

**ORDINANCE CONCERNING  
TAX RELIEF FOR THE ELDERLY AND DISABLED**

The Town of Salem hereby enacts a tax credit for elderly and totally disabled homeowners pursuant to Section 12-129n of the Connecticut General Statutes, as it may be amended from time to time, for eligible residents of the Town of Salem, on the terms and conditions provided herein. This Ordinance is enacted for the purpose of assisting elderly and totally disabled homeowners with a portion of the costs of property taxation.

**SECTION I**

**General Introduction:**

Individuals and/or related couples who have permanent legal residence in Salem pursuant to CGS 12-85 as defined by the Connecticut Attorney General on the assessment date (normally October 1<sup>st</sup>), and who individually or jointly own the home in which (s)he or they reside, may apply for Town tax relief on the amount of taxes assessed on their home and its building lot if one or both met the eligibility requirements below and are granted such relief by the Salem Assessor after making timely application for same.

**SECTION II**

**Eligibility:**

Post-It® Fax Note	7671	Date	8/6/14	# of pages	5
To	MARSHA	From	PREB		
Company	Salem Assessor	Co	Salem		
Phone #	(860) 535-5078	Phone #	(860) 857-3813		
Fax #	(860) 535-5052	Fax #	(860) 857-1184		

- 1) An eligible homeowner (or couple) is one who is sixty-five (65) years of age or over at the close of the preceding calendar year, or whose spouse, residing with said person, is sixty-five years of age or over at the close of the preceding calendar year, or who is sixty (60) years of age or over and the surviving spouse of a taxpayer qualified in Salem under this Ordinance at the time of his or her death, or

An individual homeowner under sixty-five (65) years of age and eligible in accordance with applicable 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 become qualified for permanent total disability benefits under any federal, state, or local government retirement or disability plan, including the Railroad Retirement Act any government related 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, and

- 2) Who owns real property in the Town of Salem or who is liable for the payment of taxes thereon under Section 12-48 of the Connecticut General Statutes, and occupies that property as his or her principal residence, shall be eligible for real property tax relief as set forth in Section III below, provided all of the following conditions are met:

- a) Such person has been a resident of the Town of Salem for a period of one (1) year prior to the most recent October 1 assessment date, and occupies such property as his or her principal residence. "Principal residence" shall be defined as that real property occupied as his or her residence for more than one hundred eighty-three (183) days of each calendar year.
- b) Such person has applied for and is eligible for the elderly/disabled tax relief program available from the State of Connecticut pursuant to Connecticut General Statute 12-170aa, as it may be amended from time to time, provided that this person is eligible for the State program in all respects except that his or her income exceeds the income limits of the State program, but qualifies in accordance with 2) of this section.

### SECTION III

#### Application:

Applications for benefits under this program shall:

- 1) Be made on forms provided by the Assessor of the Town of Salem and shall be accompanied by a copy of the applicant's most recent federal tax returns or other documentation of all income for the preceding calendar year.
- 2) Be filed each year with the Assessor of the Town of Salem at any time between February 1 and May 15 to obtain a tax credit for the next fiscal year. Applicants will be required to file each and every year with the Town Assessor.

### SECTION IV

#### Computation of Benefits:

- 1) The Assessor of the Town of Salem shall determine whether each applying taxpayer is entitled to a tax credit under this program and shall compute the amount of tax credit to which each qualified taxpayer is entitled and advise the Tax Collector in what amount to reduce the amount of tax levied against the taxpayer.
- 2) The method for computing the credit will follow either (a) **OR** (b) below, depending on the taxpayer's participation in the State program:
  - a. **Circuit Breaker Participants:** Qualified taxpayers who also qualify for tax credits from the State of Connecticut:
    - i. The local credit shall be equal to 110% of credit granted by the State, except that the local credit is subject to a minimum local credit of \$300.
    - ii. However the total of all tax credits (State plus local credits) shall never exceed 75 percent of the annual tax levy on the property. If the combined credits exceed 75 percent, the local credit will be equal to 75 percent minus the State credit.

**b. Local-Only Participants:** Qualified taxpayers who are eligible for the State program in all respects except that their total, annual income exceeds the State income limits by up to \$10,000:

- i. The local credit per household, regardless of marital status, shall be the lesser of:
  1. 110% of the State program's credit percentage for married couples in the highest income bracket, subject to a minimum local credit of \$300, **OR**
  2. The maximum local credit will be \$500 for local-only Participants.
- ii. The total tax credit shall never exceed 75 percent of the annual tax levy on the property. If the local credit exceeds 75 percent, the Assessor will reduce the local credit to equal 75 percent of the tax levy on the property.

**NOTE:** The tax credit available to an individual who qualifies under the Town program only shall be no more than ten percent (10%) of the normal tax for a related couple, [five percent (5%) for an individual homeowner], subject to a minimum credit of fifty dollars (\$50.00) and a maximum credit of two hundred fifty dollars (\$250.00).

- 3) If, during a tax year, a qualifying taxpayer dies leaving a spouse who would also qualify under this program, the surviving spouse shall be entitled to receive the remaining benefits for that tax year.
- 4) If any person entitled to a tax credit pursuant to this program sells the property on which the tax credit is granted, no additional tax credit shall be allowed for his or her interest in the property for any fiscal years commencing after the date of such sale of the property, and, provided further that the purchaser of the property shall pay the Town of Salem a prorated share of the tax credit the same as provided to the State of Connecticut by Section 12-170aa(1) if the Connecticut General Statutes.

*- if one person doesn't qualify -*

## SECTION V

### Administration of Program and Amendments:

- 1) The Assessor of the Town of Salem shall determine whether each applying taxpayer is entitled to a tax credit under this program and shall compute the amount of tax credit to which each qualified taxpayer is entitled and advise the Tax Collector in what amount to reduce the amount of tax levied against the taxpayer.
- 2) The Town of Salem hereby waives any lien rights given to it by Section 12-129n of the Connecticut General Statutes.
- 3) Persons aggrieved by any act or determination of the Assessor under this program may appeal to the Salem Board of Assessment Appeals.
- 4) The Board of Selectmen, with the approval of the Board of Finance, is hereby authorized to amend this plan from time to time as allowed by applicable regulations. However, the Board of Selectmen may not reduce or eliminate benefits as herein provided, and the Board of Selectmen shall publish any changes in the same manner as prescribed by law for the

publication of ordinances and that such changes shall become effective thirty (30) days after said publication.

- 5) This program shall be effective with the Grand List of October 1, 2001 and thereafter.

Adopted at Special Town Meeting: January 23, 2002.  
Town of Salem, Records and Minutes; Volume 5, Page 6.

Adopted at Special Town Meeting: October 1, 2008,  
Town of Salem, Records and Minutes: Volume 6, Page 295.