329-7121 to make necessary arrangements for assistance.

Applicants who exceed the Federal Poverty Guidelines Used in the Determination of Poverty Exemptions as produced annually by the U. S. Department of Health and Human Services may be eligible for consideration based on the following chart.

<b>Persons in Household</b>	<b>Household Income</b>	<b>Board of Review Action</b>
1	\$0 - \$14,270	100% exemption
	\$14,271 - \$14,950	50% exemption
	\$14,951 - \$15,630	25% exemption
	over \$15,630	No hardship relief will be granted

<b>Persons in Household</b>	<b>Household Income</b>	<b>Board of Review Action</b>
2	\$0 - \$19,230	100% exemption
	\$19,231 - \$20,150	50% exemption
	\$20,151 - \$21,060	25% exemption
	over \$21,060	No hardship relief will be granted

For each additional person over 2 in the household, add \$4,720 to income levels to determine income qualifications as shown on the Federal Poverty Guidelines Used in the Determination of Poverty Exemptions as provided by the State Tax Commission in an annual Bulletin.

## **Asset Guidelines Used in the Determination of Poverty Exemptions for 2023**

As required by PA 390 of 1994, all guidelines for poverty exemption as established by the governing body of the local assessing unit **SHALL** also include an asset level test. The following asset test shall apply to all applications for poverty exemption.

- The applicant shall not have “**liquid**” assets (excluding the value of the principal residence subject to the exemption request) in excess of **two** (2) times the amount of the estimated tax obligation of the current assessment.
- The applicant shall not have **total** assets (excluding the value of the principal residence subject to the exemption request) in excess of **ten** (10) times the amount of the estimated tax obligation of the current assessment.

All asset information, as requested in the Application for Poverty Exemption must be completed in total. The Board of Review may request additional information and verification of assets if they determine it to be necessary and may reject any application if the assets are not properly identified.

Income (liquid assets) may include but are not limited to:

- Bank accounts
- Stocks and Bonds
- IRA’s and other investment accounts
- Pensions
- Money received from the sale of property such as stocks, bonds, a house or a car unless a person is in the specific business of selling such property.
- Withdrawals of bank deposits and borrowed money
- Gifts, loans, lump-sum inheritances and one-time insurance payments

In addition, total assets may also include but are not limited to:

- A second home
- Excess or vacant land
- Rental property
- Jewelry, antiques, artworks
- Extraordinary/additional automobiles/vehicles
- Recreational vehicles\*
- Buildings other than the residence
- Equipment
- Other personal property of value
- Food or housing received in lieu of wages and the value of food and fuel produced and consumed on farms.

*\* Recreational vehicles may include snowmobiles, boats, camping trailers, travel trailers, motor home, Jet ski, motor cycles, off road vehicles, or anything which may be considered a Recreational Vehicle.*