

EFF. 10/31/04

Ordinance #18-4

TOWN OF COLUMBIA
TAX RELIEF PROGRAM FOR ELDERLY AND DISABLED HOMEOWNERS

PURPOSE

To assist elderly or disabled homeowners with their real property taxes the Town of Columbia hereby enacts a tax deferral program pursuant to Section 12-129n of the Connecticut General Statutes.

ELIGIBILITY

Applicants must meet all of the following to be eligible for the tax deferral. Applicants must:

A.

(1) Be sixty-five (65) years of age or over at the close of the preceding calendar year, or have a spouse who is 65 years of age or over at the close of the preceding calendar year, or

(2) Be sixty (60) years of age or over and the surviving spouse of a taxpayer who was receiving benefits under this ordinance at the time of his or her death, or

(3) Be under sixty five (65) years of age and be receiving permanent total disability benefits under Social Security regulations;

B. Have been a taxpayer of the town for a period of three (3) years prior to applying for tax relief;

C. Be an owner of real property in the Town of Columbia or liable for the payment of taxes pursuant to Section 12-48 of the Connecticut General Statutes. The tax benefit for real property as provided herein shall apply to only the residence itself, the building lot on which the residence is located, and improvements on said parcel of land:

D. Occupy the real property as a principal residence, which is defined as having used the residence for more than 183 days of each calendar year;

E. First apply for tax relief under any Connecticut General Statute or local ordinance for which the applicant is eligible, before the tax benefit created by this ordinance shall be given.

F. If the property is owned by a trust, the applicant shall be eligible for tax deferral if the applicant is the primary beneficiary of the trust and the applicant meets all other requirements. A copy of the Trust Agreement shall accompany the application.

G. The applicant shall not be delinquent in the payment of real property taxes, personal property taxes, or motor vehicle taxes for any prior tax year or the current tax year under which the applicant is applying.

APPLICATIONS

Application for deferred tax relief shall be filed with the Assessor between February 1st and May 1st on a form provided by the Assessor, together with all information required to determine eligibility. Applicants must file applications annually to qualify.

DETERMINATION OF TAX DEFERRAL

The Assessor shall review applications and information provided by applicants seeking tax deferral under this ordinance. The Assessor shall determine eligibility of applicants no later than May 15th of each year and notify the Tax Collector of the amount of tax deferral.

TOTAL TAX RELIEF ALLOWED

A. The maximum amount of any tax deferral shall be equal to the amount of real property taxes owed in excess of eight percent (8%) of the tax payer's income minus amounts received under any other state or local elderly relief programs.

B. Income shall include adjusted gross income as defined in the Internal Revenue Code of 1986, as amended and shall include social security benefits, railroad retirement benefits, income from tax exempt retirement and annuity sources, as well as other taxable and nontaxable income. Income from an applicant's spouse shall be included if he or she resides on the taxed property.

C. In any case where title to real property is recorded in the name of the applicant or his or her spouse, and is partially owned by any other person or persons, the tax relief provided herein will be apportioned by the Assessor of the Town of Columbia to reflect the fractional share of such taxpayer or spouse.

TAX DEFERRAL

A. All taxes deferred shall be reimbursed to the Town within one year of the death of the recipient or upon conveyance of the real property subject to taxation.

B. Total deferments for all years shall not exceed the assessed value of the real property as indicated by the Tax Assessor.

C. The recipient shall annually enter into a written agreement with the Town providing for reimbursement. The amount of such tax deferral benefit shall be recorded on the land records of the Town and shall constitute a lien on the property payable within one year of the death of the applicant or upon conveyance of the property.

D. All taxes deferred shall be subject to an interest charge of four percent (4%) per year. Such interest shall be included in the written agreement to be entered into by the town and the qualified applicant. The interest shall be simple interest, not compounded, and shall accrue from the date such taxes are due until conveyance of the property or within one year of the death of the applicant. Any taxes deferred but not paid upon conveyance of the property or within one year of the death of the applicant shall be subject to the same interest rate charged by the Town for delinquent taxes.

MISCELLANEOUS

A. This ordinance shall not be construed to conflict with any state statute, rule or regulation.

B. The provisions of this Ordinance are declared to be severable, and invalidity of any portion shall not affect the validity of the remainder.

C. This Ordinance shall take effect fifteen (15) days after publication of a summary of its provisions in accordance with Connecticut General Statutes Section 7-157(b).