Elderly Tax Relief

A CCM Research and Information Municipal Tool Kit

Introduction

The following Elderly Tax Relief Municipal Tool Kit is provided as an informative publication to all CCM members.

For more information regarding this or any question please contact the CCM Research and Information Services Department at (203) 498-3000 or research@ccm-ct.org.
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The following resources have not been included in this report, but are available to CCM Members through the following links:

Office of Policy and Management: Homeowner’s Tax Relief Booklet, 2014  Q & A Booklet
Contact: Patrick Sullivan: phone (860) 418-6406 - fax (860) 418-6493
e-mail - Patrick.j.Sullivan@ct.gov

Office of Policy and Management: Renter’s Tax Relief Booklet, 2014… Renter's Q & A Booklet
Contact: Patrick Sullivan: phone (860) 418-6406 - fax (860) 418-6493
e-mail - Patrick.j.Sullivan@ct.gov

Connecticut Commission on Aging: “Property Tax Relief for Older Adults – January 2015  Property Tax Relief for Older Adults – January 2015
Contact: Deborah Migneault: phone (860) 240-5200, email deborah.migneault@cga.ct.gov
Elderly Tax Relief in Context

Elderly citizens often find themselves living on a fixed income, which usually does not increase at the same rate as their cost of living. When faced with high property taxes, some elderly residents choose to downsize or sell their homes and enter institutions, often sacrificing an important sense of independence.¹ In order help elderly residents maintain their quality of life, homeownership, and self-sufficiency, both municipal and state governments have sought to ease their property tax burden.

The term “elderly tax relief,” is used in this Toolkit to describe any and all means by which property taxes are lowered for elderly citizens. In Connecticut, this type of tax relief is offered through both state-funded programs and municipal “local-option” programs. There are currently three such programs in the state: tax credits, tax freezes, and tax deferrals.

State-funded programs, such as elderly tax credits, must be offered by all municipalities. Local options, municipally-funded programs that are not mandated by the state, give municipalities additional options to help elderly residents. All of the elderly tax relief programs discussed in this publication are established by the Connecticut General Statutes (C.G.S.), which provide guidelines for program implementation and the minimum criteria applicants must meet in order to qualify for the programs. In most municipalities, the applications process and program administration is handled by either the assessor or tax collector’s office.

Tax Credit

The state-funded elderly tax relief program is the property tax credit program, also called the “Circuit Breaker Program.”² This program is state-funded, but municipally administered. This means that the municipality is responsible for determining the amount of credit to be given, how the program will be administered, and how applications will be processed. All municipal calculations are subject to auditing by the Connecticut Office of Policy and Management (OPM).

Based on the applicant’s income and marital status, the Circuit Breaker Program allows municipalities to provide homeowners and/or renters with either a property tax reduction or a rent rebate, respectively. The municipality is later reimbursed for the lost tax revenue. Income limits and general program outlines are found in the C.G.S. Currently, married couples are limited to an income of $42,200 per year, while singles are limited to $34,600.

¹ Property Tax Relief for Older Adults: A Profile of Connecticut’s Local Programs, Connecticut Commission on Aging, February 2008.
² More information on this program can be found on pages 11-20 of this publication.
Applicants must also be at least 65 years of age, or have a spouse who is at least 65, or be at least 50 years of age and the surviving spouse of someone who was eligible for the Circuit Breaker Program at the time of their death. Applicants must also reside in the property and must have lived in Connecticut for at least one year prior to submitting their application.\(^3\)

**Tax Freeze**

Legislation passed in 2006 allows municipalities to freeze taxes on the homes of qualified individuals under a program known as the “Local Option Senior Property Tax Freeze.” This program is a local option, which means it may be adopted by municipalities should they choose to do so, but it is not required. In order to qualify seniors must be at least 70 years of age and must have lived in the state for at least a year. These individuals must also meet the same income criteria set forth in the Circuit Breaker Program. If individuals qualify and have their property taxes frozen, they still remain eligible to receive tax relief from other programs. After an elderly resident is approved for this program the first year, they must still re-file every two years in order to continue receiving their tax freeze or rent rebate relief. In the event of a recipient’s death, their surviving spouse is eligible to continue receiving the tax freeze or rent rebate, as long as they are 62 years of age or older at the time of their qualifying spouse’s death. Municipalities are not reimbursed by the state for taxes lost through this program.\(^4\)

**Tax Deferral**

A third option for tax relief offered by many municipalities is a system of tax deferral. Applicants who meet specific criteria laid out by the municipality may be eligible to have their property taxes deferred. In other words, payment of their taxes will be due at a later date. Depending on the program, these tax deferrals can defer either all, or a portion of, the property tax owed. All deferred amounts are due back to the municipality upon sale or transfer of the real property, or upon the death of the recipient, whichever occurs first. These tax deferral programs are not funded by the state and, therefore, the municipality takes on the burden of the tax revenue lost. Again, the tax deferral program is not a state-mandated program, so municipalities are not required to adopt it.\(^5\)

Some municipalities have adopted elderly tax relief ordinances with a “sunset clause,” which sets a date for the tax relief program to expire. This gives the municipality the ability to “try out” the program and see if it is financially feasible for the municipality and beneficial to elderly residents.

\(^3\) C.G.S. § 12-170aa  
\(^4\) C.G.S. § 12-170v  
\(^5\) C.G.S. § 12-129b
Sec. 12-129n. Optional Municipal Property Tax Relief Program For Certain Homeowners Age Sixty-Five Or Over Or Permanently And Totally Disabled.

(a) Any municipality may, by vote of its legislative body on recommendation of its board of finance or equivalent body, provide property tax relief to residents of such municipality, with respect to real property owned and occupied by such residents as their principal residence, who are (1) sixty-five years of age and over, or whose spouses, living with them, are sixty-five years of age or over or sixty years of age or over and the surviving spouse of a taxpayer qualified in such municipality under this section at the time of his or her death or with respect to real property on which such residents or their spouses are liable for taxes under section 12-48, or (2) under age sixty-five and eligible in accordance with applicable federal regulations to receive permanent total disability benefits under Social Security, or have not been engaged in employment covered by Social Security and accordingly have not qualified for benefits thereunder, but have become qualified for permanent total disability benefits under any federal, state or local government retirement or disability plan, in which requirements with respect to qualifications for such permanent total disability benefits are comparable to such requirements under Social Security, provided such residents or their spouses under subdivisions (1) or (2) above have been taxpayers of such municipality for one year immediately preceding their receipt of tax benefits under this section, and meet the requirements which may be established by such municipality with respect to maximum income allowable during the calendar year preceding the year in which application is made for the tax relief provided in this section. No such property tax relief, together with any relief received by any such resident under the provisions of sections 12-129b to 12-129d, inclusive, and 12-170aa shall exceed, in the aggregate the total amount of the tax which would, except for said sections 12-129b to 12-129d, inclusive, 12-170aa and this section, be laid against the taxpayer.

(b) Prior to initial approval by the legislative body of such municipality of the plan of property tax relief to be provided pursuant to the provisions of this section, the executive authority of such municipality shall appoint a committee consisting of not less than five resident taxpayers of such municipality, which shall undertake and complete within a period not in excess of sixty days following such appointment, a study and investigation with respect to such property tax relief and, on the basis thereof, prepare a report to be presented to the board of finance or equivalent body of such municipality, which report shall include the following: (1) The fiscal effect of such property tax relief on property tax revenue for such municipality; (2) recommendations with respect to the form and extent of such property tax relief. After the initial approval of such property tax relief by the legislative body of such municipality, such plan may be amended from time to time by vote of its legislative body on recommendation of its board of finance or equivalent body without compliance with the requirements of this subsection applicable to such initial approval.

(c) The total abatement of property tax revenue, based on an estimate in any tax year by the board of finance or equivalent body of such municipality, which may be granted in such tax year by such municipality pursuant to the provisions of this section shall not exceed an amount equal
to ten per cent of the total real property tax assessed in such municipality in the preceding tax year.

(d) Any such property tax relief granted to any such resident in accordance with the provisions of this section shall not disqualify such resident with respect to any benefits for which such resident shall be eligible under the provisions of sections 12-129b to 12-129d, inclusive, and 12-170aa, and any such property tax relief provided under this section shall be in addition to any such benefits for which such resident shall be eligible under said sections.

(e) Reimbursement of such municipality under the provisions of sections 12-129b to 12-129d, inclusive, and 12-170aa shall be limited to such amount as the municipality would be entitled to receive for revenues lost because of tax relief provided under the provisions of said sections. The property tax relief provided for in this section may, in any case where title to real property is recorded in the name of the taxpayer or his or her spouse and any other person or persons, be prorated to reflect the fractional share of such taxpayer or spouse or, if such property is a multiple-family dwelling, such relief may be prorated to reflect the fractional portion of such property occupied by the taxpayer.

(f) Any municipality providing property tax relief under this section may establish a lien on such property in the amount of the relief granted, provided if the total amount of such property tax relief with respect to any such taxpayer, when combined with any such tax relief for which such taxpayer may be eligible in accordance with sections 12-129b to 12-129d, inclusive, or 12-170aa, exceeds in the aggregate seventy-five per cent of the property tax for which such taxpayer would be liable but for the benefits under this section and any of the sections mentioned above in this subsection, such municipality shall be required to establish a lien on such property in the amount that such tax relief exceeds seventy-five per cent of such property tax liability, plus interest applicable to the total of such unpaid taxes at a rate to be determined by such municipality. Any such lien shall have a priority in the settlement of such person’s estate.

(g) (1) Any municipality establishing a program of property tax relief under this section shall make persons eligible for such relief if they qualify in accordance with age and income pursuant to subsection (a) of this section and are unit owners of a cooperative.

(2) The amount of annual property tax relief in accordance with this subsection to any such person shall be determined in relation to an assumed amount of property tax liability applicable to the assessed value for the dwelling unit which such person owns and occupies, as determined by the assessor in the municipality in which the cooperative is situated. For purposes of this section the assessor shall determine the assumed amount of property tax liability applicable to the assessed value for the dwelling unit of each such person who is otherwise eligible under this subsection, but such determination shall not constitute a tax bill for purposes of property taxation of such cooperative or any individual dwelling unit thereof. Annually, not later than the first day of June, the assessor in such municipality, upon receipt of an application for such relief, shall determine, with respect to the assessment list in such municipality for the assessment year commencing October first immediately preceding, the portion of the assessed value of the entire cooperative, as included in such assessment list, attributable to the dwelling unit occupied by such person. The assumed property tax liability for purposes of determining the amount of the
relief shall be the product of such assessed value and the mill rate in such municipality as determined for purposes of property tax imposed on said assessment list for the assessment year commencing October first immediately preceding. The amount of relief to which such person shall be entitled for such assessment year shall be equivalent to the amount of tax reduction for which such person would qualify, considering such assumed property tax liability to be the actual property tax applicable to such person’s dwelling unit and such person as liable for the payment of such tax.

(P.A. 73-628; P.A. 74-294, S. 1, 2; P.A. 81-405; P.A. 85-442, S. 2, 3; P.A. 87-91, S. 1, 2; 87-116, S. 1, 2; P.A. 93-120, S. 1, 2; P.A. 99-89, S. 5, 10; 99-189, S. 19, 20; P.A. 07-251, S. 2.)

History: P.A. 74-294 made former provisions Subsecs. (a) and (e) and added Subsecs. (b) to (d) and (f) re study committee, limit on total abatement, other benefits for which recipients are eligible and liens on property for which relief granted and added provisions in Subsec. (a) re benefits to surviving spouse and re maximum income allowance established by municipality; P.A. 81-405 reduced the period in Subsec. (a) during which a resident must be a taxpayer in the municipality before being qualified for the program from 3 years to 1 year; P.A. 85-442 amended Subsec. (b) to add provision re amendments to plan subsequent to its “initial” approval; P.A. 87-91 added provisions enabling municipalities to provide the same tax relief benefits to persons who are permanently totally disabled as allowed for certain persons age 65 or over, effective April 29, 1987, and applicable to the assessment year in any municipality commencing October 1, 1987, and each assessment year thereafter; P.A. 87-116 increased the amount of tax relief which may be allowed for eligible homeowners by any municipality, including any tax relief for which such homeowner is eligible under the state program for such taxpayers, from 75% of the tax otherwise due to the total amount of such tax, and required the municipality to establish a lien in the amount of the total tax relief granted when such tax relief exceeds 75% of the tax for which such taxpayer would otherwise be liable, effective May 11, 1987, and applicable to the assessment year in any municipality commencing October 1, 1987, and each assessment year thereafter; P.A. 93-120 added Subsec. (g) enabling municipalities to provide the same tax relief benefits to unit owners of cooperatives, effective June 14, 1993, and applicable to assessment years of municipalities commencing October 1, 1993, and each assessment year thereafter; P.A. 99-89 deleted references to repealed Secs. 12-129h and 12-129i and made technical changes, effective June 3, 1999; P.A. 99-189 amended Subsec. (g)(2) by adding provisions re determination of assumed amount of property tax liability, effective June 23, 1999, and applicable to assessment years of municipalities commencing on or after October 1, 1999; P.A. 07-251 amended Subsec. (f) to reduce amount of lien from the total amount of tax relief to amount that equals amount of tax relief that exceeds 75% of the property tax liability.
Sec. 12-170v. Municipal Option To Provide Real Property Tax Relief To Certain Elderly Homeowners. Eligibility. Calculation Of Tax. Subsequent Conveyance Of Interest In Property.

(a) Any municipality, upon approval of its legislative body may provide that an owner of real property or any tenant for life or for a term of years liable for property taxes under section 12-48 who meets the qualifications stated in this subsection shall be entitled to pay the tax levied on such property, calculated in accordance with the provisions of subsection (b) of this section for the first year the claim for such tax relief is filed and approved in accordance with the provisions of section 12-170w, and such person shall be entitled to continue to pay the amount of such tax or such lesser amount as may be levied in any year, during each subsequent year that such person meets such qualifications, and the surviving spouse of such owner or tenant, qualified in accordance with the requirements pertaining to a surviving spouse in this subsection, or any owner or tenant possessing a joint interest in such property with such owner at the time of such owner’s death and qualified at such time in accordance with the requirements in this subsection, shall be entitled to continue to pay the amount of such tax or such lesser amount as may be levied in any year, as it becomes due each year following the death of such owner for as long as such surviving spouse or joint owner or joint tenant is qualified in accordance with the requirements in this subsection. After the first year a claim for such tax relief is filed and approved, application for such tax relief shall be filed biennially on a form prepared for such purpose by the assessor of such municipality. Any such owner or tenant who is qualified in accordance with this section and any such surviving spouse or joint owner or joint tenant surviving upon the death of such owner or tenant, shall be entitled to pay such tax in the amount as provided in this section for so long as such owner or tenant or such surviving spouse or joint owner or joint tenant continues to be so qualified. To qualify for the tax relief provided in this section a taxpayer shall meet all the following requirements: (1) On December thirty-first of the calendar year preceding the year in which a claim is filed, be (A) seventy years of age or over, (B) the spouse of a person, seventy years of age or over, provided such spouse is domiciled with such person, or (C) sixty-two years of age or over and the surviving spouse of a taxpayer who at the time of such taxpayer’s death had qualified and was entitled to tax relief under this section, provided such surviving spouse was domiciled with such taxpayer at the time of the taxpayer’s death, (2) occupy such real property as his or her home, (3) either spouse shall have resided within this state for at least one year before filing the claim under this section and section 12-170w, (4) the taxable and nontaxable income of such taxpayer, the total of which shall hereinafter be called “qualifying income”, in the tax year of such homeowner ending immediately preceding the date of application for benefits under the program in this section, was not in excess of limits set forth in section 12-170aa, as adjusted annually, evidence of which income shall be submitted to the assessor in the municipality in which application for benefits under this section is filed in such form and manner as the assessor may prescribe. The amount of any Medicaid payments made on behalf of such homeowner or the spouse of such homeowner shall not constitute income. The income of the spouse of such homeowner shall not be included in the qualifying income of such homeowner for purposes of determining eligibility for tax relief under this section, if such spouse is a resident of a health care or nursing home facility in this state, and such facility receives payment related to such spouse under the Title XIX Medicaid program. In addition to the eligibility requirements prescribed in this subsection, any
municipality that provides tax relief in accordance with the provisions of this section may impose asset limits as a condition of eligibility for such tax relief.

(b) The tax on the real property for which the benefits under this section are claimed shall be the lower of: The tax due with respect to the homeowner’s residence for the assessment year commencing October first of the year immediately preceding the year in which the initial claim for tax relief is made, or the tax due for any subsequent assessment year. If title to real property is recorded in the name of the person or the spouse making a claim and qualifying under this section and any other person or persons, the claimant hereunder shall be entitled to pay the claimant’s fractional share of the tax on such property calculated in accordance with the provisions of this section, and such other person or persons shall pay the person’s or persons’ fractional share of the tax without regard for the provisions of this section. For the purposes of this section, a “mobile manufactured home”, as defined in section 12-63a, shall be deemed to be real property.

(c) If any person with respect to whom a claim for tax relief in accordance with this section and section 12-170w has been approved for any assessment year transfers, assigns, grants or otherwise conveys subsequent to the first day of October, but prior to the first day of August in such assessment year the interest in real property to which such claim for tax relief is related, regardless of whether such transfer, assignment, grant or conveyance is voluntary or involuntary, the amount of such tax relief benefit, determined as the amount by which the tax payable without benefit of this section exceeds the tax payable under the provisions of this section, shall be a prorata portion of the amount otherwise applicable in such assessment year to be determined by a fraction the numerator of which shall be the number of full months from the first day of October in such assessment year to the date of such conveyance and the denominator of which shall be twelve. If such conveyance occurs in the month of October the grantor shall be disqualified for such tax relief in such assessment year. The grantee shall be required within a period not exceeding ten days immediately following the date of such conveyance to notify the assessor thereof, or in the absence of such notice, upon determination by the assessor that such transfer, assignment, grant or conveyance has occurred, the assessor shall determine the amount of tax relief benefit to which the grantor is entitled for such assessment year with respect to the interest in real property conveyed and notify the tax collector of the reduced amount of such benefit. Upon receipt of such notice from the assessor, the tax collector shall, if such notice is received after the tax due date in the municipality, no later than ten days thereafter mail or hand a bill to the grantee stating the additional amount of tax due as determined by the assessor. Such tax shall be due and payable and collectible as other property taxes and subject to the same liens and processes of collection, provided such tax shall be due and payable in an initial or single installment not sooner than thirty days after the date such bill is mailed or handed to the grantee and in equal amounts in any remaining, regular installments as the same are due and payable.

(P.A. 06-176, S. 1.)

History: P.A. 06-176 effective October 1, 2006, and applicable to assessment years commencing on or after that date.
Sec. 12-170aa. Tax Relief For Certain Elderly Or Totally Disabled Homeowners. Reductions In Real Property Taxes.

(a) Revision effective for assessment year commencing October 1, 1985, and thereafter. There is established, for the assessment year commencing October 1, 1985, and each assessment year thereafter, a revised state program of property tax relief for certain elderly homeowners as determined in accordance with subsection (b) of this section, and additionally for the assessment year commencing October 1, 1986, and each assessment year thereafter, the property tax relief benefits of such program are made available to certain homeowners who are permanently and totally disabled as determined in accordance with said subsection (b) of this section.

(b) Eligibility for benefits. Age and income requirements. Determination of income. (1) The program established by this section shall provide for a reduction in property tax, except in the case of benefits payable as a grant under certain circumstances in accordance with provisions in subsection (j) of this section, applicable to the assessed value of certain real property, determined in accordance with subsection (c) of this section, for any owner of real property, or any tenant for life or tenant for a term of years liable for property tax under section 12-48, or any resident of a multiple-dwelling complex under certain contractual conditions as provided in said subsection (j) of this section, who (A) at the close of the preceding calendar year has attained age sixty-five or over, or whose spouse domiciled with such homeowner, has attained age sixty-five or over at the close of the preceding calendar year, or is fifty years of age or over and the surviving spouse of a homeowner who at the time of his death had qualified and was entitled to tax relief under this section, provided such spouse was domiciled with such homeowner at the time of his death or (B) at the close of the preceding calendar year has not attained age sixty-five and is 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 who has become qualified for permanent total disability benefits under any federal, state or local government retirement or disability plan, including the Railroad Retirement Act and any government-related teacher’s retirement plan, determined by the Secretary of the Office of Policy and Management to contain requirements in respect to qualification for such permanent total disability benefits which are comparable to such requirements under Social Security; and in addition to qualification under (A) or (B) above, whose taxable and nontaxable income, the total of which shall hereinafter be called “qualifying income”, in the tax year of such homeowner ending immediately preceding the date of application for benefits under the program in this section, was not in excess of sixteen thousand two hundred dollars, if unmarried, or twenty thousand dollars, jointly with spouse if married, subject to adjustments in accordance with subdivision (2) of this subsection, evidence of which income shall be required in the form of a signed affidavit to be submitted to the assessor in the municipality in which application for benefits under this section is filed. The amount of any Medicaid payments made on behalf of such homeowner or the spouse of such homeowner shall not constitute income. The amount of tax reduction provided under this section, determined in accordance with and subject to the variable factors in the schedule of amounts of tax reduction in subsection (c) of this section, shall be allowed only with respect to a residential dwelling owned by such qualified homeowner and used as such homeowner’s primary place of residence. If title to real property or a tenancy interest liable for real property taxes is recorded in the name of such qualified homeowner or his spouse making a claim and qualifying under this section and any
other person or persons, the claimant hereunder shall be entitled to pay his fractional share of the
tax on such property calculated in accordance with the provisions of this section, and such other
person or persons shall pay his or their fractional share of the tax without regard for the
provisions of this section, unless also qualified hereunder. For the purposes of this section, a
“mobile manufactured home”, as defined in section 12-63a, or a dwelling on leased land,
including but not limited to a modular home, shall be deemed to be real property and the word
“taxes” shall not include special assessments, interest and lien fees.

(2) The amounts of qualifying income as provided in this section shall be adjusted annually in a
uniform manner to reflect the annual inflation adjustment in Social Security income, with each
such adjustment of qualifying income determined to the nearest one hundred dollars. Each such
adjustment of qualifying income shall be prepared by the Secretary of the Office of Policy and
Management in relation to the annual inflation adjustment in Social Security, if any, becoming
effective at any time during the twelve-month period immediately preceding the first day of
October each year and the amount of such adjustment shall be distributed to the assessors in each
municipality not later than the thirty-first day of December next following.

(3) For purposes of determining qualifying income under subdivision (1) of this subsection with
respect to a married homeowner who submits an application for tax reduction in accordance with
this section, the Social Security income of the spouse of such homeowner shall not be included
in the qualifying income of such homeowner, for purposes of determining eligibility for benefits
under this section, if such spouse is a resident of a health care or nursing home facility in this
state receiving payment related to such spouse under the Title XIX Medicaid program. An
applicant who is legally separated pursuant to the provisions of section 46b-40, as of the thirty-
first day of December preceding the date on which such person files an application for a grant in
accordance with subsection (a) of this section, may apply as an unmarried person and shall be
regarded as such for purposes of determining qualifying income under said subsection.

(c) Schedule of qualifying income and corresponding tax reductions. The amount of reduction in
property tax provided under this section shall, subject to the provisions of subsection (d) of this
section, be determined in accordance with the following schedule:

<table>
<thead>
<tr>
<th>Qualifying Income</th>
<th>Married Homeowners</th>
<th>Unmarried Homeowners</th>
</tr>
</thead>
<tbody>
<tr>
<td>Over</td>
<td>Not Exceeding</td>
<td>Tax Reduction</td>
</tr>
<tr>
<td></td>
<td></td>
<td>As Percentage</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Of Property Tax</td>
</tr>
<tr>
<td>Married Homeowners</td>
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</tr>
<tr>
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<td>40</td>
</tr>
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<td>11,700</td>
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<td>19,700</td>
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<tr>
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<td>28,900</td>
<td>None</td>
</tr>
<tr>
<td>28,900</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unmarried Homeowners</td>
<td>$ 0</td>
<td>40%</td>
</tr>
</tbody>
</table>
(d) Maximum amount of tax reduction. Any homeowner qualified for tax reduction in accordance with subsection (b) of this section in an amount to be determined under the schedule of such tax reduction in subsection (c) of this section, shall in no event receive less in tax reduction than the minimum amount of such reduction applicable to the qualifying income of such homeowner according to the schedule in said subsection (c).

(e) Initial claim for tax reductions. Biennial requirements. Penalty. Any claim for tax reduction under this section shall be submitted for approval, on the application form prepared for such purpose by the Secretary of the Office of Policy and Management, in the first year claim for such tax relief is filed and biennially thereafter. The amount of tax reduction approved shall be applied to the real property tax payable by the homeowner for the assessment year in which such application is submitted and approved. If any such homeowner has qualified for tax reduction under this section, the tax reduction determined shall, when possible, be applied and prorated uniformly over the number of installments in which the real property tax is due and payable to the municipality in which he resides. In the case of any homeowner who is eligible for tax reduction under this section as a result of increases in qualifying income, effective with respect to the assessment year commencing October 1, 1987, under the schedule of qualifying income and tax reduction in subsection (c) of this section, exclusive of any such increases related to social security adjustments in accordance with subsection (b) of this section, the total amount of tax reduction to which such homeowner is entitled shall be credited and uniformly prorated against property tax installment payments applicable to such homeowner’s residence which become due after such homeowner’s application for tax reduction under this section is accepted.

In the event that a homeowner has paid in full the amount of property tax applicable to such homeowner’s residence, regardless of whether the municipality requires the payment of property taxes in one or more installments, such municipality shall make payment to such homeowner in the amount of the tax reduction allowed. The municipality shall be reimbursed for the amount of such payment in accordance with subsection (g) of this section. In respect to such application required biennially after the filing and approval for the first year, the tax assessor in each municipality shall notify each such homeowner concerning application requirements by regular mail not later than February first, annually enclosing a copy of the required application form. Such homeowner may submit such application to the assessor by mail provided it is received by the assessor not later than March fifteenth in the assessment year with respect to which such tax reduction is claimed. Not later than April first of such year the assessor shall notify, by certified mail, any such homeowner for whom such application was not received by said March fifteenth concerning application requirements and such homeowner shall be required not later than May fifteenth to submit such application personally or, for reasonable cause, by a person acting on behalf of such taxpayer as approved by the assessor. In the year immediately following any year in which such homeowner has submitted application and qualified for tax reduction in accordance with this section, such homeowner shall be presumed, without filing application therefor, to be qualified for tax reduction in accordance with the schedule in subsection (c) of this section in the same percentage of property tax as allowed in the year immediately preceding.
If any homeowner has qualified and received tax reduction under this section and subsequently in any calendar year has qualifying income in excess of the maximum described in this section, such homeowner shall notify the tax assessor on or before the next filing date and shall be denied tax reduction under this section for the assessment year and any subsequent year or until such homeowner has reapplied and again qualified for benefits under this section. Any such person who fails to so notify the tax assessor of his disqualification shall refund all amounts of tax reduction improperly taken and be fined not more than five hundred dollars.

(f) Proof of claim requirements. Any homeowner, believing such homeowner is entitled to tax reduction benefits under this section for any assessment year, shall make application as required in subsection (e) of this section, to the assessor of the municipality in which the homeowner resides, for such tax reduction at any time from February first to and including May fifteenth of the year in which tax reduction is claimed. A homeowner may make application to the secretary prior to August fifteenth of the claim year for an extension of the application period. The secretary may grant such extension in the case of extenuating circumstance due to illness or incapacitation as evidenced by a certificate signed by a physician or an advanced practice registered nurse to that extent, or if the secretary determines there is good cause for doing so. Such application for tax reduction benefits shall be submitted on a form prescribed and furnished by the secretary to the assessor. In making application the homeowner shall present to such assessor, in substantiation of such homeowner’s application, a copy of such homeowner’s federal income tax return, including a copy of the Social Security statement of earnings for such homeowner, and that of such homeowner’s spouse, if filed separately, for such homeowner’s taxable year ending immediately prior to the submission of such application, or if not required to file a return, such other evidence of qualifying income in respect to such taxable year as may be required by the assessor. When the assessor is satisfied that the applying homeowner is entitled to tax reduction in accordance with this section, such assessor shall issue a certificate of credit, in such form as the secretary may prescribe and supply showing the amount of tax reduction allowed. A duplicate of such certificate shall be delivered to the applicant and the tax collector of the municipality and the assessor shall keep the fourth copy of such certificate and a copy of the application. Any homeowner who, for the purpose of obtaining a tax reduction under this section, wilfully fails to disclose all matters related thereto or with intent to defraud makes false statement shall refund all property tax credits improperly taken and shall be fined not more than five hundred dollars. Applications filed under this section shall not be open for public inspection.

(g) State reimbursement for loss of property tax. On or before July first, annually, each municipality shall submit to the secretary, a claim for the tax reductions approved under this section in relation to the assessment list of October first immediately preceding. On or after December 1, 1987, any municipality which neglects to transmit to the secretary the claim as required by this section shall forfeit two hundred fifty dollars to the state provided the secretary may waive such forfeiture in accordance with procedures and standards established by regulations adopted in accordance with chapter 54. Subject to procedures for review and approval of such data pursuant to section 12-120b, said secretary shall, on or before December fifteenth next following, certify to the Comptroller the amount due each municipality as reimbursement for loss of property tax revenue related to the tax reductions allowed under this section. The Comptroller shall draw an order on the Treasurer on or before the fifth business day following December fifteenth and the Treasurer shall pay the amount due each municipality not
later than the thirty-first day of December. Any claimant aggrieved by the results of the secretary’s review shall have the rights of appeal as set forth in section 12-120b. The amount of the grant payable to each municipality in any year in accordance with this section shall be reduced proportionately in the event that the total of such grants in such year exceeds the amount appropriated for the purposes of this section with respect to such year.

(h) Residential dwelling on leased land. Property taxes paid by the owner of the dwelling. Any person who is the owner of a residential dwelling on leased land, including any such person who is a sublessee under terms of the lease agreement applicable to such land, shall be entitled to claim tax relief under the provisions of this section, subject to all requirements therein except as provided in this subdivision, with respect to property taxes paid by such person on the assessed value of such dwelling, provided (1) the dwelling is such person’s principal place of residence, (2) such lease or sublease requires that such person as the lessee or sublessee, whichever is applicable, pay all property taxes related to the dwelling and (3) such lease or sublease is recorded in the land records of the town.

(i) Pro rata tax reduction for assessment year in which property is transferred. If any person with respect to whom a claim for tax reduction in accordance with this section has been approved for any assessment year transfers, assigns, grants or otherwise conveys on or after the first day of October but prior to the first day of August in such assessment year the interest in real property to which such claim for tax credit is related, regardless of whether such transfer, assignment, grant or conveyance is voluntary or involuntary, the amount of such tax credit shall be a pro rata portion of the amount otherwise applicable in such assessment year to be determined by a fraction the numerator of which shall be the number of full months from the first day of October in such assessment year to the date of such conveyance and the denominator of which shall be twelve. If such conveyance occurs in the month of October the grantor shall be disqualified for tax credit in such assessment year. The grantee shall be required within a period not exceeding ten days immediately following the date of such conveyance to notify the assessor thereof, or in the absence of such notice, upon determination by the assessor that such transfer, assignment, grant or conveyance has occurred, the assessor shall (1) determine the amount of tax reduction to which the grantor is entitled for such assessment year with respect to the interest in real property conveyed and notify the tax collector of the reduced amount of tax reduction applicable to such interest and (2) notify the Secretary of the Office of Policy and Management on or before the October first immediately following the end of the assessment year in which such conveyance occurs of the reduction in such tax reduction for purposes of a corresponding adjustment in the amount of state payment to the municipality next following as reimbursement for the revenue loss related to such tax reductions. On or after December 1, 1987, any municipality which neglects to transmit to the Secretary of the Office of Policy and Management the claim as required by this section shall forfeit two hundred fifty dollars to the state provided the secretary may waive such forfeiture in accordance with procedures and standards established by regulations adopted in accordance with chapter 54. Upon receipt of such notice from the assessor, the tax collector shall, if such notice is received after the tax due date in the municipality, within ten days thereafter mail or hand a bill to the grantee stating the additional amount of tax due as determined by the assessor. Such tax shall be due and payable and collectible as other property taxes and subject to the same liens and processes of collection, provided such tax shall be due and payable in an initial or single installment not sooner than
thirty days after the date such bill is mailed or handed to the grantee and in equal amounts in any remaining, regular installments as the same are due and payable.

(j) Benefits for persons without ownership or leasehold interest in real property who reside in multiple-dwelling complex. (1) Notwithstanding the intent in subsections (a) to (i), inclusive, of this section to provide for benefits in the form of property tax reduction applicable to persons liable for payment of such property tax and qualified in accordance with requirements related to age and income as provided in subsection (b) of this section, a certain annual benefit, determined in amount under the provisions of subsections (c) and (d) of this section but payable in a manner as prescribed in this subsection, shall be provided with respect to any person who (A) is qualified in accordance with said requirements related to age and income as provided in subsection (b) of this section, including provisions concerning such person’s spouse, and (B) is a resident of a dwelling unit within a multiple-dwelling complex containing dwelling units for occupancy by certain elderly persons under terms of a contract between such resident and the owner of such complex, in accordance with which contract such resident occupies a certain dwelling unit subject to the express provision that such resident has no legal title, interest or leasehold estate in the real or personal property of such complex, and under the terms of which contract such resident agrees to pay the owner of the complex a fee, as a condition precedent to occupancy and a monthly or other such periodic fee thereafter as a condition of continued occupancy. In no event shall any such resident be qualified for benefits payable in accordance with this subsection if, as determined by the assessor in the municipality in which such complex is situated, such resident’s contract with the owner of such complex, or occupancy by such resident (i) confers upon such resident any ownership interest in the dwelling unit occupied or in such complex, or (ii) establishes a contract of lease of any type for the dwelling unit occupied by such resident.

(2) The amount of annual benefit payable in accordance with this subsection to any such resident, qualified as provided in subdivision (1) of this subsection, shall be determined in relation to an assumed amount of property tax liability applicable to the assessed value for the dwelling unit which such resident occupies, as determined by the assessor in the municipality in which such complex is situated. Annually, not later than the first day of June, the assessor in such municipality, upon receipt of an application for such benefit submitted in accordance with this subsection by any such resident, shall determine, with respect to the assessment list in such municipality for the assessment year commencing October first immediately preceding, the portion of the assessed value of the entire complex, as included in such assessment list, attributable to the dwelling unit occupied by such resident. The assumed property tax liability for purposes of this subsection shall be the product of such assessed value and the mill rate in such municipality as determined for purposes of property tax imposed on said assessment list for the assessment year commencing October first immediately preceding. The amount of benefit to which such resident shall be entitled for such assessment year shall be equivalent to the amount of tax reduction for which such resident would qualify, considering such assumed property tax liability to be the actual property tax applicable to such resident’s dwelling unit and such resident as liable for the payment of such tax, in accordance with the schedule of qualifying income and tax reduction as provided in subsection (c) of this section, subject to provisions concerning maximum allowable benefit for any assessment year under subsections (c) and (d) of this section. The amount of benefit as determined for such resident in respect to any assessment year shall be payable by the state as a grant to such resident equivalent to the amount of property tax reduction
to which such resident would be entitled under subsections (a) to (i), inclusive, of this section if such resident were the owner of such dwelling unit and qualified for tax reduction benefits under said subsections (a) to (i), inclusive.

(3) Any such resident entitled to a grant as provided in subdivision (2) of this subsection shall be required to submit an application for such grant to the assessor in the municipality in which such resident resides at any time from February first to and including the fifteenth day of May in the year in which such grant is claimed, on a form prescribed and furnished for such purpose by the Secretary of the Office of Policy and Management. Any such resident submitting an application for such grant shall be required to present to the assessor, in substantiation of such application, a copy of such resident’s federal income tax return, and if not required to file a federal income tax return, such other evidence of qualifying income, receipts for money received or cancelled checks, or copies thereof, and any other evidence the assessor may require. Not later than the first day of July in such year, the assessor shall submit to the Secretary of the Office of Policy and Management (A) a copy of the application prepared by such resident, together with such resident’s federal income tax return, if required to file such a return, and any other information submitted in relation thereto, (B) determinations of the assessor concerning the assessed value of the dwelling unit in such complex occupied by such resident, and (C) the amount of such grant approved by the assessor. Said secretary, upon approving such grant, shall certify the amount thereof and not later than the fifteenth day of September immediately following submit approval for payment of such grant to the State Comptroller. Not later than five business days immediately following receipt of such approval for payment, the State Comptroller shall draw his or her order upon the State Treasurer and the Treasurer shall pay the amount of the grant to such resident not later than the first day of October immediately following.

(k) Adjustments. If the Secretary of the Office of Policy and Management makes any adjustments to the grants for tax reductions or assumed amounts of property tax liability claimed under this section subsequent to the Comptroller the payment of said grants in any year, the amount of such adjustment shall be reflected in the next payment the Treasurer shall make to such municipality pursuant to this section.


History: P.A. 85-612 effective July 12, 1985, and applicable in any municipality to the assessment year commencing October 1, 1985, and thereafter (Revisor’s note: The reference to “mobile home” in Subsec. (b)(1) was changed editorially by the Revisors to “mobile manufactured home” in accordance with June Sp. Sess. P.A. 83-3); P.A. 86-44 added Subsec. (j) providing benefits, determined in a manner similar to that applicable in the case of a homeowner, for any resident of a multiple-dwelling complex under contractual conditions as provided in said Subsec. (j), who is neither a homeowner or renter but is qualified for benefits under this section in all other respects, effective April 28, 1986, and applicable in any municipality for the
assessment year commencing October 1, 1986, and each assessment year thereafter and to any grant as determined for purposes of this act in relation to the assessment list for any such assessment year; P.A. 86-409 amended Subsec. (b) to include in the program persons under age 65 who have permanent total disability, provided such persons are qualified in all other respects applicable in the case of a homeowner who has attained age 65 or over and added the language in Subsec. (e) establishing a presumption as to the amount of tax reduction for which a homeowner is qualified in the year in which such homeowner is not required to file an application for benefits, effective June 10, 1986, and applicable in any municipality to the assessment year commencing October 1, 1986, and each assessment year thereafter; June 11, Sp. Sess. P.A. 86-1 amended Subsec. (a) to reflect the inclusion for benefits of persons with permanent total disability who are under age 65 but qualified in all other respects and Subsec. (d) to provide that any homeowner included in the plan in the year immediately preceding revision of benefits for the assessment year commencing October 1, 1985, shall receive no less in benefits for said 1985 assessment year than such homeowner would be eligible to receive under provisions in effect immediately preceding said revision, amended Subsec. (e) by adding provisions allowing the extended time for filing applications in the assessment year commencing October 1, 1985, and requiring notification by the assessors of changes in qualification requirements for homeowners who received benefits under the program in the assessment year commencing October 1, 1984, and have not made application in the 1985 assessment year and amended Subsec. (g) by adding the provision that in the event of adjustment in the amount of any property tax credit pursuant to Sec. 12-170c, the state may adjust the corresponding reimbursement to the municipality for the following calendar year to reflect such tax credit adjustment, effective July 8, 1986, pursuant to Art. 4, Sec. 15 of the Constitution of Conn. and Sec. 2-30 of the general statutes, and applicable to the assessment year commencing October 1, 1986, and each year thereafter with respect to eligibility of homeowners with permanent total disability and applicable to the assessment year commencing October 1, 1985, with respect to minimum benefit provisions in Subsec. (d); P.A. 87-267 amended Subsec. (b) by adding the provision on Medicaid payments; P.A. 87-586 amended Subsec. (b) to increase the maximum amounts of qualifying income from $12,500 to $13,300 for unmarried homeowners and from $15,000 to $16,000 for married homeowners, Subsec. (c) by increasing the levels of qualifying income in the schedule of tax reduction benefits and inserting minimum amounts of benefit at each level of qualifying income, Subsec. (d) by replacing the minimum tax reduction benefit provision with reference to the minimum tax reduction benefit provided in the schedule in Subsec. (c), Subsec. (g) by inserting the forfeiture provision applicable to any municipality failing to submit the claim information as required by said Subsec. (g), and Subsec. (i) by making certain technical changes and including the forfeiture provision for any municipality failing to transmit the claim as required, effective July 6, 1987, and applicable to the assessment year commencing October 1, 1986, and each assessment year thereafter and further provided that the “provisions of said public act 86-1 (of the June 11, 1986, special session) having been codified in the general statutes, revised to January 1, 1987, are deemed adopted and made effective July 8, 1986, the effective date of said public act 86-1”; P.A. 88-321 amended Subsecs. (a) to (c), inclusive, by increasing the maximum amount of qualifying income to $16,200 for unmarried homeowners and to $20,000 for married homeowners, Subsec. (e) to provide for special problems in applying tax reduction in the 1987 assessment year, Subsec. (f) to provide an extended period for filing applications related to the 1987 assessment year and Subsec. (g) because of special problems in state reimbursement for revenue loss related to applications filed in the extended filing period, and added special provisions in Subsec. (i)
concerning tax reduction in the assessment year when property is conveyed and accordingly, tax
calculation of their spouse’s income, effective October 1, 1991, and applicable to assessment years of
municipalities commencing on or after that date; P.A. 93-129 amended Subsec. (b)(1) to specify
that the person claiming eligibility shall have attained the age of 65 years at the close of the
preceding calendar year, and deleted obsolete Subsec. (g)(2) and (i)(2) and the Subdiv.
designation (1) in each case, and added provision authorizing the secretary to waive forfeiture,
effective June 14, 1993; P.A. 95-307 amended Subsec. (b)(1) to define “qualifying income” as
taxable and nontaxable income, eliminating provisions re total adjusted gross income and
amended Subsec. (f) to add provisions re extension of the application period in the case of
extenuating circumstances and repealed obsolete provisions concerning the assessment year
commencing October 1, 1987, effective July 6, 1995; P.A. 98-262 amended Subsec. (b) to allow
a person who is legally separated to apply as an unmarried person for purposes of determining
qualifying income, effective June 8, 1998; June Sp. Sess. P.A. 99-1 amended Subsec. (c) to
adjust amounts of qualifying income and to increase minimum tax reductions, effective June 29,
1999, and applicable to applications made for assessment years commencing on or after October
1, 1999; June Sp. Sess. P.A. 01-6 amended Subsec. (f) to modify procedure for an extension of
time to apply for relief, to provide a penalty for failure to disclose matters related to such
application or false statement and to make technical changes and amended Subsec. (g) to delete
former provisions re adjustments and appeals of decisions of the Secretary of the Office of
Policy and Management, to provide for appeal in accordance with Sec. 12-120b and to make
technical changes, effective July 1, 2001; June 30 Sp. Sess. P.A. 03-6 amended Subsec. (g) to
provide for reduction in grant amount under that subsection in the event total of grants exceeds
the amount appropriated, effective August 20, 2003, and applicable to assessment years
commencing on or after October 1, 2002; May Sp. Sess. P.A. 04-2 added Subsec. (k) re
adjustments made by the Secretary of the Office of Policy and Management to grants under
section, effective July 1, 2004, and applicable to claims for reimbursement filed on or after July
1, 2001; P.A. 05-287 amended Subsec. (g) to replace reference to “December first” with
reference to “December fifteenth” and replace reference to “the fifteenth day of December” with
reference to “the fifth business day following December fifteenth”, and amended Subsec. (j)(1)
and (3) to make technical changes and replaced reference to “the first day of September” with
reference to “the fifteenth day of September” and changed the timing of the drawing of the
Comptroller’s order from not later than 15 days immediately following receipt of such approval
to not later than 5 business days immediately following receipt of such approval in Subdiv. (3),
effective July 13, 2005; P.A. 06-196 made technical changes in Subsec. (j)(3), effective June 7,
2006; P.A. 10-32 made technical changes in Subsec. (e), effective May 10, 2010; P.A. 12-197
amended Subsec. (f) by adding provision re certification by an advanced practice registered
nurse and making a technical change.

See Sec. 12-120b re uniform administrative procedure for appeals related to state-reimbursed
property tax exemptions, credits and rebates.
To be eligible for the real property tax relief provided herein, an applicant shall meet the following requirements:

A. State of Connecticut basic statutory requirements pursuant to C.G.S. § 12-129n.

(1)(a) An applicant shall be a resident of Stamford and sixty-five (65) years of age or over, or a resident whose spouse, living with said resident, is sixty-five (65) years of age or over, or a resident sixty (60) years of age or over and the surviving spouse of a taxpayer qualified in Stamford under this Article at the time of his or her death; or

(b) Under age sixty-five (65) and eligible in accordance with applicable federal regulations to receive permanent total disability benefits under Social Security, or have not been engaged in employment covered by Social Security and accordingly have not qualified for benefits there under, but have become qualified for permanent total disability benefits under any federal, state or local government retirement or disability plan, including the Railroad Retirement Act and 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.

(2) Such residents or their spouses eligible under subsection (1)(a) or (b) above, shall:

(a) Own and occupy the subject real property as a principal residence; or

(b) As life tenant or tenant for years, be liable for taxes for the subject real property under C.G.S. § 12-48; or

(c) Reside in a cooperative unit owned and occupied by the applicant as a principal residence.

(3) Further, such residents or their spouses, eligible under subsections A(1) and (2) above, shall:

(a) Have been taxpayers of Stamford for one (1) year immediately preceding their receipt of tax benefits under this Article; and

(b) Shall meet the additional local eligibility requirements established below.

B. Additional local eligibility requirements promulgated pursuant to C.G.S. § 12-129n(a).

(1) The maximum income allowable during the calendar year preceding the year in which application is made for local tax relief shall be:

(a) Eighty-five thousand dollars ($85,000.00) for a single resident.

(b) One hundred thousand dollars ($100,000.00) for a married resident or qualified spouse.
2. With respect to subsection 220-9.A, the net worth of an unmarried resident shall not exceed two hundred fifty thousand dollars ($250,000.00), or, if married, of a resident and his or her spouse, shall not exceed three hundred thousand dollars ($300,000.00) exclusive of an exemption of one million dollars ($1,000,000.00) on the fair market value of the residence for which the tax relief is sought.

3. With respect to subsection 220-9.B, the net worth of an unmarried resident or, if married, of a resident and his or her spouse shall not exceed four hundred thousand dollars ($400,000.00), exclusive of an exemption of one million dollars ($1,000,000.00) on the fair market value of the residence for which the tax relief is sought.

Sec. 220-9. Municipal programs of property tax relief available.

Those residents who meet the requirements set forth in §§ 220-8 and 220-10 shall have the choice to receive relief pursuant to this Article under either Option 1 or Option 2, as follows:

A. Option 1: Abatement of Property Tax.

(1) Those residents choosing abatement of property taxes as the form of municipal tax relief shall be entitled to an amount of relief based upon their income as provided in § 220-9.1, below.

(2) With respect to any amount of taxes properly abated, there shall be no payment or collection of such amount.

B. Option 2: Deferral of Property Tax.

(1) Those residents choosing deferral of property taxes as the form of municipal tax relief shall be entitled to an amount of relief, interest free, based upon their income as provided in § 220-9.1, below.

(2) With respect to any amount of taxes properly deferred:

In accordance with C.G.S. 12-129n(f), the City of Stamford may establish a lien on such property each year that such taxes are deferred in the amount of the relief granted, provided that if the total amount of such property tax relief, when combined with any such tax relief received by such taxpayer in accordance with sections 12-129b to 12-129d, inclusive, or 12-170aa, exceeds in the aggregate seventy-five percent of the property tax for which such taxpayer would be liable, the City shall be required to establish a lien on such property in the amount of the total tax relief granted, plus interest applicable to the total of such unpaid taxes at a rate to be recommended by the Board of Finance and approved by the Board of Representatives.

Sec. 220-9.1. Schedule of qualifying income and corresponding tax abatements and deferrals.

A schedule of qualifying income and corresponding tax abatements and deferrals shall be set each year in the following manner:

A. Annually, in March, the Board of Finance shall recommend to the Board of Representatives a limit for the total benefits under this senior citizen tax relief program.

B. On or before its April meeting, the Board of Representatives shall, by resolution, set a limit for the total benefits. Based upon said limit, the Tax Assessor shall prepare a schedule of qualifying income and corresponding tax abatements and deferrals. In the event that the number and income of eligible applicants would exceed said limit, the Tax Assessor shall reduce the benefits proportionally.
C. Said schedule of qualifying income and corresponding tax abatements and deferrals shall be approved by the Board of Finance and adopted by the Board of Representatives by resolution.

D. The following schedule of qualifying income and corresponding tax abatements and deferrals is adopted by the Board of Representatives:

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Sec. 220-10. Application procedure.

Eligible residents shall apply:

A. Between February 1 and May 15, and biennially thereafter as required by state statute.

B. At the office of the Tax Assessor of the City of Stamford.
C. On forms provided by the Assessor, and be accompanied by documentation of all qualifying income, including a copy of the applicant's most recent federal tax returns for the calendar year preceding the fiscal year for which tax relief is being requested.


A. The property tax relief provided for in this Article may, in any case where title to real property is recorded in the name of the taxpayer or his or her spouse or and any other person or persons, be prorated to reflect the fractional share of such taxpayer or spouse, or if such property is a multiple-family dwelling, such relief may be prorated to reflect the fractional portion of such property occupied by the qualified taxpayer or his or her spouse.

B. If any person entitled to tax relief pursuant to this Article sells property with respect to which such tax credit is or has been granted, no additional tax credit shall be allowed for his/her interest in such property for any fiscal year commencing after the date of the sale of such property, and the purchaser of such property shall pay the City of Stamford a prorated share of such tax credit as provided by C.G.S. § 12-81a.

Sec. 220-11.1. Amendments to tax relief program; procedure.

Pursuant to C.G.S. § 12-129n, The Optional Tax Relief Program for eligible homeowners age sixty-five (65) and over may be amended from time to time by vote of the Board of Representatives on recommendation of the Board of Finance.

Sec. 220-12. Authority to enforce.

The Mayor, Tax Assessor and Tax Collector are authorized to do what is necessary to effectuate this Article.

Sec. 220-12.1. When effective.

This article shall take effect upon enactment.
City of Meriden

Adopted August 18, 1997

Article IV: Municipal Property Tax Relief

§ 187-7 Statutory authority.

This article is enacted pursuant to Connecticut General Statutes § 12-129n, as amended.

§ 187-8 Definitions.

As used in this article, the following terms shall have the meanings indicated:

ELIGIBLE PROPERTY

Property which is the principal residence of the eligible taxpayer, the lot upon which the residence is located, and the appurtenant outbuildings. Benefits will be prorated for partial ownership, and for occupancy in a dwelling of up to three dwelling units. "Eligible property" shall in no event include dwellings of four units or more. Notwithstanding any other provision of this article, "eligible property" shall include a unit of a cooperative.

ELIGIBLE TAXPAYER

Any taxpayer, 65 years of age and over, or his or her spouse, living with the taxpayer, who is 65 years of age or over or 60 years of age or over, or any taxpayer under age 65 and eligible in accordance with applicable federal regulations to receive permanent total disability benefits under social security or otherwise eligible in accordance with the provisions in Connecticut General Statutes § 12-129n(a), as amended, and the surviving spouse of a taxpayer who was an eligible taxpayer at the time of death, provided that the applicant has been a taxpayer in the City of Meriden for one year immediately preceding the receipt of tax benefits under this article, and provided that the applicant meets the requirements established herein with respect to maximum allowable income during the calendar year preceding the year in which application is made for the tax relief provided in this article.

INCOME

When considering eligibility for property tax deferral, means the gross income of the applicant if single, or gross joint income of the applicant and spouse if married. "Income," when considering eligibility for property tax abatement, means the gross income of all individuals living within the dwelling unit. After January 1998, "income," when considering eligibility for property tax deferral or property tax abatement, shall be defined as the gross income of the applicant if single, or gross joint income of the applicant and spouse if married.

MAXIMUM ALLOWABLE INCOME

The maximum income which a taxpayer and/or the taxpayer's spouse may receive and still be eligible for relief under this article. The maximum allowable income for any abatement or deferral is $35,000. Said amount and the scale provided below shall be amended annually, or as recommended by the Finance Committee.
§ 187-9 Tax relief.

A. Any eligible taxpayer may apply for and receive either a property tax abatement or property tax deferral for an eligible property upon completion of the application form provided by the Tax Assessor. The applicant must choose either the abatement option or the deferral option and may not amend said choice. Said applications shall be made, in 1997, within 60 days of the passage of this article. In later years, said application must be made between February 1 and May 15. Said application must be renewed every two years. For good cause shown, the Assessor may permit a renewal application to be filed within 30 days of May 15.

B. At no time shall property tax relief be granted under this article if the total taxes past due, abated or deferred in the previous years, in addition to the present year, will equal or exceed the assessed value of the subject property.

C. No such property tax relief, together with any relief received by any eligible taxpayer under the provisions of Connecticut General Statutes §§ 12-129b to 12-129d, inclusive, shall exceed, in the aggregate the total amount of the tax which would, except for said sections, be laid against the eligible taxpayer. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

D. The City of Meriden will lien the subject property for the amount of any deferral granted and may establish a lien on the subject property in the amount of the relief granted, provided that if the total amount of such property tax relief with respect to any such taxpayer, when combined with any such tax relief for which such taxpayer may be eligible in accordance with Connecticut General Statutes §§ 12-129b to 12-129d, inclusive, exceeds in the aggregate 75% of the property tax for which such taxpayer would be liable but for the benefits under this section and any of the sections mentioned above in this subsection, the City of Meriden shall establish a lien on such property in the amount of the total tax relief granted, plus interest applicable to the total of such unpaid taxes at the rate set forth in this section. Any such lien shall have a priority in the settlement of such person's estate. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

E. This program shall be funded as needed by the annual budget.

§ 187-10 Tax deferral.

If the property tax deferral application is approved by the Tax Assessor, 50% of the property taxes shall be deferred at an annual interest rate of 7 3/4% per annum. Said interest rate shall be subject to review and amendment on an annual basis, on recommendation of the Finance Committee.

§ 187-11 Tax abatement.

A. If property tax is abated, it shall be abated as follows:

<table>
<thead>
<tr>
<th>Income Brackets</th>
<th>Benefit Amounts Grand List 10-1-1996</th>
<th>Abatement Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Married</td>
</tr>
<tr>
<td>$0 to $15,200</td>
<td></td>
<td>$500</td>
</tr>
<tr>
<td>$15,201 to $27,500</td>
<td></td>
<td>$300</td>
</tr>
<tr>
<td>$27,501 to $35,000</td>
<td></td>
<td>$200</td>
</tr>
</tbody>
</table>
B. If property tax is abated, it may be as follows but shall not fall below the 1996 funding level:

<table>
<thead>
<tr>
<th>Income Brackets</th>
<th>Abatement Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>$0 to $15,200</td>
<td>Married $1,000</td>
</tr>
<tr>
<td></td>
<td>Single $800</td>
</tr>
<tr>
<td>$15,201 to $27,500</td>
<td>Married $600</td>
</tr>
<tr>
<td></td>
<td>Single $400</td>
</tr>
<tr>
<td>$27,501 to $35,000</td>
<td>Married $400</td>
</tr>
<tr>
<td></td>
<td>Single $200</td>
</tr>
</tbody>
</table>

C. The total abatement of property tax revenue, based on an estimate in any tax year by the Finance Committee, which may be granted in such tax year pursuant to the provisions of this article shall not exceed an amount equal to 10% of the total real property tax assessed in the preceding tax year.

D. The property tax for the Grand List of October 1, 1999, and subsequent grand lists shall be abated in accordance with this article if the City Council makes the necessary provisions in the annual budget in consideration of the Municipal Property Tax Relief Program. For the grand list years in which the property tax is abated, the abatement amounts shall be determined on an annual basis by the City Council, but in no event shall the abatement amounts be less than the benefit amounts as set forth in Subsection B herein.

§ 187-12 Cooperative units.

Notwithstanding any provision in this article to the contrary, the amount of annual property tax relief for the unit owner of a cooperative shall be determined in relation to an assumed amount of property tax liability applicable to the assessed value for the dwelling unit which such person owns and occupies, as determined by the Tax Assessor. Annually, not later than the first day of June, the Tax Assessor, upon receipt of an application for such relief, shall determine, with respect to the assessment list for the assessment year commencing October 1 immediately preceding, the portion of the assessed value of the entire cooperative, as included in such assessment list, attributable to the dwelling unit occupied by such person. The assumed property tax liability for purposes of determining the amount of the relief shall be the product of said assessed value and the mill rate as determined for purposes of property tax imposed on said assessment list for the assessment year commencing October 1 immediately preceding. The amount of relief to which such person shall be entitled for such assessment year shall be equivalent to the amount of tax reduction for which such person would qualify, considering such assumed property tax liability to be the actual property tax applicable to such person's dwelling unit and such person as liable for the payment of such tax.

§ 187-13 Cessation of benefits; penalties.

A. Any benefits accruing pursuant to this article under the tax abatement program shall cease immediately upon the death of the eligible taxpayer, provided that the eligible taxpayer's spouse does not qualify for relief under this article, and shall be prorated for the year in which the taxpayer dies. If the taxpayer is utilizing the tax deferral program, upon death of the eligible taxpayer, provided that the eligible taxpayer's spouse does not qualify for relief under this article, the reduced interest rate shall continue in effect only until the estate is
probated or two years after death, whichever comes sooner, at which point the statutory interest rate shall be reinstated and the interest assessed in a prorated manner.

B. The penalty for filing of an application which is false in any respect shall be the refund of all credits improperly taken, together with interest at 18% per annum.

§ 187-14 Applications for tax refunds.

Applications for tax refunds may be made within 15 years from the date when such tax was due.
Article I: Tax Exemptions and Procedures

§ 285-6 Home Equity Leveraging Program (H.E.L.P.); purpose.

The Town of Manchester hereby enacts a tax deferral program for the elderly pursuant to Connecticut General Statutes § 12-129n for eligible residents of the Town for the fiscal year commencing July 1, 1992, and thereafter, on the terms and conditions hereinafter provided in §§ 285-7 through 285-14.

§ 285-7 Eligibility.

Any person owning real property in the Town, including a life use interest, and who occupies that property as his or her principal residence shall be eligible for real property tax deferral with respect to such property, as set forth in § 285-8 of this article, provided the following conditions are met:

A. Such person shall be 65 years of age or over, or the spouse of such person living with such person shall be 65 years of age or over; or such person shall be the surviving spouse of a taxpayer who otherwise qualified under this article at the time of his or her death, which surviving spouse shall be 60 years of age or older, or with respect to real property on which such residents or their spouses are liable for taxes under Connecticut General Statutes § 12-48.

B. Such person shall have individually, if unmarried or jointly, if married whether or not separate income taxes were paid by the spouses during the calendar year preceding the filing of his or her claim for tax deferral benefits hereunder, adjusted gross income as defined pursuant to the Internal Revenue Code of 1954, as from time to time amended; plus tax-exempt interest, as defined pursuant to § 103 of the Internal Revenue Code of 1954, as from time to time amended; dividend exclusions pursuant to § 116 of the Internal Revenue Code of 1954, as from time to time amended; social security benefits; railroad retirement benefits; income from other tax-exempt retirement and annuity sources in an amount not greater than $28,800 if unmarried or $35,300 if married. The foregoing income limits shall be adjusted to coincide with income levels established pursuant to Connecticut General Statutes § 12-170e (Tax Credit Program.)

C. Such person has, for one year immediately preceding the receipt of a tax deferral under this article, been a taxpayer of the Town.

§ 285-8 Benefits for property.

The benefits pursuant to this article shall be limited to the principal residence of the taxpayer, including the house, the primary lot upon which the residence is located, and any auxiliary buildings located upon the lot. The maximum benefits received shall not exceed the limitations of Connecticut General Statutes § 12-129n(a). The taxpayer shall have the option of receiving the maximum benefits to which he or she is entitled or an amount less than the maximum which shall be determined at the taxpayer's discretion.

§ 285-9 Filing of application for tax deferral benefits.

Applications for benefits pursuant to this article shall:

A. Be made on forms as provided by the Assessor and shall be accompanied by a copy of the applicant's most recent federal income tax return and shall include documentation of income defined pursuant to § 285-7B of
this article or, if the applicant lacks or has not filed a federal income tax return, shall include, therewith, proof of income as the Town Assessor may require.

B. Any applicant eligible for tax deferral benefits pursuant to this article shall apply, as otherwise required by this article, to the Assessor for such deferral from February 1 through May 15, inclusive, in the year in which tax deferral is initially claimed and biennially thereafter.

§ 285-10 Computation of tax deferral.

A. All benefits received, pursuant to this article, shall be reimbursed to the Town upon the death of the recipient of tax deferral benefits, or upon the death of the spouse of the recipient if the spouse survives the recipient and continues to occupy the residence of the recipient until his or her death, or upon conveyance of the real property subject to taxation pursuant to § 285-14 of this article.

B. All benefits received pursuant to this article shall not be subject to interest except as set forth in § 285-14 hereof.

C. The recipient of tax deferral benefits pursuant to this article shall enter into a written agreement (which is the signed and approved application) with the Town providing for reimbursement in accordance with Subsection B of this section. The principal amount of such tax deferral benefit shall be recorded upon the land records of the Town and shall constitute a lien on the property payable in accordance with Subsection B of this section and § 285-14. This deferral program is designed to postpone payment of the deferral benefits, not forgive them. The mechanism for the Town to secure the future payment of the deferral benefits is the lien. Such lien shall be subject to the limitations of Connecticut General Statutes § 12-129n(f). There shall be no fee charged or collected for the preparation or recording of any lien pursuant to this section.

§ 285-11 Proration of tax deferral benefits.

The property tax deferral benefits provided pursuant to this article shall, in any case where title to real property is recorded upon the land records of the Town in the name of the taxpayer or his or her spouse and any other person or persons, be prorated to reflect the fractional share of such taxpayer or spouse, or, if such property is a multiple-family dwelling, such tax deferral, pursuant to this article, shall be prorated to reflect the fractional portion of such property as occupied by the taxpayer.

§ 285-12 Implementation of provisions; ascertainment of qualifying income; confidentiality.

A. The Collector of Revenue and Assessor shall prescribe with respect to the officials' respective duties pursuant to this article such forms and procedures as may be necessary and appropriate to implement this article. The Assessor, in addition, shall have the authority and power pursuant to his duties under this article to require the applicant to produce such pertinent information and documents for the Assessor's review so as to ensure that the income of applicants for tax deferral benefits qualifies applicants for benefits hereunder, provided that all applications, federal income tax returns, and any additional written information and documentation filed by applicants for tax deferral benefits pursuant to this article and Connecticut General Statutes § 12-129n shall, to the extent permitted by law, be kept confidential and shall, as such, be unavailable for inspection by the public.

B. The total abatement of property tax revenue resulting from the total deferred benefits of this program, based on an estimate in any tax year by the Board of Directors, which may be granted in such tax year by the Town pursuant to this article, shall be subject to the limitations of Connecticut General Statutes § 12-129n(c).

§ 285-13 Appeals.

Any applicant for benefits under this article aggrieved by any act or final determination of the Assessor or Collector of Revenue may appeal to the General Manager in accordance with the following procedure:
A. The applicant shall, in writing on a form prescribed by the Assessor, and within 10 business days of the act or final determination of the Collector of Revenue or Assessor of which the applicant claims to be aggrieved, submit his or her appeal to the General Manager.
B. The General Manager shall date stamp the appeal, and thereafter, within seven calendar days thereof, not including the date of receipt, schedule a hearing thereon, such hearing to be not later than 14 calendar days thereafter and shall then notify the applicant, in writing by first-class mail, postage prepaid, of the date, time and place of the General Manager's hearing of the applicant's appeal.
C. At the hearing, at which the applicant may be represented by legal counsel or otherwise, the applicant shall present evidence in support of the claimed basis of appeal. The hearing shall be informal, and the General Manager may request such additional information from the aggrieved applicant and/or the Assessor or Collector of Revenue as the General Manager deems necessary and appropriate to rendering a full and fair decision upon the applicant's appeal.
D. The hearing, pursuant to this section, may be adjourned for the purpose of obtaining evidence not immediately available, but in any case, the General Manager shall render a written decision, which decision shall be final and not subject to further appeal, by not later than the 30th calendar day following the General Manager's receipt of the applicant's appeal.

§ 285-14 Reduction of credit due to conveyance.

A. If any recipient of tax deferral benefits pursuant to this article for any assessment year transfers, grants or otherwise conveys, in such assessment year, any interest in his or her qualifying principal residence upon which the applicant has received tax deferral benefits, other than a transfer to the applicant's qualified spouse, the amount of the tax deferred under this article shall be the pro rata portion of the tax amount otherwise applicable to such assessment year, such pro rata portion to be determined by the Assessor pursuant to Subsection B of this section.
B. The pro rata portion of the tax amount due by the applicant to the Town upon the applicant's granting or conveying his or her primary residence pursuant to Subsection A of this section shall be determined by a fraction, the numerator of which shall be the number of full months from the first day of October of such assessment period to the month of grant or conveyance, and the denominator shall be 12.
C. The grantee of the recipient's interest in his or her principal residence pursuant to Subsection A of this section shall be required, within a period not exceeding 10 days after conveyance, to notify the Assessor of such conveyance. The Assessor shall thereupon notify the Collector of Revenue of the conveyance, and the Collector of Revenue shall, thereupon, mail, first class, postage prepaid, or alternatively, hand a bill to the grantee, stating thereon the total amount of tax computed to include all referral benefits, due to the Town, as determined by the Collector of Revenue. Such tax shall be due and payable and collectible as other property taxes and shall be subject to the same liens and processes of collection otherwise available to the Town pursuant to the General Statutes, provided such tax shall be due in a single installment not later than six months after the date on which the bill is mailed or handed to the grantee. The interest rate for any portion of the tax bill not paid within the six-month period shall be charged at the same rate charged by the Town for delinquent taxes.

§ 285-14.1 Alternate tax credit.

A. There shall be available to any person owning real property in the Town and who occupies that property as his or her principal residence, a tax credit in the amounts set forth hereinafter, provided the following conditions are met:

1. Such person shall be 65 years of age or over, or the spouse of such person living with such person shall be 65 years of age or over; or such person shall be the surviving spouse of a taxpayer who otherwise qualified under this article at that time of his or her death, which surviving spouse shall be 60 years of age or older, or with respect to real property on which such residents or their spouses are liable for taxes under Connecticut General Statutes § 12-48.
(2) Such person shall have individually, if unmarried, or jointly, if married, whether or not separate income
taxes were paid by the spouses during the calendar year preceding the filing of his or her claim for the tax credit
hereunder, adjusted gross income as defined pursuant to the Internal Revenue Code of 1954, as from time to
time amended; plus tax-exempt interest, as defined pursuant to § 103 of the Internal Revenue Code of 1954, as
from time to time amended; dividend exclusions pursuant to § 116 of the Internal Revenue Code of 1954, as
from time to time amended; social security benefits; railroad retirement benefits; income from other tax-exempt
retirement and annuity sources in an amount not greater than $28,800 if unmarried or $35,300 if married. The
foregoing income limits shall be adjusted periodically and as necessary to coincide with the income levels
established pursuant to Connecticut General Statutes § 12-170aa.

(3) Such person has, for one year immediately preceding the receipt of the tax credit under this article, been a
resident taxpayer of the Town.

(4) Any person receiving a tax credit pursuant to this article may not receive the benefits in the Town's tax
deferral program as outlined in Chapter 285, Article I, §§ 285-6 through 285-14, also referred to as the H.E.L.P.
program. Upon making property application to the Town for participation in these programs, if the applicant
does not specify between the H.E.L.P. program and this alternate tax credit, the alternate tax credit shall be
implemented.

(5) Any person receiving a tax credit pursuant to this article may receive the benefits in the State of Connecticut
tax credit program, also referred to as the homeowner's program, pursuant to Connecticut General Statutes § 12-
170e.

B. Tax credit schedule.

(1) The amount of the tax credit to be received by any person who qualifies herein shall be in accordance with
the following schedule:

<table>
<thead>
<tr>
<th>Income</th>
<th>To</th>
<th>Tax Credit Married</th>
<th>Tax Credit Unmarried</th>
</tr>
</thead>
<tbody>
<tr>
<td>I.</td>
<td>$0-$14,400</td>
<td>$400</td>
<td>$300</td>
</tr>
<tr>
<td>II.</td>
<td>14,400</td>
<td>19,400</td>
<td>350</td>
</tr>
<tr>
<td>III.</td>
<td>19,400</td>
<td>24,200</td>
<td>250</td>
</tr>
<tr>
<td>IV.</td>
<td>24,200</td>
<td>28,800</td>
<td>150</td>
</tr>
<tr>
<td>V.</td>
<td>28,800</td>
<td>35,300</td>
<td>100</td>
</tr>
</tbody>
</table>

The income categories stated herein shall be adjusted annually consistent with the provisions of Connecticut General
Statutes § 12-170aa, as it may be amended from time to time.

C. The Board of Directors may review the provisions of this section periodically, to determine if any
adjustments need to be made with regards to eligibility requirements and benefit provisions.

D. Notwithstanding the foregoing provisions, any person owning real property in the Town of Manchester and
who receives benefits pursuant to the State of Connecticut program known as Property Tax Relief for Elderly
Homeowners (elderly tax freeze program) at the time that program expired, and continues to receive the
benefits of that program, is entitled to an annual tax credit from the Town of Manchester in an amount that is
equal to the amount of annual real property taxes due the Town of Manchester in excess of the applicable cap
that a property owner receives from the Property Tax Relief for Elderly Homeowners program. The property
owner remains responsible for the annual payment of the taxes as previously capped by the program. The
provisions of this section shall be applicable to the real property tax bills due on July 1, 2007, and thereafter.
Sec. 7-23. Property tax relief for residence property of elderly.

(a) The City of Norwich hereby enacts a tax credit for elderly homeowners, pursuant to G.S. § 12-129n, for eligible residents of the City of Norwich on the terms and conditions provided herein. This section is enacted for the purpose of assisting elderly homeowners and totally disabled persons, as defined in G.S. § 12-81(55), with a portion of the cost of property taxation commencing with the assessment list of 1988.

(b) Any person who owns a real property in the City of Norwich or is liable for the payment of taxes thereon, pursuant to G.S. § 12-48, and who occupies the property as a principal residence shall be entitled to a credit of up to $200.00 on the real estate tax bill, provided the following conditions are complied with:

(1) Such person is 65 years of age or over at the close of the previous calendar year, or his or her spouse is 65 years of age or over at the close of the previous calendar year and resides with such person, or 60 years of age or over and the surviving spouse of a taxpayer qualified for tax credit under this section at the time of his or her death.

(2) Such person must have a principal residence located in Norwich and must have paid taxes in Norwich for one year immediately preceding his or her receipt of tax benefits hereunder.

(3) Shall be under age 65 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 and 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.

(4) The property for which the credit is claimed must be the primary legal residence of such person and occupied more than 183 days of each calendar year.

(5) Applications must be filed with the assessor's office between February 1 and May 15 in the year following the list year with respect to which benefits are claimed, and a photocopy of the state form will be used. The applicant must reapply every two years in order to continue eligibility for relief hereunder.

(6) The same income guidelines as used by the State of Connecticut application for tax credits for elderly homeowners and totally disabled persons will be used.

(7) No tax credits shall be given under this section to any person who owes delinquent taxes to the City of Norwich. The applicant shall submit a certificate from the tax collector to the effect that no such delinquent taxes are owed.

(8) No property tax relief authorized hereunder together with any relief received by any such resident under provisions of G.S. §§ 12-129b—12-129d, inclusive, G.S. §§ 12-129h and 12-170aa shall exceed, in the aggregate the total amount of the tax which would, except for said G.S. §§ 12-129b—12-129d, inclusive, G.S. §§ 12-129h and 12-170aa and this section, be laid against the taxpayer.
(c) The tax credit for real property as provided herein shall apply to only the residence itself and the lot on which the residence is located, but such credit shall not apply to more than the minimum lot size permitted by the zoning ordinances of the City of Norwich.

(d) The assessor shall determine whether each applying taxpayer is entitled to tax credit under this section and shall compute the amount of tax credit to which each qualified taxpayer is entitled and cause a certificate of tax credit to be issued in such form as to permit the tax collector to reduce the amount of tax levied against the taxpayer.

(e) Only one tax credit shall be allowed for each parcel of land eligible for the tax credit under this section. In any case where title to such real property is recorded in the name of the taxpayer or his or her spouse, who are eligible for tax credit, and any other person or persons, the amount shall be prorated to allow a tax credit equivalent to the fractional share in the property of such taxpayer or spouse, and if such property is a multiple-family dwelling, such credit shall be prorated to reflect the fractional portion of such property occupied by the taxpayer, as provided by state statutes, as they may be amended. Persons not otherwise eligible shall not receive any tax credit. No tax credit shall be allowed hereunder if such dwelling is used for more than three families.

(f) The tax credit allowed hereunder shall not apply to any water use charge, water tax, sewer tax or sewer use charge which may be levied against real property in the City of Norwich.

(g) If a taxpayer has qualified and received tax relief under the provisions of this section and subsequently becomes disqualified for any reason, he or she shall notify the tax assessor on or before February 1 of the year in which he or she becomes disqualified, and his or her exemption shall cease for such fiscal year and such disqualification shall continue until he or she becomes eligible again and has filed a new application.

(h) The total of all tax credits granted under this section shall not exceed for each fiscal year an amount equal to ten percent of the total real estate property tax assessed in the City of Norwich during the preceding fiscal year; tax credits given to eligible applicants hereunder shall be prorated in such a manner so that the total amount of city tax relief hereunder shall remain within the limits fixed herein.

(i) If any person with respect to whom a claim for tax credit in accordance with this section has been approved for any assessment year transfers, assigns, grants or otherwise conveys in such assessment year the interest in real property to which such claim for tax credit is related, regardless of whether such transfer, assignment, grant or conveyance is voluntary or involuntary, the amount of such tax credit shall be a pro rata portion of the amount otherwise applicable in such assessment year to be determined by a fraction, the numerator of which shall be the number of full months from October 1 in such assessment year to the date of such conveyance and the denominator of which shall be 12. If such conveyance occurs in the month of October, the grantor shall be disqualified for tax credit in such assessment year. The grantee shall be required within a period not exceeding ten days immediately following the date of such conveyance to notify the assessor thereof, whereupon the assessor shall determine the amount of tax credit to which the grantor is entitled for such assessment year with respect to the interest in real property conveyed and notify the tax collector of the reduced amount of tax credit applicable to such interest.

Upon receipt of such notice from the assessor, the tax collector shall, if such notice is received after the tax due date in the municipality, within ten days thereafter mail or hand a bill to the grantee stating the additional amount of tax due as determined by the assessor. Such tax shall be due and payable and collectible as other property taxes and subject to the same liens and processes of collection, provided such tax shall be due and payable in an initial or single installment not sooner than 30 days after the date such bill is mailed.
Sec. 5-17. Property tax relief for elderly and/or disabled homeowners.

(a) Pursuant to the authority granted under Connecticut General Statutes section 12-129n, as amended, the tax relief for elderly and/or disabled homeowners provided under said statute is hereby adopted, extended and supplemented by the town council as follows.

(b) The qualifications for the property tax relief provided by this section shall be as follows:

(1) Applicants must be a resident of the town who are:

   (i) Sixty-five (65) years of age or over or whose spouse, living with them, is sixty-five (65) years of age or over, or fifty (50) years of age and the surviving spouse of a taxpayer who has qualified under this section at the time of their death, and with respect to real property in which such resident or their spouse is liable for taxes under Connecticut General Statutes section 12-48.

   (ii) Applicants under age sixty-five (65) must be eligible in accordance with applicable federal regulations to receive permanent total disability benefits under Social Security, or have not been engaged in employment covered by Social Security and accordingly have not qualified for benefits thereunder, but have become qualified for permanent total disability benefits under any federal, state or local government retirement or disability plan, including the Railroad Retirement Act and any government-related teacher's retirement plan, in which requirements with respect to qualifications for such permanent total disability benefits are comparable to such requirement under Social Security.

   (iii) Applicants must have been a taxpayer of the town for one (1) year immediately preceding their receipt of tax benefits under this section.

   (iv) Applicants must own and occupy the dwelling of the property subject to tax relief for at least one hundred and eighty-three (183) days per year for the property to qualify as the taxpayer's principal residence.

   (v) Applicants and/or their spouses shall have individually, if unmarried, or jointly, if married, adjusted gross income, as shown on Internal Revenue Service Form 1040, (if filed) Social Security benefits, and all other forms of income including but not limited to interest, dividends, annuities, pensions, retirement allowances hereinafter called "qualifying income", during the calendar year preceding the filing of their application in accordance with the guidelines set forth below.

   (vi) Such other conditions, qualifications, standards and procedures as set forth in the Connecticut General Statutes, as may be amended and this section.

(2) (i) For the October 1, 2008 Grand List, local tax credits shall be provided by the town in accordance with the following income and credit guidelines:
<table>
<thead>
<tr>
<th>Qualifying Income</th>
<th>Marital Status</th>
<th>Local Tax Credit = % of State Benefit</th>
</tr>
</thead>
<tbody>
<tr>
<td>$0 - $13,800</td>
<td>Married</td>
<td>20%</td>
</tr>
<tr>
<td>$0 - $13,800</td>
<td>Single</td>
<td>20%</td>
</tr>
<tr>
<td>$13,801-$18,600</td>
<td>Married</td>
<td>20%</td>
</tr>
<tr>
<td>$13,801-$18,600</td>
<td>Single</td>
<td>20%</td>
</tr>
<tr>
<td>$18,601-$23,200</td>
<td>Married</td>
<td>20%</td>
</tr>
<tr>
<td>$18,601-$23,200</td>
<td>Single</td>
<td>20%</td>
</tr>
<tr>
<td>$23,201-$27,700</td>
<td>Married</td>
<td>20%</td>
</tr>
<tr>
<td>$23,201-$27,700</td>
<td>Single</td>
<td>20%</td>
</tr>
<tr>
<td>$27,701-$33,900</td>
<td>Married</td>
<td>20%</td>
</tr>
<tr>
<td>$27,701-$33,900</td>
<td>Single</td>
<td>$200</td>
</tr>
<tr>
<td>$33,901-$41,999</td>
<td>Married</td>
<td>$300</td>
</tr>
<tr>
<td>$33,901-$41,999</td>
<td>Single</td>
<td>$200</td>
</tr>
</tbody>
</table>

(ii) The qualifying income levels described in paragraph (2)(i) above shall be adjusted in accordance with any changes made to the qualifying incomes as determined by the state Office of Policy & Management, and/or by the town council.

(iii) The local property tax credits provided by this article shall be in addition to and not dependent upon those benefits available to qualified taxpayers under any Connecticut General Statute, sections 12-129b to 12-129d, inclusive, sections 12-129h and 12-170aa, provided that the town and state benefits in any one (1) year shall not exceed seventy-five (75) percent of the normal tax which would have been imposed on a qualified taxpayer in the absence of such state statute and this article.

(3) Except for the "qualifying income" standard as set forth in this article, if the state denies the eligibility of an applicant for the portion of tax relief granted under one of the state programs, the assessor must deny the applicant the local share of tax relief, remove the applicant from the benefit records and bill them for the full real estate tax due.

(4) Upon the transfer of the property, the benefit is not transferable to the new owner and the new owner shall lose the benefit. Additionally, the assessor shall prorate the increased tax liability from the date of transfer and notify the tax collector of such increase who will bill the new owner within a reasonable time period.

(5) The assessor and the tax collector shall prescribe, with regard to their respective duties under this article, such forms and procedures as may be necessary to implement this article. The assessor shall, in addition, satisfy himself or herself as to the qualifying income of an applicant for benefits under this article by requesting and reviewing such evidence of qualifying income as may be pertinent. All applications, federal income tax returns, and any additional evidence of qualifying income which the assessor may require shall be kept confidential and not open to public inspection to the extent permitted under the Connecticut Freedom of Information Act.
(6) Applications for benefits under this article shall be filed bi-annually with the assessor between February 1 and May 15. For the October 1, 2008 Grand List only, the filing period will be extended to July 15, 2009.

(7) This article shall be applicable to the Grand List of October 1, 2008 and all subsequent Grand Lists thereafter.

(8) All provisions of the town code in conflict herewith are hereby repealed and that if for any reason, any word, clause, paragraph, or section of this article shall be held to make the same unconstitutional, this article shall not hereby be invalidated and the remainder of the article shall continue in effect. Any provision herein which is in conflict with the Connecticut General Statutes is hereby repealed, it being understood that said statutes shall take precedence over this article. In the event of any conflict between this article and Connecticut General Statutes section 12-129n as it may be amended, the provisions of the statute shall control.

(9) The local tax credits available pursuant to this article shall be reduced if the total cost of the program exceeds the annual amount appropriated by the town council. The re-adjusted tax credits shall be calculated by reducing the tax credit in a pro rata amount until the total cost of the annual appropriation is reached. If in any year the town council fails to appropriate any funds for this program, the tax credits will be suspended for that fiscal year only.
DIVISION 2. TAX RELIEF FOR SENIOR CITIZENS OR PERMANENTLY AND TOTALLY DISABLED PERSONS

Sec. 54-62. Statutory authority.

This division is adopted pursuant to the authority granted to the Town under C.G.S. § 12-129n.

Sec. 54-63. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Qualifying income* means the adjusted gross income, as defined in the Internal Revenue Code of 1986, as may be amended, plus tax-exempt interest income, plus any other income as may be reportable for federal income tax purposes, as well as nontaxable income, including the nontaxable component of social security benefits and excluding capital losses and any current year business operating losses, losses from rental activities, current year deductions for depreciation of assets, and any net operating loss (NOL) carryover reportable for federal income tax purposes. Qualifying income may be reduced by an amount equal to the medical and dental expense deduction allowed or allowable under Section 213(a) of the Internal Revenue Code of 1986, as may be amended.

Although the following list is not intended to be all-inclusive, examples of items to be included in determining qualifying income are as follows:

1. Wages, bonuses, commissions, gratuities and fees, self-employment net income;
2. Gross Social Security, federal supplemental security income, payment for jury duty (excluding travel allowance);
3. Dividends, interest, and annuities;
4. Taxable portion of IRA distributions;
5. Black lung payments;
6. Experience works payments (formerly Green Thumb payments);
7. Interest or proceeds resulting from gifts received;
8. Lottery winnings;
9. Net income from the sale or rent of real or personal property (excluding depreciation);
10. Taxable pensions, including veterans' and railroad retirement pensions;
11. Severance pay; unemployment compensation;
(12) Worker's compensation;

(13) Alimony; and

(14) Capital gains.

Qualifying income shall exclude income from the following sources:

(1) Social Security payments specifically for a dependent person or minor child;

(2) Casualty loss reimbursements by insurance companies;

(3) Gifts, bequests or inheritances, except for any interest or other income produced by the gift, bequest or inheritance;

(4) Grants for disaster relief;

(5) Income derived through volunteer service under the Domestic Volunteer Service Act of 1973, as amended, including stipends earned under the Foster Grandparents' Program, Retired Senior Volunteer Program, Senior Companion Program, and Community Training under Department of Mental Retardation;

(6) Life insurance proceeds;

(7) Food stamps, fuel assistance, child support payments and temporary family assistance program payments.

(8) For a married taxpayer whose spouse is a resident of a health care or nursing home facility and who is receiving payments related to such spouse under Title XIX Medicaid, qualifying income shall not include the spouse's Social Security income, provided that the following has been submitted to the Assessor on the facility's letterhead and signed by the administrator or other facility official:

a. Proof that the spouse is in a health care or nursing home facility;

b. The period during the benefit year that the spouse was in the facility; and

c. The period during the benefit year that the spouse was on Title XIX Medicaid.

(9) Veterans' disability benefits.

Residence means the property which is the principal residence of the taxpayer and all improvements thereon.

Tax year means the fiscal year beginning July 1 and ending June 30 for which property taxes are paid and which are based upon the grand list valuation of the preceding October 1.

Sec. 54-64. Criteria for qualification.

To qualify for the tax relief provided in this division, on the date of application, a taxpayer:

(1) Shall be:

a. Sixty-five years of age or older or whose spouse, who is domiciled with him or her, shall be 65 years of age or older;
b. Sixty years of age or older and the surviving spouse of a taxpayer previously qualified under this section at the time of his or her death; or

c. Under age 65 years of age and eligible in accordance with applicable federal regulations to receive permanent total disability benefits under Social Security, or shall not have been engaged in employment covered by Social Security and accordingly shall not have qualified for benefits thereunder, but have become qualified for permanent total disability benefits under any federal, state or local government retirement or disability plan, including the Railroad Retirement Act and 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) Shall own real property (or be liable for the payment of taxes thereon under C.G.S. § 12-48) and shall occupy such property as his or her residence for not less than 183 days in the calendar year immediately preceding the date of application, provided however, if the taxpayer has been confined to a nursing home or healthcare facility for more than 183 days in the immediately preceding calendar year, said taxpayer will not be disqualified for relief hereunder unless the taxpayer's confinement has or is expected to exceed 365 days. The following must be submitted to the Assessor on the facility's letterhead and signed by the administrator or other facility official:

a. Proof that the taxpayer is in a health care or nursing home facility;

b. The period during the immediately preceding the date of application that the taxpayer was in the facility; and

c. The period of time during which the taxpayer is expected to remain in the facility.

(3) Shall have been, or whose spouse shall have been, liable for residential real property taxes to the Town for a period of one year immediately preceding the receipt of tax benefits under this division; and

(4) Shall have individually, if unmarried, or jointly, if married, qualifying income in an amount not to exceed the limits described in Section 54-69. Such qualifying income limits shall be applied annually to the calendar year immediately preceding the date of application.

(5) Shall have first applied for all state funded tax relief benefits applicable to the property for which the taxpayer is eligible or shall certify at the time of filing an application for tax relief hereunder on a form provided by the Assessor that he or she is ineligible for such tax relief.

(6) Shall not rent all or a portion of his/her residence to a tenant for any period of time during which tax benefits are received hereunder unless the taxpayer is also occupying the residence.

(7) No tax abatement shall be given to any taxpayer who has delinquent taxes (i.e., real property, personal property or motor vehicle taxes), capital assessments, fees, fines or user charges owed to the Town. For the purposes of this subsection, taxes previously abated or deferred shall not be considered delinquent. This section is not intended to disqualify taxpayers seeking a tax deferral only.

Sec. 54-65. Applicant as trust.

Notwithstanding the provisions of Section 54-64, if title to the property is owned by a trust the taxpayer may still be eligible for tax relief hereunder if the taxpayer is the primary beneficiary of the trust and the taxpayer otherwise qualifies for tax relief hereunder. A copy of the trust agreement shall accompany the application and shall be reviewed by the Town Attorney prior to any tax relief being granted.
Sec. 54-66. Benefit limitations.

The benefits under this division shall be limited to the residence of the taxpayer.

Sec. 54-67. Application—Procedure; contents.

Applications for benefits under this division:

(1) Shall be made annually on forms provided by the Assessor of the Town and shall be accompanied by (a) a copy of the applicant's entire federal and state tax return; (b) documentation of all other income for the calendar year immediately preceding the date of application; (c) a properly executed IRS Form 4506 and IRS Form 4506T allowing the Town to verify the federal tax information; (d) Form SSA-1099 which shall indicate the taxpayer's residence address; and (e) such other verification of income as may be required by the Assessor.

(2) Shall be submitted in person by the taxpayer unless the taxpayer is temporarily residing in a nursing home or healthcare facility. Proof that such taxpayer is in a facility must be submitted to the Assessor on the facility's letterhead and signed by the administrator or other facility official.

Sec. 54-68. Application—Deadlines.

(a) Tax abatement. In order to claim tax abatement benefits pursuant to Section 54-69(1), an application shall be filed annually with the Assessor not later than the May 15 immediately preceding the applicable tax year, commencing July 1 of that same calendar year.

For those taxpayers who have sought and received, by May 15 an extension of time to file a federal tax return, the application must nevertheless be filed by May 15 and a copy of the entire federal tax return must be received by the Assessor's office by June 15 or the application will be denied.

(b) Tax deferral. In order to claim tax deferral benefits pursuant to Section 54-69(2), applications shall be filed annually with the Assessor not later than the December 31 that falls within the applicable tax year.

Sec. 54-69. Tax relief programs.

An applicant may apply annually for one or more of the following tax relief programs:

(1) Tax abatement. For applicants who elect to apply for the tax abatement benefits under this division, the benefit shall be allowed on a graduated basis, as follows:

<table>
<thead>
<tr>
<th>Qualifying Income</th>
<th>Benefit Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than $25,000.00</td>
<td>$3,500.00 shall be abated</td>
</tr>
<tr>
<td>$25,000.00, but less than $35,000.00</td>
<td>$3,000.00 shall be abated</td>
</tr>
<tr>
<td>$35,000.00, but less than $45,000.00</td>
<td>$2,000.00 shall be abated</td>
</tr>
<tr>
<td>$45,000.00, but less than $55,000.00</td>
<td>$1,000.00 shall be abated</td>
</tr>
</tbody>
</table>
(2) Tax deferral. Applicants who elect to apply for tax deferral benefits under this division may defer taxes as follows:

<table>
<thead>
<tr>
<th>Qualifying Income</th>
<th>Benefit Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than $75,000.00</td>
<td>Tax deferral. The applicant may defer up to 100 percent of the tax assessed, less any state and local tax relief, for the applicable tax year.</td>
</tr>
<tr>
<td>$75,000.00 but less than $100,000.00</td>
<td>Tax increase deferral. The applicant may defer up to 100 percent of any increase in real property taxes from the immediately preceding tax year. For purposes of this deferral, the applicant's residence in the immediately preceding year must be the same as the applicant's residence in the applicable tax year.</td>
</tr>
</tbody>
</table>

Sec. 54-70. Hardship exception.

In cases of extreme hardship, the Board of Selectmen may, upon written application waive the qualifying income requirement for either of the two tax relief programs. The term "extreme hardship" includes, but is not limited to, unreimbursed medical or dental expenses and unreimbursed property casualty.

Sec. 54-71. Responsibility of tax deferral benefit recipient.

Any qualified recipient of a tax deferral benefit shall be subject to the following:

(1) The recipient shall enter into a written agreement with the Town providing for reimbursement. The principal amount of such tax deferral benefit plus interest shall be recorded on the land records of the Town and shall constitute a lien on the property, payable upon the earlier of death or conveyance.

(2) All deferral benefits plus interest shall be reimbursed to the Town upon the earlier of the death of the recipient or the conveyance of the real property subject to such deferral benefits, unless the property is conveyed to the recipient's spouse who meets the eligibility requirements of Section 54-64. In the case of a conveyance to a surviving spouse who does not meet the eligibility requirements of Section 54-64, all deferral benefits plus interest shall be reimbursed to the Town within five years of such conveyance unless, within such five-year period, the surviving spouse meets the eligibility requirements of Section 54-64. Interest shall continue to be at the rate set forth in Subsection (3) of this section and shall continue to accrue from the date of death until the date of payment. The grantee or, in the event of death, the personal representative of the person for whom tax deferral was approved, shall be required, within a period not exceeding 45 days immediately following the date of death or conveyance, to notify the Assessor thereof.

(3) All benefits shall be subject to an interest charge at the annual percentage rate of 50 basis points less than the average Bond Buyer Eleven Index for January of each year rounded to the nearest whole percent. Such interest charge shall be included in the written agreement to be entered into by the Town and the recipient. Such interest shall be simple interest, not compounded and, except as provided in Subsection (2) of this section, shall accrue from the date of deferral until the earlier of the date of conveyance or death.

(4) Total deferments, including accrued interest, for all years shall not exceed the assessed value of the real property.

(5) The recipient shall provide written confirmation from the current mortgagee, if any, of the property stating that the mortgagee has knowledge of and is in agreement with the conditions set forth in this Section 54-71.
Sec. 54-72. Proration of tax benefits.

The property tax benefits provided for in this division may, in any case where title to real property is recorded in the name of the taxpayer or his or her spouse and any other person or persons, be prorated to reflect the fractional share of such taxpayer or spouse or, if such property is a multiple-family dwelling, such benefits may be prorated to reflect the fractional portion of such current property occupied by the taxpayer or his or her spouse.

Sec. 54-73. Coordination of benefits.

The tax relief provided for by this division shall be in addition to, and not dependent upon, any other local or State tax relief benefits for which an applicant may be qualified. In no case, however, shall the sum of tax relief benefits exceed the applicant's annual property tax assessment on his or her residence.

Sec. 54-74. Implementation of provisions; confidentiality.

The Tax Collector and the Assessor of the Town shall prescribe, with regard to their respective duties under this division, such forms and procedures as may be necessary to implement the provisions of this division. The Assessor, in addition, shall satisfy himself or herself as to the qualifying income of an applicant for benefits under this division by requesting and reviewing such evidence of qualifying income as he or she may deem pertinent. All applications, federal income tax returns filed therewith and any additional evidence of qualifying income which the Assessor may require shall be kept confidential and not open to public inspection.

Sec. 54-75. Appeals.

Persons aggrieved by any act or determination of the Assessor or Tax Collector under this division may appeal to the Board of Assessment Appeals.

Sec. 54-76. Reduction of abatement due to conveyance or death.

If any person with respect to whom a claim for tax abatement, in accordance with this division, has been approved for any tax year shall die or shall transfer, assign, grant or otherwise convey in such tax year the interest in real property to which such claim for tax abatement is related, other than to such person's spouse who meets the eligibility requirements of Section 54-64, the amount of such tax abatement shall be pro rated. The pro rata portion of the amount otherwise applicable to such tax year shall be determined by a fraction, the numerator of which shall be the number of full months in the tax year prior to the date of death or conveyance and the denominator of which shall be 12. If such death or conveyance occurs in the month of July within the tax year, the allowable abatement shall be zero. The grantee or, in the event of death, the personal representative of the person for whom tax abatement was approved shall be required, within a period not exceeding 45 days immediately following the date of death or conveyance, to notify the Assessor thereof, whereupon the Assessor shall notify the Tax Collector of such death or conveyance, and, upon receipt of such notice, the Tax Collector shall, if such notice is received after the tax due date, deliver a bill to the grantee or personal representative, stating the additional amount of tax due.
Chapter 176: TAXATION Article VII: Elderly Tax Freeze Program

§ 176-24 Establishment of elderly tax freeze program and qualifications.

A tax freeze program is hereby established pursuant to the provisions of Sections 1 and 2 of Public Act No. 06-176, effective October 1, 2006, and applicable to assessment years commencing on or after October 1, 2007, as follows:

A. Any owner as of October 1 of real property or any tenant for life or for a term of years liable for property taxes under § 12-48 of the Connecticut General Statutes who meets the qualifications stated in Subsection B of this section, shall be entitled to pay the tax levied on such property, calculated in accordance with the provisions of § 176-25 for the first year the claim for such tax relief is filed and approved in accordance with the provisions of this section, and such person shall be entitled to continue to pay the amount of such tax or such lesser amount as may be levied in any year, during each subsequent year that such person meets such qualifications, and the surviving spouse of such owner or tenant, qualified in accordance with the requirements pertaining to a surviving spouse in this section, or any owner or tenant possessing a joint interest in such property with such owner at the time of such owner's death and qualified at such time in accordance with the requirements in this section, shall be entitled to continue to pay the amount of such tax or such lesser amount as may be levied in any year, as it becomes due each year following the death of such owner for as long as such surviving spouse or joint owner or joint tenant is qualified in accordance with the requirements in this section. After the first year a claim for such tax relief is filed and approved, application for such tax relief shall be filed biennially on a form prepared for such purpose by the Assessor of the Town of Farmington. Any such owner or tenant who is qualified in accordance with this section and any such surviving spouse or joint owner or joint tenant surviving upon the death of such owner or tenant, shall be entitled to pay such tax in the amount as provided in § 176-25, for so long as such owner or tenant or such surviving spouse or joint owner or joint tenant continues to be so qualified.

B. To qualify for the tax relief provided in this section a taxpayer shall meet all the following requirements:

(1) On December 31st of the calendar year preceding the year in which a claim is filed, be:
   (a) Eighty years of age or over;
   (b) The spouse of a person, 80 years of age or over, provided such spouse is domiciled with such person; or
   (c) Sixty-two years of age or over and the surviving spouse of a taxpayer who at the time of such taxpayer's death had qualified and was entitled to tax relief under this section, provided such surviving spouse was domiciled with such taxpayer at the time of the taxpayer's death;

(2) Occupy such real property as his or her home;

(3) Either spouse shall have been a taxpayer of the Town of Farmington for at least three years before filing the claim under this section; and

(4) The taxable and nontaxable income of such taxpayer, the total of which shall hereinafter be called "qualifying income", in the tax year of such homeowner ending immediately preceding the date of application for benefits under the program in this section, was not in excess of limits set forth in § 12-170aa of the 2006 supplement to the Connecticut General Statutes, and as is thereafter adjusted annually, evidence of which income shall be submitted to the Assessor of the Town of Farmington in such form and manner as the Assessor may prescribe. The amount of any Medicaid payments made on behalf of such homeowner or the spouse of such homeowner shall not constitute income. The income of the spouse of such homeowner shall not be included in the qualifying income of such homeowner for purposes of determining eligibility for tax relief under
this section if such spouse is a resident of a health care or nursing home facility in this state and such facility receives payment related to such spouse under the Title XIX Medicaid program.

§ 176-25 Calculation of tax freeze benefit.

A. The tax on the real property for which the benefits under this section are claimed shall be the lower of: the tax due with respect to the homeowner's residence for the assessment year commencing October first of the year immediately preceding the year in which the initial claim for tax relief is made, or the tax due for any subsequent assessment year. If title to real property is recorded in the name of the person or the spouse making a claim and qualifying under this section and any other person or persons, the claimant hereunder shall be entitled to pay the claimant's fractional share of the tax on such property calculated in accordance with the provisions of this section, and such other person or persons shall pay the person's or persons' fractional share of the tax without regard for the provisions of this section. For the purposes of this section, a "mobile manufactured home", as defined in § 12-63a of the Connecticut General Statutes, shall be deemed to be real property.

B. If any person with respect to whom a claim for tax relief in accordance with § 176-24 of this article has been approved for any assessment year dies, transfers, assigns, grants or otherwise conveys subsequent to the first day of July, but prior to the first day of April in such fiscal year the interest in real property to which such claim for tax relief is related, regardless of whether such death, transfer, assignment, grant or conveyance is voluntary or involuntary, the amount of such tax relief benefit, determined as the amount by which the tax payable without benefit of this section exceeds the tax payable under the provisions of this section, shall be a pro rata portion of the amount otherwise applicable in such fiscal year to be determined by a fraction the numerator of which shall be the number of full months from the first day of July in such fiscal year to the date of such conveyance and the denominator of which shall be twelve. If such conveyance occurs in the month of June the grantor shall be disqualified for such tax relief in such fiscal year. The grantee shall be required within a period not exceeding ten days immediately following the date of such conveyance to notify the Assessor thereof, or in the absence of such notice, upon determination by the Assessor that such transfer, assignment, grant or conveyance has occurred, the Assessor shall determine the amount of tax relief benefit to which the grantor is entitled for such assessment year with respect to the interest in real property conveyed and notify the Tax Collector of the reduced amount of such benefit. Upon receipt of such notice from the Assessor, the Tax Collector shall, if such notice is received after the tax due date in the municipality, no later than ten days thereafter, mail or hand a bill to the grantee stating the additional amount of tax due as determined by the Assessor. Such tax shall be due and payable and collectible as other property taxes and subject to the same liens and processes of collection, provided such tax shall be due and payable in an initial or single installment not sooner than thirty days after the date such bill is mailed or handed to the grantee and in equal amounts in any remaining, regular installments as the same are due and payable.

§ 176-26 Application procedures.

A. No tax relief shall be accepted under § 176-24 unless the taxpayer or authorized agent of such taxpayer files an application with the Assessor of the Town of Farmington, in such form and manner as the Assessor may prescribe, during the period from February first to and including May fifteenth of any year in which benefits are first claimed, including such information as is necessary to substantiate such claim in accordance with requirements in such application. A taxpayer may make application to the Assessor prior to April 15th of the claim year for an extension of the application period. The Assessor may grant such extension in the case of extenuating circumstance due to illness or incapacitation as evidenced by a physician's certificate to that extent, or if the Assessor determines there is good cause for doing so. The taxpayer shall present to the Assessor a copy of such taxpayer's federal income tax return and the federal income tax return of such taxpayer's spouse, if filed separately, for such taxpayer's taxable year ending immediately prior to the submission of the taxpayer's application, or if not required to file a federal income tax return, such other evidence of qualifying income in respect to such taxable year as the Assessor may require. Each such application, together with the federal income tax return and any other information submitted in relation thereto, shall be examined by the Assessor and a determination shall be made as to whether the application is approved. Upon determination by the
Assessor that the applying homeowner is entitled to tax relief in accordance with the provisions of § 176-24, the Assessor shall notify the homeowner and the Municipal Tax Collector of the approval of such application. The Municipal Tax Collector shall determine the maximum amount of the tax due with respect to such homeowner's residence and thereafter the property tax with respect to such homeowner's residence shall not exceed such amount. After a taxpayer's claim for the first year has been filed and approved such taxpayer shall file such an application biennially. In respect to such application required after the filing and approval for the first year the Assessor shall notify each such taxpayer concerning application requirements by regular mail not later than February 15th of the assessment year in which such taxpayer is required to reapply, enclosing a copy of the required application form. Such taxpayer may submit such application to the Assessor by mail provided it is received by the Assessor not later than March 15th in the assessment year with respect to which such tax relief is claimed. Not later than April 15th of such year the Assessor shall notify, by mail, any such taxpayer for whom such application was not received by said April 15th concerning application requirements and such taxpayer shall submit not later than May 15th such application personally or for reasonable cause, by a person acting in behalf of such taxpayer as approved by the Assessor.

B. Any person knowingly making a false application for the purpose of claiming property tax relief under § 176-24 and this section shall be fined not more than five hundred dollars. Any person who fails to disclose all matters relating thereto or with intent to defraud makes a false statement shall refund to the municipality all tax relief improperly taken.

§ 176-27 Establishment of lien and interest for unpaid taxes.

The Town of Farmington may establish a lien on such property in the amount of the total tax relief granted, plus interest applicable to the total of unpaid taxes represented by such tax relief, at a rate to be determined by such municipality. Any such lien shall have a priority in the settlement of such person's estate.

§ 176-28 Eligibility for other benefits.

§ 176-24 et seq., shall not disqualify such resident with respect to any benefits for which such resident shall be eligible under the provisions of §§ 12-129b to 12-129d, inclusive, of the 2006 supplement to the Connecticut General Statutes, and § 12-170aa of the 2006 supplement to the Connecticut General Statutes and any such property tax relief provided under this article shall be in addition to any such benefits for which such resident shall be eligible under said §§ 12-129b to 12-129d, inclusive, and § 12-170aa. However, any person eligible for a benefit under § 176-9 and a benefit under § 176-24 must choose which benefit they wish to receive as only one program is allowed per qualified applicant.
ARTICLE III. LOCAL TAX DEFERRAL PROGRAM

Sec. 94-91. Short title.

This article shall be known and may be cited as the "Local Tax Deferral Program."

Sec. 94-92. Qualifying.

All residents who have been taxpayers in the town for one year immediately preceding their receipt of tax deferral benefits under this section and meet the other requirements in this article may apply for the town local tax deferral program on real property owned and occupied as their principal residence. Principal residence shall include the house and lot on which the house is situated but shall not include excess acreage as determined by the assessor. Unit owners of a cooperative, condominium or other common interest ownership unit will also qualify if they meet the other requirements of this program.

Sec. 94-93. Requirements.

All applicants must be 65 years of age by December 31 of the preceding year or reside with spouses who are 65 years of age or older by December 31 of the preceding year, or be eligible in accordance with applicable federal regulations to receive permanent total disability benefits under Social Security, or have not been engaged in employment covered by Social Security and accordingly have not qualified for benefits thereunder, but have become qualified for permanent total disability benefits under any federal, state or local government retirement or disability plan, including the Railroad Retirement Act and any government related teacher's retirement plan in which requirements with respect to such qualifications for such permanent total disability benefits are comparable to such requirements under Social Security as of December 31 preceding application with the town.

Sec. 94-94. Declaration of income; income ceilings.

All applicants must declare all sources of income* received during the prior calendar year as part of the application process. The income ceilings for program qualification shall be the same as those approved by the state office of policy and management for the homeowners' elderly/disabled (circuit breaker) tax relief program, and shall be adjusted annually to reflect each year's current income standards, which are normally predicated on the cost of living index provided by the Social Security Administration.

*Total income includes earned and unearned income including but not limited to all income derived from wages, Social Security, bank interest, interest and dividends from stocks and bonds, etc.

Sec. 94-95. Time period to file application.

All property owners who wish to apply for this tax deferral may do so from February 1 through May 15 annually by filing an application with the assessor. Upon application, all applicants must complete all of the information on a form prepared by the assessor and provide proof of all forms of income from the prior calendar year. All approved applicants will be required to re-file biennially with the assessor.
Sec. 94-96. Lien filing upon approval of application.

Upon approval of the application by the assessor, a lien shall be filed annually by the collector of revenue with the town clerk. This lien will be for the amount of tax annually deferred with no interest charge. This lien shall have priority in the settlement of the applicant's estate.

Sec. 94-97. Tax adjustment based on sliding scale.

After the processing of all other exemptions that the eligible applicant may also qualify for (e.g., veterans exemption, circuit breaker, additional veteran's exemption, etc.), the eligible applicant shall receive a tax adjustment for the local tax deferral program based on the sliding scale used by the circuit breaker program.

Sec. 94-98. When tax deferral prorated.

In cases where title to real property is recorded in the name of the taxpayer or his or her spouse who is eligible for tax deferral and any other person or persons, the tax deferral under this article shall be prorated to allow a tax deferral equivalent to the fractional share in the property of such taxpayer or spouse, and the persons not otherwise eligible for tax deferral shall not receive any tax deferral.

Sec. 94-99. Applicants who are not record owners of the property.

Applicants who are not the record owners of property but have a deeded life use to their residence which requires the applicant to pay the property taxes may qualify for a benefit under this program provided that the record owner consents to the requested tax deferral and lien upon the property and that applicants comply with all other requirements.

Sec. 94-100. Death of beneficiary—Surviving spouse to re-file biennially.

Upon the death of a beneficiary of this program who is elderly, the surviving spouse may continue to receive this tax deferral if he/she is 60 years of age or older as of the date of the primary applicant's death. The surviving spouse will be required to re-file biennially with the assessor and meet all other program eligibility guidelines. Should a surviving spouse not qualify for the local tax deferral program for any reason other than age, he/she shall not be eligible to continue to receive this tax deferral. The surviving spouse may apply as a primary applicant if totally disabled prior to reaching age 65 or upon reaching age 65 as specified in section 94-103.

Sec. 94-101. Same—No surviving spouse.

Upon the death of a qualified applicant, or upon the recording of any instrument with the town clerk indicating that the local tax deferral program beneficiary is no longer the primary recipient of the local tax deferral benefit, (such as a transfer of the title of the property) and there is no surviving spouse eligible to assume continuation of the benefit, the tax deferral status shall be removed and the current assessment for that assessment year shall be prorated.

Sec. 94-102. Assessor to determine eligibility and calculate deferral.

The assessor shall determine the eligibility of each person who has applied for the program and shall calculate the tax deferral for all eligible persons except that a lesser deferral shall be made when and to the extent required to ensure that:
(1) Any person may receive a property tax deferral, even if such deferral entirely eliminates/postpones payment of current taxes, when combined with any such other tax relief for which such taxpayer may be eligible in accordance with G.S. §§ 12-129b, 12-129d inclusive, 12-129h, or 12-170aa.

(2) The total of all deferrals granted under the provisions of this article for any tax year shall not exceed an amount equal to one-half of one percent of the town's current adopted operating budget in effect as of February 1. In the event it exceeds one-half percent of the budget, the tax deferrals given to eligible persons shall be prorated uniformly to keep the total amount of town tax deferral within the statutory limit using the following formula:

\[
\text{FORMULA} = \text{one-half of one percent of total operating budget} = \text{Prorate percent cost of program.}
\]

**Sec. 94-103. Duration of deferral; exceptions.**

The amount deferred shall be determined by the taxes on the grand list preceding the application period and remain in effect for two years unless one of the following occurs:

(1) In the event that under a revaluation, and by applying the current mill rate, the tax owed on a property under this article is less than the deferred figure granted under this article, then the assessor shall re-set the deferred tax at the lower figure.

(2) If there are improvements, changes, alterations, or additions that result in an increase in the assessed value of the deferred residential property, the property shall be reevaluated at the deferred mill rate.

(3) In the event the total deferral of taxes of all eligible residents exceeds an amount greater than or equal to one-half of one percent of the total budget and a prorate is implemented as per section 94-102(2), the deferred tax for each recipient will be prorated to reflect the new amount.

**Sec. 94-104. Applicability.**

This article shall apply to annual real property taxes as are due and payable for the fiscal year beginning July 1, 2011, and all subsequent fiscal years.
Town of Durham

ARTICLE II. SENIOR TAX RELIEF PROGRAM ORDINANCE

Adopted February 19, 2008

Sec. 15-26. Purpose.

The objective of the senior tax relief program is to "freeze" the real estate taxes of taxpayers who qualify under this program at their current level, subject to budgetary restrictions set forth below. This program is intended as an alternate form of tax relief to the deferral program.

Sec. 15-27. Eligibility requirements; age; disability; income; residency; participation in state programs.

(a) The senior tax relief benefit shall be available to those taxpayers or their spouses with respect to real property located in the Town of Durham owned and occupied as their principal residence in Durham who are:

(1) Sixty-five (65) years of age and over or whose spouses, living with them, are 65 years of age or over; or sixty (60) years of age or over and the surviving spouse of a taxpayer qualified under this plan at the time of his or her death; or with respect to real property located in the Town of Durham occupied as their principal residence on which such residents or their spouses are liable for taxes under G.S. § 12-48; or

(2) Under age sixty-five (65) and eligible in accordance with applicable federal regulations to receive permanent total disability benefits under social security or who have not been engaged in thereunder but have become qualified for permanent total disability benefits under any federal, state or local government retirement or disability plan, including the Railroad Retirement Act and any government-related teachers' retirement plan in which requirements with respect to qualifications for such permanent total disability benefits are comparable to such requirements under social security.

(b) The senior tax relief benefit shall be available to taxpayers and their spouses whose total adjusted gross income for purposes of the federal income tax, plus any other income not included in such adjusted gross income (the total of which shall be called "qualifying income"), does not exceed the limits as set forth in subsection (c) below. "Qualifying income" shall be defined as all monies received unless specifically exempted, and includes wages, bonuses, commissions, fees, self-employment net income, gross social security income, payment for jury duty, dividends, interest and annuities, IRA income to the extent that is taxable, interest or proceeds from gifts, lottery winnings, net income from sale or rent of real or personal property, pensions, including veterans and railroad retirement, severance pay, unemployment compensation, workers’ compensation, alimony and all other sources of income as defined by the office of policy and management. Specifically excluded are social security payments to dependents, gifts, bequests or inheritances (although interest or other income produced by gift, bequest or inheritance must be included), grants for disaster relief, life insurance proceeds and all other exempt sources of income as defined by the office of policy and management. Evidence of such income shall be required, and a signed affidavit shall be submitted to the Durham Assessor when application for benefits under this plan is filed.

(c) All such taxpayers or their spouses shall have been taxpayers of the Town of Durham for not less than one year as of the first day of October prior to the filing period. In order to make allowances for long-time citizens in recognition of their significant contributions to our community, income limits for eligible taxpayers will be adjusted in accordance with the following schedule.

<table>
<thead>
<tr>
<th>Years of Residence</th>
<th>Single</th>
<th>Married</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 to <strong>10</strong></td>
<td>$32,800</td>
<td>$40,000</td>
</tr>
<tr>
<td>11 to 20</td>
<td>$50,840</td>
<td>$62,000</td>
</tr>
<tr>
<td>20 +</td>
<td>$68,880</td>
<td>$84,000</td>
</tr>
</tbody>
</table>

The Connecticut Conference of Municipalities • Municipal Tool Kit • Elderly Tax Relief
(d) All such taxpayers or their spouses who may qualify for tax relief under G.S. §§ 12-129b to 12-129d, inclusive, and 12-170aa, must apply for and be included, if qualified, in such program or programs as a condition precedent to qualifying for and receiving benefits under the senior tax relief program. This provision shall not apply for applications concerning the October 1, 2006 Grand List for taxes due and payable on July 1, 2007.

(e) No such taxpayers or their spouses shall be eligible for any benefit under the senior tax relief program if they are in arrears on any taxes owed the town, including but not limited to motor vehicle and personal property taxes.

(f) If a qualifying taxpayer owns the property jointly with a non-spouse, tax relief under the senior tax relief program will be proportionate to the taxpayer's interest in the property.

(g) If property is held in trust for a person who would otherwise qualify for the senior tax relief program, the tax relief may still be granted if the claimant is the primary beneficiary of the trust and the claimant meets all other requirements under this program. Under these circumstances, the application for relief shall be accompanied by a copy of the trust agreement. The trust agreement shall be reviewed and approved by town counsel prior to any relief being granted to the claimant.

The application for the senior tax relief program shall be a form that has been developed and approved by the assessor's office of the Town of Durham. In developing the application and applying this program to individual properties, the assessor shall be guided by the policies developed by the office of policy and management in administering the state's tax relief programs set forth in G.S. § 12-129b et seq. and 12-170aa. An applicant for the senior tax relief program must file a written application for the program annually between February 1 and May 15.

Sec. 15-28. Termination of relief.

Tax relief under the senior tax relief program ends on the date that the property is sold or transferred, or on the date of death of the qualifying owner or qualifying spouse, whichever is earlier. If such sale, transfer or death occurs prior to the filing period, the benefit shall be removed as of October 1. If such sale, transfer or death occurs after the filing of an application, the benefit shall be prorated unless there is a surviving spouse.

Sec. 15-29. Establishing cap and annual review.

(a) The total amount of tax relief under the senior tax relief program to all qualified taxpayers shall be determined by the board of finance and shall not exceed one-half of one percent of the previous year's total budget, including the town and educational budgets.

(b) At each January meeting beginning in the year 2008, the board of finance shall establish a maximum amount, or "cap," for the aggregate amount of benefits available under this program. This cap shall not exceed one-half of one percent of the previous year's total town and educational budgets. The board of finance shall review the percentage of the cap for the senior tax relief program for the purpose of determining suitability and shall at the same time set the dollar amount of the cap.

(c) After consultation with the assessor, the board of finance shall determine whether the aggregate amount of benefits sought under this program exceeds the dollar amount of the cap. If the board of finance determines that the cap is exceeded, it shall direct the assessor to prorate the benefits in accordance with provisions of this section. Excess abatement over the cap shall be prorated over the total tax base of all participants in the senior tax relief program in accordance with the following formula:

\[
\text{Total dollar amount in excess of cap/total base tax of all program participants} \times \text{individual participant's base tax amount} = \text{amount to be added to individual participant's base tax amount.}
\]

Note:
- The increase in the participant’s property tax thereby increases the base and establishes a new base tax (adjusted basis).
(1) "Base tax" shall be defined as the amount of tax levied on the property at the time the taxpayer qualifies under the senior tax relief program.
(2) "Base year" shall be defined as the first year of qualification in the senior tax relief program.
(3) "Excess over cap" shall be defined as the amount of tax relief that exceeds the cap set by the board of finance.
(4) An example of the proposal would be:
Cap set by the board of finance: .....$300,000.00
Total tax of all participants: .....$1,000,000.00
Total relief to all participants: .....$350,000.00
Sample tax for participant (a) - base year: .....$3,000.00
Excess over cap ($350,000-$300,000) = $50,000.00/$1,000,000.00 X 3,000.00 = $150.00.
New basis for participant (A) = $3,150.00.

Sec. 15-30. Limitation on benefits.

The total amount of tax relief available under the senior tax relief program, when combined with such property tax relief for which such taxpayer may be eligible in accordance with G.S. §§ 12-129b to 12-129d, inclusive, or 12-170aa, shall not exceed an aggregate of seventy-five (75) percent of the property tax for which such taxpayer would be liable but for the benefits under the senior tax relief program and the state tax relief programs mentioned above in this subsection. If the aggregate amount of such state and local benefits exceeds said seventy-five (75) percent of taxes otherwise due, then the amount of the benefit available under the senior tax relief program shall be reduced so as to be equal to the difference between the abatement afforded by such state programs and seventy-five (75) percent of the taxes laid against the taxpayer for such real property. If benefits received under state programs exceed said seventy-five (75) percent of the total taxes otherwise due, no tax benefit shall be available under the senior tax relief program.

Sec. 15-31. Coordination with other tax relief programs.

Taxpayers shall be eligible to participate in only one local tax relief program, i.e., the tax deferral program or the senior tax relief program. The benefits under either local program shall not be in lieu of benefits available under any state tax relief program.

Taxpayers participating in the town's existing senior and disabled tax relief program will enter the senior tax relief program at the tax amount they currently pay after relief. Going forward they are subject to the requirements of the new plan.

Sec. 15-32. Interpretation to be consistent with state tax relief programs.

This article shall be interpreted and applied in a manner that complements and is consistent with existing state tax relief programs. The policies and interpretations adopted by the office of policy and management in construing state tax relief programs shall be utilized in interpreting and applying the provisions of this article.

Sec. 15-33. Right of appeal.

Any person aggrieved by the action of the assessor in determining the amount of relief or in disapproving any such application under this article may appeal to the board of selectmen, in writing, within fourteen (14) days after the date of the written notification of the assessor on such application. The board of selectmen shall promptly consider such appeal and may grant or deny the relief requested, or make such other modifications necessary to comply with the article.

Sec. 15-34. Program initiation date.

This article is effective on the October 1, 2006, Grand List for taxes due and payable on July 1, 2007.
ARTICLE III. SENIOR TAX DEFERRAL PROGRAM ORDINANCE

Sec. 15-51. Purpose.

The objective of the Durham Tax Deferral Program is to defer payment of real estate taxes for qualifying taxpayers as described below until the property is transferred or the claimant dies without a qualified surviving spouse. This program is intended as an alternate form of tax relief to the "freeze" program.

Sec. 15-52. Eligibility for benefits; age, disability and income requirements.

(a) Subject to the limitations hereinafter set forth, real property tax deferral benefits shall be available with respect to real property located in the Town of Durham owned and occupied as their principal residence by residents of Durham who are:

(1) Sixty-five (65) years of age and over or whose spouses, living with them, are 65 years of age or over; or sixty (60) years of age or over and the surviving spouse of a taxpayer qualified under this plan at the time of his or her death; or with respect to real property located in the Town of Durham occupied as their principal residence on which such residents or their spouses are liable for taxes under G.S. § 12-48; or

(2) Under age sixty-five (65) and eligible in accordance with applicable federal regulations to receive permanent total disability benefits under social security or who have not been engaged in employment covered by social security and accordingly have not qualified for benefits thereunder but have become qualified for permanent total disability benefits under any federal, state or local government retirement or disability plan, including the Railroad Retirement Act and any government-related teachers' retirement plan in which requirements with respect to qualifications for such permanent total disability benefits are comparable to such requirements under social security.

(b) All such residents or their spouses shall have been taxpayers of the Town of Durham and meet income and residency requirements as stated here:

5—10 years of residency—Income not to exceed maximum income levels set annually for single or married status, as applicable, by the office of policy and management for state elderly/disabled tax relief programs;

11—20 years of residency—Income not to exceed one and one-half (1.5) times the maximum income levels set annually for single or married status, as applicable, by the office of policy and management for state elderly/disabled tax relief programs;

20+ years of residency—Income not to exceed two (2.0) times the maximum income levels set annually for single or married status, as applicable, by the office of policy and management for state elderly/disabled tax relief programs.

Sec. 15-53. Coordination with other tax relief programs.

Taxpayers shall be eligible to participate in only one local tax relief program, i.e., the tax deferral program or the senior tax relief program. The benefits under either local program shall not be in lieu of benefits available under any state tax relief program.
Sec. 15-54. Participation in state programs required.

All such residents or spouses who may qualify for tax relief under G.S. §§ 12-129b through 12-129d, inclusive, 12-129h and/or 12-170aa must apply for and be included, if qualified, in such program or programs as a condition precedent to qualifying for and receiving benefits under the Durham Tax Deferral Program (DTDP).

Sec. 15-55. Establishing cap and annual review.

(a) The board of finance shall establish a maximum amount, or "cap," for the aggregate amount of deferrals available under this program. After consultation with the assessor, the board of finance shall determine whether the aggregate amount of tax deferment sought under this program exceeds the dollar amount of the cap. If the board of finance determines that the cap is exceeded, it shall direct the assessor to prorate the benefits in accordance with provisions of this section. Excess requested deferral over the cap shall be prorated over all participants in the senior tax deferral program in accordance with the following formula:

Total dollar amount in excess of cap divided by total tax deferral amount requested by all program participants equals the percentage the requested deferments will be reduced.

(1) "Excess of cap" shall be defined as the amount of tax deferments requested that exceeds the cap set by the board of finance.

(2) An example of the proposal would be:

Cap set by the board of finance: .....$300,000.00
Total requested deferred tax of all participants: .....$350,000.00
Excess of cap: .....$50,000.00

Sample tax deferral requested for participant (A): .....$3,000.00

Excess over cap ($350,000.00-$300,000.00) = $50,000.00/$350,000.00 = 14.3% X $3,000.00 = $429.00.

Deferral requested $3,000.00 - $429.00 = $2,571.00.

Amount of taxes participant (A) could defer this year = $2,571.00

Amount of taxes participant (A) must pay this year = $429.00

Sec. 15-56. Limitations on benefits.

(a) The total amount of tax deferment allowed under the senior tax deferral program to all qualified taxpayers shall be determined by the board of finance and shall not exceed one percent of the proposed tax levy to which the deferment is to be applied.

(b) For those such residents or spouses receiving or eligible to receive benefits under the state tax relief program, the benefit available under DTDP shall not exceed, in the aggregate, one hundred (100) percent of the total amount of the tax which would, except for said G.S. §§ 12-129b through 12-129d, inclusive, 12-129h and 12-170aa and DTDP, be laid against the taxpayer for said real property. Thus, the tax deferment available to such residents or their spouses under DTDP shall be equal to the difference between the abatement afforded by such state programs and one hundred (100) percent of the taxes (or the portion of the taxes permitted to be deferred based on the maximum benefit cap established by the board of finance) laid against the taxpayer for
such real property. If benefits received under state programs exceed said one hundred (100) percent of the total taxes due, no tax deferment benefit shall be available under DTDP.

(c) The total amount of tax deferment allowed against any single property under the senior tax deferral program shall not exceed, in the aggregate, the assessed value shown on the current grand list of said property.

(d) There shall be no tax deferment benefits available under DTDP where income exceeds defined limits.

Sec. 15-57. Fractional interests or multiple-family dwellings.

The real property tax deferral relief provided under DTDP may, in any case where title to the real property is recorded in the name of the taxpayer or his or her spouse and any other person or persons, be prorated to reflect the fractional share of such taxpayer or spouse, or, if such real property is a multiple-family dwelling, such relief may be prorated to reflect the fractional portion of such property occupied by the taxpayer.

Sec. 15-58. Interest, lien and repayment.

(a) All tax deferments granted under DTDP shall bear interest from the date said deferred taxes become due (July 1 and January 1 of each year) and compound annually until fully paid. The rate of interest payable on such deferred taxes shall be set annually by the Durham Board of Finance at its first regular meeting in January of each year, to be applicable to the fiscal year commencing the following July 1.

(b) As a condition precedent to receiving the tax deferral benefits under DTDP, an applicant shall execute a tax deferral lien, on a form provided by the assessor, in favor of the Town of Durham at the time of application for benefits hereunder is made, to be recorded on the Durham land records by the Durham Tax Collector upon the approval of such application by the Durham Assessor.

(c) Taxes deferred under DTDP shall be due and payable, together with accumulated interest thereon, at such time as the real property in question is sold and conveyed, whether or not for value, or title is transferred or upon the death of such taxpayer (unless a spouse qualified under this section hereof survives), whichever event first occurs.

Sec. 15-59. Annual application process.

(a) Any resident believing himself or herself entitled to tax deferments under DTDP for any assessment year shall make application on a form prepared for such purpose by the Durham Assessor and submit the same for approval to the Durham Assessor at any time from February 1 to and including May 15 of the year for which the tax deferment benefit is claimed. In making such application, the applicant shall present to the assessor, in substantiation of his or her application, a copy of such applicant's federal income tax return including a copy of said security statement of earnings for such applicant and that of such applicant's spouse, if filed separately, for such applicant's taxable year ending immediately prior to the submission of such application or, if not required to file a return, such other evidence of qualifying income in respect to such taxable year as may be required by the assessor.

(b) When the assessor is satisfied that the applicant is entitled to the tax deferment applicable in accordance with DTDP, the assessor shall issue a certificate of tax deferment showing the amount of the taxes deferred to the applicant and deliver a copy of said certificate of deferment, together with the executed tax deferred lien, to the Durham Tax Collector.

(c) The amount of the tax deferment approved shall be applied to the real property tax payable by the resident taxpayer for the assessment year in which such application is submitted and approved. If any such resident
taxpayer has qualified for a tax deferment under DTDP, the deferment shall be applied and prorated uniformly over the number of installments in which the real property tax is due.

Sec. 15-60. Right of appeal.

Any person aggrieved by the action of the assessor in determining the amount of relief or in disapproving any such application under this article may appeal to the board of selectmen, in writing, within fourteen (14) days after the date of the written notification of the assessor on such application. The board of selectmen shall promptly consider such appeal and may grant or deny the relief requested, or make such other modifications necessary to comply with the article.
You asked (1) what state laws authorize municipalities to provide property tax relief to seniors and (2) whether current state law prohibits a municipality from providing a tax freeze to seniors regardless of financial means.

The Office of Legislative Research is not authorized to render legal opinions, and this memorandum should not be regarded as one.

SUMMARY

The law establishes two state-funded property tax relief programs for qualified elderly and disabled homeowners. The first is the “circuit breaker” program, which provides a property tax credit based on the participant’s income and marital status. (CGS § §12-170aa-cc). The second is the Tax Freeze program, which freezes property taxes at 1967 through 1978 levels. The tax freeze program has been closed to new applicants since 1979. (CGS § 12-129b). The state reimburses towns for the taxes they lose under these two programs.

In addition, a new law enacted in 2006 (PA 06-176, codified at CGS §12-170v and -w) allows towns, without state reimbursement, to freeze the property taxes for homeowners if they or their spouses are age 70 or older and meet the circuit breaker program's income limits.

The circuit breaker and tax freeze programs have income eligibility requirements, but towns have the option to offer, with certain restrictions, seniors age 65 and over additional “local option” tax relief without income criteria. (CGS § 12-129n) This law allows, but does not require, towns to set maximum income limits. The tax relief can take any form, including freezing tax payments at specified levels. The state does not reimburse towns for these programs.

Towns may only use property tax assessment and collection methods authorized by statute. (CGS § 7-148b(2)(B)) This is supported by Connecticut case law, which holds that towns must strictly comply with the property tax statutes (see Empire Estates, Inc. v. Stamford, 147 Conn. 262 (1960)). Therefore, it appears that towns that wish to provide property tax relief to seniors regardless of income are limited to these statutory programs.

CIRCUIT BREAKER PROGRAM

The circuit breaker program (formally known as the Elderly and Totally Disabled Tax Relief Program) entitles elderly and disabled people to a property tax reduction or a rent rebate, depending on whether they are homeowners or renters. An applicant must: (1) be 65 years of age or older, have a spouse who is 65 or older, or be at least 50 and a surviving spouse of...
someone who at the time of death was eligible for the program; (2) occupy the property as his or her home; and (3) have lived in Connecticut at least one year before applying. The annual income limits for the program are currently $35,300 for married couples and $28,800 for singles and are adjusted annually for inflation (CGS §§ 12-170aa-cc).

OLR report 2006-R-0309 (enclosed) compares this program with the new tax freeze program.

**TAX FREEZE PROGRAM**

The Tax Freeze Program freezes property taxes for elderly (age 65 or over) homeowners with annual taxable incomes of $6,000 or less at the level the person owed when he or she first qualified for the program. It began in 1967, but stopped accepting new participants in 1979. People who were in the program when it closed continue to receive benefits as long as they still qualify. They must refile for benefits with local assessors every two years (CGS § 12-129b).

**NEW LOCAL OPTION SENIOR PROPERTY TAX FREEZE (PA 06-176)**

2006 legislation allows towns to freeze property taxes on homes owned by people age 70 or older who have lived in the state at least one year. The freeze can also apply to a surviving spouse who is at least age 62 when the homeowner dies. Homeowners must meet the income limits for the circuit breaker program (see above). Towns may also impose asset limits for eligibility. People whose taxes are frozen can also qualify for other property tax relief programs.

Unlike the circuit breaker and old tax freeze programs, the new law does not provide state reimbursement for revenue a town loses by freezing taxes, but it allows the town to put a lien for the amount of the foregone taxes on the property. OLR report 2006-R-0445 (enclosed) describes this program in greater detail.

**LOCAL OPTION TAX RELIEF FOR SENIORS**

While the tax freeze and circuit breaker programs require participants to meet certain income levels, towns are able to provide additional optional property tax relief to seniors regardless of income. CGS § 12-129n allows towns, upon approval by the town's legislative body, to provide relief to seniors age 65 or older and disabled people without state reimbursement. It imposes no income criteria and does not require towns to adopt any.

The law allows towns to provide relief to homeowners already receiving tax relief under the circuit breaker program as well as to those who do not meet that program’s income criteria. The tax relief can take any form, including freezing tax payments at specified levels. But the overall amount of tax relief towns can provide is limited to no more than 10% of the total value of real property in the town in each given year. And the total value of tax relief a homeowner can receive under this and the tax freeze and circuit breaker programs cannot exceed his or her annual tax. The town must put a lien on the property if the amount of tax relief is more than 75% of the tax owed, and the law places several other restrictions on optional, unreimbursed local tax relief (CGS § 12-129n).

Towns’ legislative bodies can vote to abate property taxes for any homeowner regardless of age, if the tax exceeds 8% of the owner’s income for a given year. The owner must agree to
reimburse the town for the abated amount plus interest when he dies or the property is sold (CGS § 12-124a). OLR report 2006-R-0342 (enclosed) describes local option programs in 11 towns.

**HYPERLINKS**


ND:ts
You asked for (1) a summary of the different types of property tax relief for homeowners under Connecticut law and (2) examples of property tax relief offered in other states but not Connecticut.

SUMMARY

Connecticut law requires municipalities to provide property tax relief mainly for specific groups of homeowners, including the disabled, the elderly, and veterans (i.e. mandatory programs). It also gives municipalities the option to provide additional relief to these groups and extend relief to firefighters and emergency personnel, surviving spouses of firefighters and police officers, and homeowners whose property taxes exceed 8% of income. Some homeowners are eligible for a state income tax credit for property tax paid.

Most of the other states also provide residential property tax relief to the elderly and veterans and some offer relief to other groups, such as low- and moderate-income homeowners. Most do so by using the same types of mechanisms as Connecticut. But, most also use a mechanism that Connecticut does not use.

The four types of mechanisms are: homestead exemptions and credits, circuit breakers, tax freezes, and tax deferrals. Connecticut does not provide any form of homestead relief. Homestead relief programs are the most widely used forms of property tax relief and operate by exempting a portion of a property's value from taxation or rebating a portion of the tax paid.

A “circuit breaker” program prevents the amount of property taxes a homeowner pays from exceeding a specified portion of income. The amount of relief depends on the property owner's income and marital status. Connecticut has a sliding scale circuit breaker program specifically for elderly homeowners, but other states have programs that target a broader group or use a threshold approach rather than a sliding scale approach.

A “tax freeze” program freezes property tax at a specific year. Some states freeze the property tax due, while others freeze the assessed value. Connecticut instituted a tax freeze program in 1965, but began to phase it out in 1979. Other states have active programs.

Tax deferral programs allow eligible homeowners to defer payment of property taxes until a specified date. Connecticut allows municipalities to defer property taxes, but other states require them to do so.
PROPERTY TAX

States generally provide property tax relief by reducing the amount of property value subject to the tax (i.e. exemption) or the amount of taxes that must be paid (i.e. abatement). Taxable property is property that is subject to the property tax and includes real property (land and buildings) and personal property (such as motor vehicles). The tax is based on a property’s market value, which is the property’s actual monetary value. For example, a residential home may have a market value of $200,000. The assessed value of the property is the portion subject to the tax. In Connecticut, property is taxed at 70% of its fair market value (i.e. the assessment ratio). Therefore, the aforementioned residential home would have an assessed value of $140,000.

The property tax is determined by multiplying the assessed value by the tax rate. A municipality generally calculates the tax rate by first determining how much property tax revenue it needs to fund its budget and dividing that amount by the total value of the taxable property in its jurisdiction.

In Connecticut, tax rates are expressed in the form of mill rates. A mill is one-tenth of a cent. Thus, a 1 mill rate means that the taxpayer owes $1 for every $1,000 in taxable value. In a municipality with a 1 mill rate, the owner of the aforementioned residential home with an assessed value of $140,000 would owe $140 in property taxes for the home.

FORMS OF PROPERTY TAX RELIEF

As mentioned above, property tax relief mechanisms generally provide relief by exempting a portion of a property’s assessed value from taxation or abating the amount of taxes paid.

An exemption reduces the property’s assessed value and may be in the form of a percentage of that value or a reduction of that value. For example, a house with an assessed value of $140,000 and a $20,000 exemption would be taxed at $120,000.

An abatement reduces the amount of tax due. For example, if the owner of a home owes $1,000 in taxes and is entitled to a 10% abatement, he or she would pay $900 instead.

CONNECTICUT PROPERTY TAX RELIEF PROGRAMS

Exemptions

Exemption for the Disabled. Municipalities must provide qualifying homeowners with disabilities a $1,000 property tax exemption. In order to qualify, a homeowners must: (1) be eligible to receive permanent total disability benefits under Social Security; (2) qualify for permanent disability benefits under a federal, state, or local government retirement plan; or (3) be 65 years or older and no longer eligible to receive benefits under the disability benefit provisions of Social Security (CGS § 12-81(55)). Municipalities may provide an additional exemption to these homeowners of up to $1,000 (CGS § 12-81i).

Exemption for the Blind. Municipalities must provide qualifying homeowners who are blind with a $3,000 property tax exemption. A homeowner qualifies for the exemption based upon statutory criteria (CGS § 12-81(17)). Municipalities may provide additional exemption to these homeowners of up to $2,000 (CGS § 12-81j).
**Standard Exemption for Veterans.** Municipalities must provide eligible veterans or their surviving parents with a $1,000 property tax exemption (CGS §12-81(19)).

Eligibility is limited to war time veterans, their surviving spouses or parents, and veterans who retired from the military or who left due to mental or physical disability (CGS §12-81(19)).

Municipalities may provide additional exemption to those veterans receiving the standard exemption of up to $10,000 or 10% of the property's assessed value. In doing so, they must comply with statutory income limits (CGS § 12-81f).

**Additional Exemption for Veterans.** Municipalities must provide all eligible veterans receiving the standard exemption an additional exemption based on their income. The value of the additional exemption for married households with incomes under $21,000, or single households with incomes under $18,000, is $2,000 (CGS § 12-81g(a)). For households above the income threshold, the benefit is $500 (CGS § 12-81g(b)).

**Exemption for Disabled Veterans.** Municipalities must provide veterans with disability ratings from the Veterans' Administration or their surviving spouses with a property tax exemption. The amount of the exemption varies according to the disability rating, ranging from $1,500 for ratings between 10% and 25%, and $3,000 for ratings of 75% and above. All veterans with disability ratings who are at least 65 years old receive a $3,000 exemption. In addition, veterans who are receiving compensation from the United States for the loss of a limb may qualify for a $3,000 exemption.

Married veterans with household incomes under $21,000, or unmarried veterans with a household income under $18,000, receive an additional exemption equal to 200% of their disabled veterans' exemption. Eligible veterans with incomes above the threshold receive an additional exemption equal to 50% of their disabled veterans' exemption.

In order to qualify, veterans must have received a disability rating of at least 10% from the U.S. Department of Veterans' Affairs. Veterans who have not received a disability rating may qualify if they are receiving federal compensation for the loss of a leg or arm. Surviving spouses are also eligible. In addition, all eligible veterans receive an additional exemption amount based on their income (CGS § 12-81(20)).

Taxpayer's eligible for this exemption and the standard exemption may not receive more than one exemption (CGS §12-81(20)).

**Exemption for Severely Disabled Veterans.** Municipalities are required to provide veterans with severe disabilities or their surviving spouses with a property tax exemption. The amount of the exemption varies with the type of injury. Veterans with the following disabilities resulting from enemy action or disease contracted through active service receive a $10,000 exemption for: (1) the loss of the use of both legs; (2) permanent paralysis of one leg and one arm resulting from injury to the spinal cord; (3) total blindness; or (4) disabilities associated with amputations of both legs, both arms, both hands, or both feet. Veterans with disabilities associated to the loss of one arm or one leg because of service-related injuries receive a $5,000 exemption.

Married veterans with household incomes under $21,000, or unmarried veterans with a household incomes under $18,000, receive an additional, receive an additional exemption
equal to 200% of their severely disabled veterans' exemption. Eligible veterans with incomes above the threshold receive an additional exemption equal to 50% of their severely disabled veterans' exemption (CGS § 12-81(21)).

Municipalities may provide a total exemption to those veterans receiving financial assistance for specially adapted housing under Title 38 of the United States Code. If a municipality provides a total exemption, the taxpayer is not permitted to receive the state mandated exemption for severely disabled veterans (CGS § 12-81(21(C))).

**Abatements**

**Circuit Breaker for Elderly or Disabled Homeowners.** Connecticut provides state-reimburse “circuit breaker” property tax credits to homeowners who are at least 65 years old or totally disabled, and whose annual incomes do not exceed certain limits. The widow or widower of someone who received benefits at time of death also qualifies for this relief. Income ceilings are $39,500 for married claimants and $32,300 for single claimants. The maximum benefit for married applicants is $1,250. The maximum benefit for single applicants is $1,000 (CGS §§ 12-170aa to CGS § 12-170cc).

**Tax Freeze for the Disabled or Elderly.** As part of a 1967 state-funded program, municipalities must cap the property taxes for elderly homeowners, but no new applicants have been allowed for the program since 1979. Homeowners never pay any more than the amount of taxes they paid in their first year enrolled in the program. If their taxes fall below this amount, they may pay the lower amount.

In order to have qualified, applicants had to be at least 65 years or older and have an adjusted gross income of under $6,000. Surviving spouses of taxpayers who qualified at the time of their death must have been at least 50 years old to qualify. In addition, they must have occupied the eligible property as their primary home and have lived in the state for at least one year (CGS § 12-129b).

**Income Tax Credit for Property Tax Paid.** The state indirectly reduces property tax payments by providing an income tax credit for those payments on a primary residence, privately owned or leased motor vehicle, or both. The credit amount depends on the amount of property tax due and paid and the taxpayer's Connecticut adjusted gross income. The percent of property tax paid that can be taken as a credit declines as income increases, until it completely phases out. Beginning with the 2011 tax year, the maximum credit amount, regardless of filing status, is $300. The credit may not reduce a taxpayer's liability to less than zero (CGS § 12-704c).

**Optional Tax Freeze for Seniors.** Municipalities may freeze property taxes on homes owned by those aged 70 or older who have lived in the state at least one year. The freeze can also apply to a surviving spouse who is at least age 62 when the homeowner dies. Homeowners must meet the income limits for the circuit breaker program (see above). Towns may also impose asset limits for eligibility. Those whose taxes are frozen can also qualify for other property tax relief programs (CGS § 12-170v to CGS § 12-170w).

Municipalities may also freeze taxes for elderly homeowners or provide other unspecified forms of relief under CGS § 12-129n. This law also allows municipalities to set maximum income limits for receiving relief.
**Optional Relief for Firefighters and Emergency Personnel.** Municipalities may provide property tax relief to the non-salaried local emergency management director and any individual who volunteers his or her services as a firefighter, fire police officer, emergency medical technician, paramedic, civil preparedness staff, an active member of a volunteer canine search and rescue team, an active member of a volunteer underwater search and rescue team, or an ambulance driver in the municipality.

Such tax relief may provide either (1) an abatement of up to $1,000 in property taxes due for any fiscal year, or (2) an exemption applicable to the assessed value of real or personal property up to an amount equal to $1 million divided by the mill rate, in effect at the time of assessment, expressed as a whole number of dollars per $1,000 of assessed value. Any ordinance may authorize interlocal agreements for the purpose of providing property tax relief to such volunteers who live in one municipality but volunteer their services in another municipality (C.G.S. § 12-81w).

**Optional Relief for Surviving Spouses of Police Officers or Fire Fighters.** Municipalities may establish a program to abate all or a portion of the property tax on the principal residence of the surviving spouse of a police officer or firefighter who dies while in the performance of his or her duties (C.G.S. § 12-81x).

**Optional Relief for Property Taxes Exceeding 8% of Homeowner's Income.** Municipalities may also establish a program allowing homeowners to defer property taxes due if those taxes exceed 8% of the owner's income. Deferred taxes are a lien on the property and must be paid, with 6% interest upon sale or transfer of the property (C.G.S. 12-124a).

**OTHER STATE'S TAX RELIEF PROGRAMS**

Although each state has its own idiosyncratic property tax relief laws, they can be divided into four general categories: circuit breakers, tax freezes, tax deferrals, and homestead relief.

**Homestead Programs**

Homestead relief programs include both exemption and credit programs depending on the state, and are the most widely used forms of property tax relief. Forty-seven states excluding Connecticut provide homestead exemptions or credits for at least one class of qualified homeowner. Veterans and the disabled are the most common recipients of this form of tax relief (http://www.leg.state.nv.us/73rd/otherDocuments/PTax/NCSL-gptrelief.pdf).

**Homestead Exemption Programs.** Homestead exemption programs reduce property taxes on residential property by exempting a certain amount of a home's value from taxation. They usually are mandated by state law. Municipalities are either reimbursed by the state for some or all of the revenue loss or, if not reimbursed, they shift the tax burden to other property.

An example of a homestead exemption is Illinois' General Homestead Exemption (GHE) for a homeowner's principal residence. GHE exempts from the property tax an amount equal to the increase in the current year's equalized assessed value (EAV), above the 1977 EAV, with a maximum reduction of $6,000. EAV is the state's estimate of the fair market value of all
property. The state compares that estimate to the current values and adjusts them accordingly.

Another Illinois program, the Senior Citizens Homestead Exemption, exempts up to $4,000 of EAV from property taxes for individuals who own and occupy the property as their principal residence, and are 65 years of age or older.

Illinois also has a Long-Time Occupant Homestead Exemption (LOHE) in certain regions. To qualify for the exemption, the claimant must occupy the property for 10 continuous years or 5 continuous years if he or she received assistance to acquire the property as part of a government or non-profit housing program. The claimant’s income cannot exceed $100,000. The exemption limits growth in the property’s value. The allowed increase in value is 7% for households with income $75,000 or less and 10% for households with income over $75,000 to $100,000. Growth in excess of these amounts is exempt.

Other Illinois homestead programs are for returning and disabled veterans, and disabled persons.

**Homestead Credit Programs.** Homestead credit programs involve direct rebates to taxpayers or, like homestead exemptions, may reduce property tax bills directly. Homestead credit programs are state-financed. For example, Iowa has created a homestead credit fund, which is appropriated annually from the state’s general fund to give homeowners credit against the property tax. The state then reimburses municipalities from this fund for the property tax revenue lost due to the homestead credit (Iowa Code Ann. § 425.1).

Ohio has two “rollback” homestead programs. The Two and Half Percent Rollback applies to all homeowners. Under this program, homeowner taxpayers receive a 2.5% reduction on their real property tax bill for owner-occupied residential property. Similarly, the state’s Ten Percent Rollback provides property owners of farmland, single family, 2-family, and 3-family properties a 10% reduction on their tax bill for all real property not intended primarily for use in a business activity.

Illinois also provides a 5% homestead tax credit against the state income tax. To qualify, the taxpayer must own the property, and the property must be their principal residence. Illinois also has homestead programs for senior citizens, returning and disabled veterans, and disabled persons (http://www.lincolninst.edu/subcenters/significant-features-property-tax/Report_ResidentialRelief.aspx).

**Circuit Breakers**

Thirty-two states, including Connecticut, use some form of circuit breaker program. While Connecticut’s program is targeted specifically at elderly homeowners and renters, other states, such as New Hampshire, offer relief to a broader group of taxpayers, including low- and moderate-income homeowners. Also, while Connecticut’s program uses a sliding scale approach, other states, such as Massachusetts, use a threshold approach.

Circuit breaker programs targeted to low- and moderate-income households generally use a sliding scale or threshold to determine the circuit breaker benefit. Under the sliding scale approach, the state sets rebate amounts for qualified homeowners and renters. The amount of the rebate can be either a fixed amount or a percentage of tax paid. Threshold circuit
breaker programs are designed to ensure that property taxes do not exceed a certain percentage of the household’s income.

Program specifics vary by state, but in general, benefits decline as income increases. New Hampshire’s Low and Moderate Income Homeowner’s Property Tax Relief Program is applicable to all homeowners within four income brackets. Based upon their income, eligible homeowners receive a state refund based upon a percentage of their property tax. (http://www.community-wealth.org/_pdfs/articles-publications/state-local-new/report-bowman-et-al.pdf).

Massachusetts, like Connecticut, has a circuit breaker program aimed at persons over the age of 65. But, unlike Connecticut, Massachusetts uses a threshold approach. Under the program, owners of residential property located in the state who are age 65 or older and are not dependents of other taxpayers may receive a refundable income credit equal to the amount by which real estate tax payments (or rent constituting real estate tax payment for renters) exceeds 10% of income. The program is limited to (1) individuals with incomes below $49,000, (2) heads of households with incomes below $62,000, and (3) married couples with income below $74,000 (http://www.lincolninst.edu/subcenters/significant-features-property-tax/Report_ResidentialRelief.aspx#).

**Tax Freeze**

A “tax freeze” program freezes a taxpayer's property tax or the assessment value of his or her property at the level assessed for a specific year. Twelve states, including Connecticut, use some form of tax freeze program. Connecticut’s program is similar to those in other states, but it has not accepted new applicants since 1979. Other states have tax freeze programs that are currently accepting new applicants.

For example, New Mexico’s tax freeze program provides for 2009 and subsequent tax years an assessment freeze for low-income disabled or elderly homeowners over 65. The valuation is frozen at its value in (1) the 2009 tax year, if the person owns and occupies the property in the 2009 tax year, (2) the tax year in which the owner's 65th birthday occurs, if that is after 2009, or (3) the tax year following the tax year in which an owner who is 65 years of age or older first owns and occupies the property, if that year is after 2009 (http://www.lincolninst.edu/subcenters/significant-features-property-tax/Report_ResidentialRelief.aspx).

**Property Tax Deferral**

Twenty-eight states, including Connecticut, authorize some form of property tax deferral. While Connecticut gives municipalities the option of deferring taxes, other states mandate deferral.

Property tax deferral programs allow homeowners to defer payment of property taxes. Deferred property taxes become a lien against the value of the taxpayer’s home. When the taxpayer sells the home, back taxes plus interest become due. If the homeowner dies, deferred taxes must be paid when the estate is settled. Some states allow for the deferral of all taxes due, while other states defer a portion of the tax due or use deferral programs to ensure that property tax bills do not grow by more than a set percentage.
Nevada allows for deferral of all property tax due for low-income homeowners with household incomes below the federal poverty level and home values not exceeding $175,000. Eligible homeowners may defer the property tax due for up to three years at a six percent interest rate (http://www.lincolninst.edu/subcenters/significant-features-property-tax/Report_ResidentialRelief.aspx).

**HYPERLINKS**

For a searchable complete list and explanation of state residential property tax relief programs see http://www.lincolninst.edu/subcenters/significant-features-property-tax/Report_ResidentialRelief.aspx.

HD/MR:km
LOCAL OPTION PROPERTY TAX RELIEF FOR SENIORS

By: Nicole Dube, Associate Analyst

You asked (1) what state laws authorize municipalities to establish local option property tax relief programs for seniors and (2) which towns have created such programs.

SUMMARY

Currently, the state funds a “circuit breaker” property tax relief program for qualified elderly and disabled homeowners that provides a property tax credit based on the participant’s income and marital status. In addition, there are two laws allowing towns, without state reimbursement, to provide property tax relief to seniors. The first allows towns to freeze the property taxes for homeowners if they or their spouses are age 70 or older and meet the circuit breaker program’s income limits. The second allows towns to offer, with certain restrictions, seniors age 65 and older additional “local option” tax relief without income criteria. This law allows, but does not require, towns to set maximum income limits. The tax relief can take any form, including freezing tax payments at specified levels. The state does not reimburse towns for these programs.

According to the Commission on Aging’s (COA) February 2008 report, “Property Tax Relief for Older Adults: A Profile of Connecticut’s Local Programs,” (last updated in 2009)108 towns currently offer local option tax relief programs for the elderly, including credits, deferrals, abatements, and freezes.

CIRCUIT BREAKER PROGRAM

The state-funded circuit breaker program entitles elderly and disabled people to a property tax reduction or a rent rebate, depending on whether they are homeowners or renters. An applicant must: (1) be 65 years of age or older, have a spouse who is 65 or older, or be at least 50 and a surviving spouse of someone who at the time of death was eligible for the program; (2) occupy the property as his or her home; and (3) have lived in Connecticut at least one year before applying. The annual income limits for the program are currently $39,500 for married persons and $32,300 for singles and are adjusted annually for inflation (CGS §§ 12-170aa-cc).

LOCAL OPTION SENIOR PROPERTY TAX FREEZE

The law allows towns to freeze property taxes on homes owned by people age 70 or older who have lived in the state at least one year (CGS § 12-170v). The freeze can also apply to a surviving spouse who is at least age 62 when the homeowner dies. Homeowners must meet the income limits for the circuit breaker program (see above). Towns may also impose asset limits for eligibility. People whose taxes are frozen can also qualify for other property tax relief programs.
Unlike the circuit breaker program, the law does not provide state reimbursement for revenue a town loses by freezing taxes, but it allows the town to put a lien for the amount of the foregone taxes on the property. OLR report 2006-R-0445 describes this program in greater detail.

**ADDITIONAL LOCAL OPTION TAX RELIEF FOR SENIORS**

While the tax freeze and circuit breaker programs require participants to meet certain income levels, towns are able to provide additional optional property tax relief to seniors regardless of income. The law allows towns, upon approval by the town's legislative body, to provide relief to seniors age 65 or older and disabled people without state reimbursement. It imposes no income criteria and does not require towns to adopt any (CGS § 12-129n).

The law allows towns to provide relief to homeowners already receiving tax relief under the circuit breaker program as well as to those who do not meet that program's income criteria. The tax relief can take any form, including freezing tax payments at specified levels. But the overall amount of tax relief a town can provide is limited to no more than 10% of the total value of real property in the town in each given year. And the total value of tax relief a homeowner can receive under this and the tax freeze and circuit breaker programs cannot exceed his or her annual tax. The town must put a lien on the property if the amount of tax relief is more than 75% of the tax owed, and the law places several other restrictions on optional, unreimbursed local tax relief (CGS § 12-129n).

Towns' legislative bodies can vote to abate property taxes for any homeowner regardless of age, if the tax exceeds 8% of the owner's income for a given year. The owner must agree to reimburse the town for the abated amount plus interest when he dies or the property is sold (CGS § 12-124a).

**TOWNS WITH A LOCAL OPTION TAX PROGRAM**

The Commission on Aging issued a report in February 2008, “Property Tax Relief for Older Adults: A Profile of Connecticut's Local Programs” that surveyed all the state's towns to determine which have implemented local option property tax programs for the elderly, including credits, deferrals, abatements, and freezes. Of the 169 towns surveyed, 108 (64%) have a local option program and 61 (36%) do not. (The COA last updated the report in April of 2009.) Table 1 provides a list of these towns, including program details obtained through the survey. Please note that this survey was conducted in 2008 and may not reflect current income limits and program details.

<table>
<thead>
<tr>
<th>Town</th>
<th>Lien on Home</th>
<th>Annual Income Limits [2]</th>
<th>Program Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Andover</td>
<td>$32,300 for singles and $39,500 for married persons</td>
<td>The program exempts $8,000 off the value of the property.</td>
<td></td>
</tr>
<tr>
<td>Avon</td>
<td>Up to $45,000 for singles or married persons</td>
<td>Depending on a person's marital status and income level, participants receive abatements of between $400 and $825.</td>
<td></td>
</tr>
<tr>
<td>Barkhamsted</td>
<td>$32,300 for singles and $39,500 for married persons</td>
<td>A credit is given to a participant that is equal to the percent of credit granted by</td>
<td></td>
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<tr>
<td>Town</td>
<td>Credit Program</td>
<td>Freeze Program</td>
<td>Description</td>
</tr>
<tr>
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</tr>
<tr>
<td>Beacon Falls</td>
<td>Unknown</td>
<td>Unknown</td>
<td>This credit program provides a flat abatement rate of $400 to eligible individuals. The participant does not have to repay the money to the town at any time.</td>
</tr>
<tr>
<td>Bethany</td>
<td>$32,300 for singles and $39,500 for married persons</td>
<td>$62,500 for singles and $75,000 for married persons</td>
<td>Depending on marital status and income, participants can receive an abatement of between $100 and $800.</td>
</tr>
<tr>
<td>Bethel</td>
<td>No</td>
<td>$42,500 for the credit program and $45,000 for the freeze program</td>
<td>The credit program provides an abatement of up to 75% of a participant's annual property tax. The abatement does not have to be repaid at any time. The freeze program requires a minimum of one year residency in the house for which the property taxes are due.</td>
</tr>
<tr>
<td>Bethlehem</td>
<td>$37,670 for singles and $37,970 for married persons</td>
<td>Participants receive a credit equal to the Circuit Breaker benefit. If the participant's income exceeds the Circuit Breaker’s limits but below those for the local program, he or she will receive a $200 credit from their property tax bill.</td>
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</tr>
<tr>
<td>Branford</td>
<td>Yes</td>
<td>Credit program: $32,300 for singles and $39,500 for married persons. Deferral program: $62,500 for singles and $75,000 for married persons</td>
<td>For the credit program participants receive a $300 tax credit. For the deferral program, participants may defer up to 75% of annual property taxes. Once 75% of taxes are deferred, a lien is placed on the house with an interest rate of 0-3% based on income.</td>
</tr>
<tr>
<td>Bridgeport</td>
<td>$32,300 for singles and $39,500 for married persons</td>
<td>Participants receive a flat rate credit of $800. The abatement does not have to be repaid at any time.</td>
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<tr>
<td>Bridgewater</td>
<td>Unknown</td>
<td></td>
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</tr>
<tr>
<td>Bristol</td>
<td>Yes</td>
<td>$16,200 for singles and $20,000 for married persons</td>
<td>Up to 100% of taxes can be deferred each year.</td>
</tr>
<tr>
<td>Brookfield</td>
<td>$40,320 for singles and $49,420 for married persons</td>
<td>Homes must be assessed below the median assessed value of all homes in Brookfield. An applicant must have resided in the town for five years. The program provides a flat rate credit of $1,879.</td>
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<tr>
<td>Canterbury</td>
<td>No</td>
<td>Unknown</td>
<td>The freeze program was started for the grand list year 2006.</td>
</tr>
<tr>
<td>Cheshire</td>
<td>Credit program: $45,500 for singles and $49,100 for married persons</td>
<td></td>
<td>Depending on income and marital status, a resident may receive between $220 and $2,346 in tax credits.</td>
</tr>
<tr>
<td>Town</td>
<td>Has Program</td>
<td>Program details</td>
<td></td>
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</tr>
<tr>
<td>Chester</td>
<td>Yes</td>
<td>Deferral program: $29,800 for singles and $36,500 for married persons. Freeze program: $28,800 for singles and $35,300 for married persons. Up to 75% of annual property taxes may be deferred. A lien is placed on the property rate with simple, not compounded, monthly interest of .333%. The freeze programs started for the grand list year 2006. For all programs, a medical care expense deduction is established for any applicant whose adjusted gross income has increased due to withdrawal of protected retirement funds or a capital gain from the sale of assets for the sole purpose of paying non-reimbursable, personal medical bills. The assessor must disregard these amounts when determining program eligibility.</td>
<td></td>
</tr>
<tr>
<td>Clinton</td>
<td>Yes</td>
<td>Credit program: $45,000. Deferral program: $32,300 for singles and $39,500 for married persons. The amount of the property tax abatement is determined by each year by the Town Financial Board; a budget is created and a flat rate is provided to all participants. Participants may defer up to 75% of annual property taxes, not to exceed $5,000 for any one fiscal year. A lien is placed on the property.</td>
<td></td>
</tr>
<tr>
<td>Colchester</td>
<td>Yes</td>
<td>$32,300 for singles and $39,500 for married persons. Participants may defer up to 75% of annual property taxes. If 75% of more of taxes are deferred, a lien is placed on the home with 4% interest.</td>
<td></td>
</tr>
<tr>
<td>Columbia</td>
<td>None</td>
<td>Participants must be age 65 or older. There are no income limits for this deferral program. The deferral amount is the amount of property taxes that exceed 8% of the taxpayers income.</td>
<td></td>
</tr>
<tr>
<td>Coventry</td>
<td>Yes</td>
<td>$32,300 for singles and $39,500 for married persons. Applicants must be participants in the Circuit Breaker program. Participants may defer an amount equal to what is received from the Circuit Breaker program. A lien is placed on the home, but there is no interest collected on the deferred amount.</td>
<td></td>
</tr>
<tr>
<td>Cromwell</td>
<td>Yes</td>
<td>$40,300. Depending on a participant's income level and marital status, the program provides an abatement between $600 and $900.</td>
<td></td>
</tr>
<tr>
<td>Danbury</td>
<td>Yes</td>
<td>Credit program: $39,800 for singles and $46,500 for married persons. City Energy program: Participants receive a flat credit of $450 if single and $600 if married. Circuit Breaker program participants are automatically eligible for the credit.</td>
<td></td>
</tr>
<tr>
<td>Town</td>
<td>Yes/No</td>
<td>Credit Program Details</td>
<td>Deferral and Freeze Program Details</td>
</tr>
<tr>
<td>-----------------</td>
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<td>------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Darien</td>
<td>Yes</td>
<td>Credit program: $9,000 more than the Circuit Breaker income limits</td>
<td>Deferral program: $52,500 for singles and $59,200 for married persons. Participants can defer up to 75% of property taxes; a lien is placed on the property.</td>
</tr>
<tr>
<td>Durham</td>
<td></td>
<td>Deferral and freeze programs: $84,000 for married persons that have lived in the town for 20 or more years</td>
<td>For the deferral program, participants may defer up to 100% of property taxes each year. A lien is placed on the property with interest. For the freeze program, the Town Council annually determines the rates at which property taxes are frozen and the number of program participants.</td>
</tr>
<tr>
<td>[1] East Granby</td>
<td></td>
<td>$32,300 for singles and $39,500 for married persons</td>
<td>The town matches the credit received under the Circuit Breaker program. The participant does not have to repay the abatement to the town at any time.</td>
</tr>
<tr>
<td>East Haddam</td>
<td></td>
<td>$50,000</td>
<td>Participants receive an abatement of between $300 and $500 depending on income. Local ordinance caps the program's total expenditures at $150,000. If the cap is reached, the amount of relief granted is reduced in a pro rata manner by maintaining the maximum relief amount for the lowest income tax payers and then reducing the amount for each higher income tier until the program's expenditures fall below the cap.</td>
</tr>
<tr>
<td>[1] East Haven</td>
<td></td>
<td>$32,300 for singles and $39,500 for married persons</td>
<td>The credit program provides an abatement of between $200 and $400, depending on a participant's income and marital status. Participants do not have to repay the abatement to the town at any time. The town also offers a freeze program; no additional information was obtained.</td>
</tr>
<tr>
<td>[1] East Lyme</td>
<td></td>
<td>$32,300 for singles and $39,500 for married persons</td>
<td>The credit program is only open to residents who have lived in the house for which property taxes are due for ten years prior to applying. Depending on income and marital status, participants may receive an abatement of between</td>
</tr>
<tr>
<td>Town</td>
<td>Program Availability</td>
<td>Eligibility Criteria</td>
<td>Additional Information</td>
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<tr>
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<td>---------------------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>Eastford</td>
<td>Yes</td>
<td>$32,300 for singles and $39,500 for married persons</td>
<td>The deferral program allows participants to defer up to 75% of property taxes each year.</td>
</tr>
<tr>
<td>Easton</td>
<td></td>
<td>Credit and deferral programs: $80,000, Freeze program: $50,000</td>
<td>The credit and deferral programs have a five year residency requirement. The credit program credits up to 40% of a participant's property taxes.</td>
</tr>
<tr>
<td></td>
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<td></td>
<td>The deferral program allows participants to defer up to 75% of remaining taxes after all other program credits have been taken. A lien is placed on the property; the interest rate is set each year.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Participants in the freeze program must be at least 70 years old. A lien is not placed on the property. The tax rate is limited to a tax rate increase of less than or equal to 3%.</td>
</tr>
<tr>
<td>Enfield</td>
<td></td>
<td>$32,300 for singles and $39,500 for married persons</td>
<td>No additional information was available for this credit program.</td>
</tr>
<tr>
<td>Essex</td>
<td></td>
<td>$32,300 for singles and $39,500 for married persons</td>
<td>Applicants must have lived in the house for which property taxes are due for 10 years before applying. Up to 75% of a participant's property taxes may be abated per year. The town matches the amount abated per year per participant in the Circuit Breaker program. Participants are not required to repay the abatement at any time.</td>
</tr>
<tr>
<td>Fairfield</td>
<td>Yes</td>
<td>Credit program: $55,000 for both single and married persons</td>
<td>No additional information was obtained.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Deferral program: $68,000 for singles and $68,800 for married persons</td>
<td>Participants may defer up to 75% of their annual property taxes. A lien is placed on the property at a 4.25% interest rate.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Freeze program: $44,000 for single and married persons; $500,000 asset limit</td>
<td>No additional information was obtained.</td>
</tr>
<tr>
<td>Farmington</td>
<td></td>
<td>$34,800 for singles and $41,300 for married persons</td>
<td>Depending on income and marital status, participants may receive an abatement of between $250 and $400 per year. Participants are not required to repay the abatement at any time.</td>
</tr>
<tr>
<td>Franklin</td>
<td></td>
<td>$32,300 for singles and $39,500 for</td>
<td>Participants receive a credit equal to the amount received from the Circuit Breaker</td>
</tr>
<tr>
<td>Town</td>
<td>Credit/Deferral Information</td>
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</tr>
<tr>
<td>Glastonbury</td>
<td>Up to 75% of a participant's property taxes may be abated. Participants are not required to repay the abatement at any time. Participants may defer up to 75% of property taxes. A lien is placed on the property with a 5% interest rate.</td>
<td></td>
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</tr>
<tr>
<td>Granby</td>
<td>Participants receive an abatement in an amount that depends on their income and is determined annually. Participants are not required to repay the abatement at any time.</td>
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</tr>
<tr>
<td>Greenwich</td>
<td>Participants receive an abatement of between $850 and $1,700 per year depending on income.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>[1] Groton</td>
<td>Participants receive an abatement of between $1,000 to $1,250 depending on income and marital status. Participants are not required to repay the abatement at any time.</td>
<td></td>
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</tr>
<tr>
<td>Guilford</td>
<td>Participants under the income limit may defer up to 75% of their property taxes. Those above the income limit by no more than $2,000 can defer up to 60% if married and up to 50% if single. A lien is placed on the property if 75% is deferred. Applicants must have lived in the house for which they pay property taxes for at least one year before applying for benefits. The program started for the grand list year 2006. No lien is placed on the property.</td>
<td></td>
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</tr>
<tr>
<td>Haddam</td>
<td>Participants receive an abatement of between $500 and $750 depending on income and marital status. Participants are not required to repay the abatement at any time. Under the deferral program, participants may defer up to 50% of their property taxes per year. A lien is placed on the property.</td>
<td></td>
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</tr>
<tr>
<td>[1] Hamden</td>
<td>Participants receive an abatement of between $400 and $600 depending on income and marital status. Participants are not required to repay the abatement at any time.</td>
<td></td>
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</tr>
<tr>
<td>Hartford</td>
<td>Participants receive an abatement of up to $500 which they are not required to repay at any time.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Town</td>
<td>Eligibility</td>
<td>Income Limits</td>
<td>Description</td>
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</tr>
<tr>
<td>Hartland</td>
<td>Yes</td>
<td>$33,900 for both single and married persons</td>
<td>Participants receive an abatement of up to 10% of their property taxes each year and are not required to repay it at any time.</td>
</tr>
<tr>
<td>Hebron</td>
<td>Yes</td>
<td>Unknown</td>
<td>Participants may defer part of their income taxes but taxes cannot exceed 8% of total household income. A lien is placed on the home.</td>
</tr>
<tr>
<td>[1] Killingly</td>
<td>No</td>
<td>$32,300 for singles and $39,500 for married persons</td>
<td>Participants receive an abatement of up to 25% of their property taxes each year, depending on income and marital status.</td>
</tr>
<tr>
<td>Killingworth</td>
<td>Yes</td>
<td>$40,000 for both single and married persons</td>
<td>Participants receive a credit of between $100 and $700 depending on income and residency status. Participants are not required to repay the credit at any time.</td>
</tr>
<tr>
<td>[1] Ledyard</td>
<td>No</td>
<td>Credit program: Circuit Breaker program income limits plus 24% Freeze program: $32,300 for singles and $39,500 for married persons</td>
<td>Participants receive up to a 50% credit on their property taxes based on income. The amount of the credit from the Circuit Breaker program and this program combined cannot exceed 75% of the participant's property tax bill. For the freeze program, applicants must be town residents for at least one year before applying. A lien is not placed on the property.</td>
</tr>
<tr>
<td>Lyme</td>
<td>No</td>
<td>$40,000 for singles and $47,500 for married persons</td>
<td>Applicants must (1) be at least 65 years old and (2) have lived in the house where property taxes are due for at least five years before applying. A lien is not placed on the property. The program began for the grand list year 2006.</td>
</tr>
<tr>
<td>Madison</td>
<td>Yes</td>
<td>Credit program: $57,103 for both married and single persons Deferral program: $50,000 for both married and single persons</td>
<td>For both programs, applicants must have lived in the house for which they pay property taxes at least one year before applying and occupy the home for at least 250 days per year. For the credit program, an applicant who has lived in the home for between one and four consecutive years receives a $100 credit. Applicants residing in the home for more than five years are eligible for a credit between $450 and $950 depending on income and marital status. For the deferral program, participants can defer 100% of real estate tax, but cannot exceed $6,000 in any one tax year. A lien is placed on the property with interest. The Board of Finance annually determines the interest rate.</td>
</tr>
<tr>
<td>[1] Manchester</td>
<td>Yes</td>
<td>$32,300 for singles and $39,500 for married persons</td>
<td>The town offers a deferral program for applicants at least 65 years old. Participants may defer up to 75% of their property taxes each year. A lien is placed on the property without interest.</td>
</tr>
<tr>
<td>[1] Mansfield</td>
<td>Yes</td>
<td>Unknown</td>
<td>The town has both deferral and freeze programs. To be eligible for the deferral</td>
</tr>
<tr>
<td>Town</td>
<td>Program Availability</td>
<td>Maximum Grant Amount</td>
<td>Description</td>
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</tr>
<tr>
<td>Meriden</td>
<td>Yes</td>
<td>$35,000 for both single and married persons</td>
<td>The town offers credit, deferral, and freeze programs. The credit program provides participants with an abatement between $100 and $500 depending on income and marital status. Participants are not required to repay the abatement at any point in time. The deferral program allows participants to defer up to 50% of their property taxes each year. A lien is placed on the property with a 6% interest rate. The freeze program began for the grand list year 2006. A lien is placed on the property with interest.</td>
</tr>
<tr>
<td>[1] Middlefield</td>
<td>No</td>
<td>$32,300 for singles and $39,500 for married persons</td>
<td>The town offers credit and deferral programs. The credit program provides participants with an abatement of up to 75% of their property taxes. The town's abatement matches that of the Circuit Breaker program. Participants are not required to repay the abatement at any time. The deferral program allows participants to defer up to 75% of their property taxes. A lien is not placed on the home.</td>
</tr>
<tr>
<td>[1] Middletown</td>
<td></td>
<td>$32,300 for singles and $39,500 for married persons</td>
<td>The town offers a credit program that provides an abatement of up to 5% of the participant's property taxes (between $50 and $200).</td>
</tr>
<tr>
<td>[1] Milford</td>
<td>No</td>
<td>Credit program: $32,300 for singles and $39,500 for married persons</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Freeze program: unknown</td>
<td>The credit program provides participants with a $600 abatement each year. Participants are not required to repay the abatement at any time. The freeze program is open to residents who have lived in the house for which they pay property taxes for at least one year before applying. The program began for the grand list year 2006. A lien is not placed on the property.</td>
</tr>
<tr>
<td>Monroe</td>
<td></td>
<td>Credit program: $60,000 for both single and married persons</td>
<td>Depending on income and marital status, credit program participants receive a (1) percentage off their property tax bill or (2) match to the Circuit Breaker program,</td>
</tr>
</tbody>
</table>
If a resident qualifies for a property tax program, he or she receives an additional $5,000 off the assessment.

<table>
<thead>
<tr>
<th>Town</th>
<th>Freeze Program</th>
<th>Credit Program</th>
<th>Freeze Program Requirements</th>
<th>Credit Program Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Naugatuck</td>
<td>No</td>
<td>Credit program: $32,300 for singles and $39,500 for married persons</td>
<td>No income limit, but there is a $125,000 asset limit</td>
<td>The credit program provides an abatement of up to 25% of a participant’s property taxes. Participants are not required to repay the abatement.</td>
</tr>
<tr>
<td>Newington</td>
<td>$32,300 for singles and $39,500 for married persons</td>
<td>The town offers a credit program and approves a specified amount each year available for property tax relief. The amount is evenly distributed to eligible participants who are not required to repay the abatement at any time.</td>
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<tr>
<td>Newtown</td>
<td>$40,000 for singles and $60,000 for married persons</td>
<td>Depending on income and marital status, participants receive an abatement of between $950 and $1,585. Participants are not required to repay the abatement at any time.</td>
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</tr>
<tr>
<td>New Canaan</td>
<td>$60,000 for both single and married persons</td>
<td>Depending on income, participants receive an abatement of between $1,000 and $1,700. Participants are not required to repay the abatement at any time.</td>
<td></td>
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</tr>
<tr>
<td>New Fairfield</td>
<td>$36,000 for both single and married persons</td>
<td>Depending on income, participants receive an abatement of between $200 and $1,382. Participants are not required to repay the abatement at any time.</td>
<td></td>
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</tr>
<tr>
<td>New Haven</td>
<td>Yes</td>
<td>Freeze program: $50,000 for both single and married persons</td>
<td>To qualify for the freeze program, applicants must be at least (1) 70 years of age or (2) 62 years of age at the time of their eligible spouse’s death. Participants may receive up to $2,000 in savings. Any amount over $2,000 must be paid by the participant, or may be deferred.</td>
<td></td>
</tr>
<tr>
<td>New Milford</td>
<td>The same as the Circuit Breaker program except that only one half of Social Security income is added to the Adjusted Gross Income from income tax</td>
<td>Participants receive a credit of at least $960 each year. If there is a 10% increase in the assessed value of a participant’s home, the tax is recalculated using the revised assessment and the current tax rate. The program began for the grand list year 2005.</td>
<td></td>
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<tr>
<td>North Branford</td>
<td>$40,000 for singles and $45,000 for married persons</td>
<td>Participants receive a $200 abatement each year which does not have to be</td>
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<tr>
<td>Town</td>
<td>Credit Program</td>
<td>Freeze Program</td>
<td>Description</td>
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<tr>
<td>North Haven</td>
<td>$30,000 for singles and $40,000 for married persons</td>
<td>Participants receive a $300 abatement each year which does not have to be repaid at any time.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Norwalk</td>
<td>Yes</td>
<td>$45,000 for both single and married persons</td>
<td>Participants may defer up to 50% of their annual property taxes, up to $4,000.</td>
<td></td>
</tr>
<tr>
<td>Norwich</td>
<td>Yes</td>
<td>$45,000 for both single and married persons</td>
<td>The town offers credit and deferral programs. The credit program provides a $200 abatement to each participant that does not have to be repaid at any time. The deferral program allows participants to defer up to 50% of their property taxes, up to $4,000. Residents can only participate in one local program.</td>
<td></td>
</tr>
<tr>
<td>Old Saybrook</td>
<td>$35,000 for both single and married persons</td>
<td>The town provides a credit that matches the Circuit Breaker program's credit. Participants do not have to repay the credit at any time.</td>
<td></td>
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</tr>
<tr>
<td>Orange</td>
<td>$42,000 for both single and married persons</td>
<td>The town provides participants up to a $425 abatement. The program is funded by a line-item in the budget which is then divided by the number of qualified applicants to determine each person's potential tax credit. Total state and local tax abatements cannot exceed 75% of the participant's annual tax per property. Participants are not required to repay the abatement at any time.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oxford</td>
<td>$38,300 for both single and married persons</td>
<td>The town matches the Circuit Breaker program's credit. Participants with higher incomes are limited to a $200 credit.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Plainville</td>
<td>Yes</td>
<td>Credit program: $37,000 for singles and $41,000 for married persons Freeze program: unknown, except that there is a $250,000 asset limit</td>
<td>The credit program provides a $200 credit to participants that does not need to be repaid at any time.</td>
<td></td>
</tr>
<tr>
<td>Pomfret</td>
<td>$32,300 for singles and $39,500 for married persons</td>
<td>The town offers a freeze program to applicants who are (1) at least 70 years old and (2) residents for at least one year.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Portland</td>
<td>Yes</td>
<td>$32,300 for singles and $39,500 for married persons</td>
<td>The town offers deferral, freeze, and volunteer credit program. The deferral program allows participants to defer up to 75% of their property taxes each year. A lien is placed on the property with interest. The freeze program is open to residents over age 70. There is a $150,000 asset limit. A lien is placed on the property with...</td>
<td></td>
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<tr>
<td>Town</td>
<td>Participation</td>
<td>Credit Program</td>
<td>Description</td>
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<tr>
<td>Prospect</td>
<td>$32,300 for singles and $39,500 for married persons</td>
<td>The program provides up to a $200 credit, depending on a participant's income and number of years of residency. Participants are not required to repay the abatement at any time.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Redding</td>
<td>Unknown</td>
<td>Participants must have lived in the house for which they pay property taxes for at least three years before applying. The program provides an abatement in an amount determined by the Town Council. Participants are not required to repay the abatement at any time.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ridgefield</td>
<td>Yes</td>
<td>Credit program: none, Deferral program: $55,000 for both single and married persons</td>
<td>To qualify for the credit program, applicants must have owned the property for at least one year and the property must be their legal residence. The program provides an abatement in an amount the town determines each year. The deferral program allows participants to defer up to 100% of their tax bill. A lien is placed on the property with simple interest. Participants can elect to receive the tax credit and then defer the remaining tax due.</td>
<td></td>
</tr>
<tr>
<td>Salem</td>
<td>$43,000 for both single and married persons</td>
<td>The program provides an abatement in an amount the town determines each year. Participants are not required to repay the abatement at any time.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Seymour</td>
<td>$38,800 for singles and $45,300 for married persons</td>
<td>The program provides an $180 abatement each year that does not have to be repaid at any time.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shelton</td>
<td>$32,300 for singles and $39,500 for married persons</td>
<td>The program provides a $150 abatement each year that does not have to be repaid at any time.</td>
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</tr>
<tr>
<td>Sherman</td>
<td>$35,000 for singles and $40,000 for married persons</td>
<td>Depending on income and marital status, participants receive an abatement of between $500 and $750 each year. Participants are not required to repay the abatement at any time.</td>
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</tr>
<tr>
<td>Simsbury</td>
<td>Income cannot exceed $10,000 above the Circuit Breaker program's income limits</td>
<td>The program provides a sliding scale credit of between $500 and $1,500 depending on income. Applicants must be town residents for at least one year before applying.</td>
<td></td>
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</tr>
<tr>
<td>Somers</td>
<td>$32,300 for singles and $39,500 for married persons</td>
<td>The program provides an abatement of up to 75% of participants' property taxes. Participants are not required to repay the abatement at any time.</td>
<td></td>
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</tr>
<tr>
<td>South Windsor</td>
<td>$32,300 for singles and $39,500 for</td>
<td>The program matches the Circuit Breaker program's credit.</td>
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</tr>
</tbody>
</table>

3% interest.
The volunteer credit program allows participants to work and earn up to a $500 credit toward their property tax bill at the hourly minimum wage rate.
<table>
<thead>
<tr>
<th>Town</th>
<th>Eligibility</th>
<th>Income Limits</th>
<th>Program Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Southbury</td>
<td>Yes</td>
<td>$45,300 for both single and married persons</td>
<td>The program provides a benefit match of 150%, allowing participants to receive an abatement of up to $1,875 each year depending on income. Participants are not required to repay the abatement at any time.</td>
</tr>
<tr>
<td>Southington</td>
<td>Yes</td>
<td>$32,000 for singles and $37,000 for married persons</td>
<td>The program allows residents to freeze a portion of their property taxes. A lien is placed on the property with a 5% simple, not compounded, interest rate. Applicants must be property owners for at least one year before applying.</td>
</tr>
<tr>
<td>Stamford</td>
<td>Yes</td>
<td>$65,000 for singles and $80,000 for married persons</td>
<td>The town offers credit and deferral programs. The credit program provides abatement of between $200 and $1,250 per year, depending on a participant's income and marital status. The deferral program allows participants to defer between $500 and $1,250 of their property taxes. A lien is placed on the property.</td>
</tr>
<tr>
<td>[1] Stratford</td>
<td>Yes</td>
<td>Credit program: $32,300 for singles and $39,500 for married persons</td>
<td>The credit program provides an abatement of up to 75% of a participant's property taxes. Participants are not required to repay the abatement at any time. Under the freeze and deferral programs, a lien is placed on the property with a 4.5% interest rate.</td>
</tr>
<tr>
<td>[1] Suffield</td>
<td>Yes</td>
<td>$32,300 for singles and $39,500 for married persons</td>
<td>The program allows up to 75% of a participant's property tax to be abated each year and does not require the participant to repay the abatement at any time.</td>
</tr>
<tr>
<td>Tolland</td>
<td>No</td>
<td>Freeze program: $47,700 for both single and married persons</td>
<td>Under the freeze program, taxes are frozen at the rate for the year for which a participant applies and is accepted for benefits. Participants must pay for acreage changes of property while property taxes are frozen.</td>
</tr>
<tr>
<td>Torrington</td>
<td>No</td>
<td>Unknown</td>
<td>The town offers a freeze program for residents who have lived in the home for which they pay property taxes for at least one year before applying. Applicants cannot have assets exceeding $125,000.</td>
</tr>
<tr>
<td>Trumbull</td>
<td>Yes</td>
<td>$50,000 for both single and married persons</td>
<td>The town offers credit, deferral, and freeze programs. Under the credit program, participants receive an abatement of between $315 and $1,250 depending on income. Participants are not required to repay the abatement at any time. The deferral program allows participants</td>
</tr>
<tr>
<td>Town</td>
<td>Credit Program</td>
<td>Freeze Program</td>
<td>Description</td>
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</tr>
<tr>
<td>Vernon</td>
<td>Unknown</td>
<td></td>
<td>The town offers credit and freeze programs. No additional information was provided.</td>
</tr>
<tr>
<td>Wallingford</td>
<td>$32,300 for singles and $39,500 for married persons</td>
<td>The town offers a deferral program that allows participants to defer up to 100% of their property taxes each year. A lien is placed on the property. Taxes can be paid without interest up to 6 months from either the date of the (1) property's sale or (2) property owner's death.</td>
<td></td>
</tr>
<tr>
<td>Washington</td>
<td>$39,500 for both single and married persons</td>
<td>The town offers a credit program. No additional information was provided.</td>
<td></td>
</tr>
<tr>
<td>Waterford</td>
<td>$32,300 for singles and $39,500 for married persons</td>
<td>Participants receive a $225 credit, unless they are partial property owners, in which case the credit is prorated. Participants are not required to repay the abatement at any time.</td>
<td></td>
</tr>
<tr>
<td>Watertown</td>
<td>$45,000 for both single and married persons</td>
<td>The program provides an abatement of between $50 and $450, depending on a participant's income. Participants are not required to repay the abatement at any time.</td>
<td></td>
</tr>
<tr>
<td>West Hartford</td>
<td>No</td>
<td>Credit program: the lowest two income levels of the Circuit Breaker program Freeze program: $32,300 for singles and $39,500 for married persons</td>
<td>The credit program provides an abatement of up to 75% of a participant's property taxes. The program matches the Circuit Breaker program's credit. Participants are not required to repay the abatement at any time.</td>
</tr>
<tr>
<td>Westbrook</td>
<td>Yes</td>
<td>$58,000 for both single and married persons</td>
<td>The town offers a freeze program. No additional information was provided.</td>
</tr>
<tr>
<td>Weston</td>
<td>Yes</td>
<td>Unknown</td>
<td>The town offers credit and deferral programs. The credit program allows participants to abate up to 76% of their property taxes each year. Participants are not required to repay the abatement at any time. The deferral program allows participants to defer between 60% and 75% of their property taxes each year. A lien is placed on the home with interest.</td>
</tr>
<tr>
<td>Westport</td>
<td>Credit program: $55,000 for both</td>
<td>Under the credit program, between $1,000 and $3,500 is exempted from the</td>
<td></td>
</tr>
<tr>
<td>Town</td>
<td>Eligibility Criteria</td>
<td>Program Details</td>
<td></td>
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<tr>
<td>Wethersfield</td>
<td>$40,000 for both single and married persons</td>
<td>The credit program allows up to 15% of a participant’s property taxes to be abated, with a maximum benefit of $500. Participants are not required to repay the abatement at any time.</td>
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</tr>
<tr>
<td></td>
<td>Under the deferral program, participants with incomes no greater than $75,000 may defer up to 100% of their property taxes. Those with income between $75,000-$100,000 may defer the tax increase.</td>
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</tr>
<tr>
<td></td>
<td>The credit program allows up to 15% of a participant’s property taxes to be abated, with a maximum benefit of $500. Participants are not required to repay the abatement at any time.</td>
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<td></td>
</tr>
<tr>
<td>Wilton</td>
<td>Credit program: $63,400 for both single and married persons</td>
<td>The credit program provides annual credits of between $1,050 and $3,700 depending on participants’ income. Participants are not required to repay the abatement at any time.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Deferral program: $81,100 for both single and married persons</td>
<td>The credit program provides annual credits of between $1,050 and $3,700 depending on participants’ income. Participants are not required to repay the abatement at any time.</td>
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<tr>
<td></td>
<td>Under the deferral program, participants with income up to $63,400 may defer up to 100% of their property taxes. Those with income between $63,401 and $81,100 may defer up to 75% of their taxes. A lien is put on the home with a 5% interest rate.</td>
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<tr>
<td></td>
<td>Those qualifying for both programs can use both the credit and deferral for any year. If a person does this, the tax bill will first be reduced by all property tax credits after which the deferral is applied to the remaining tax.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>[1] Winchester</td>
<td>Yes $32,300 for singles and $39,500 for married persons</td>
<td>The town offers credit, deferral, and freeze programs. The credit program matches the Circuit Breaker program's benefits.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>The deferral program allows participants to defer up to 25% of their property taxes, less any benefits received under state tax relief programs. A lien is placed on the property.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>[1] Windham</td>
<td>$32,300 for singles and $39,500 for married persons</td>
<td>The credit program provides a $150 abatement each year that does not have to be repaid at any time.</td>
<td></td>
</tr>
<tr>
<td>Windsor</td>
<td>$39,999 for both single and married persons</td>
<td>The program provides a credit in an amount equal to 20% of the Circuit Breaker program credit. Those not participating in the state program receive a $200 credit if single, and a $300 credit if married. Participants are not required to repay the abatement at any time.</td>
<td></td>
</tr>
<tr>
<td>[1] Windsor Locks</td>
<td>$32,300 for singles and $39,500 for married persons</td>
<td>The program provides an abatement of up to 75% of a participant's property</td>
<td></td>
</tr>
</tbody>
</table>

[1] Winchester

[1] Windham

[1] Windsor Locks
<table>
<thead>
<tr>
<th>Municipality</th>
<th>Income Limit</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Woodbridge</td>
<td>$54,230 for both single and married persons</td>
<td>The program provides annual abatements of between $938 and $1,250, depending on participants’ incomes. Participants are not required to repay the abatement at any time.</td>
</tr>
<tr>
<td>Woodbury</td>
<td>$39,300 for both single and married persons</td>
<td>The town offers a credit program based on the Circuit Breaker program’s benefits. The maximum credit received is $200 which does not have to be repaid at any time.</td>
</tr>
</tbody>
</table>

Source: Information taken directly from the COA Report, “Property Tax Relief for Older Adults: A Profile of Connecticut’s Local Programs,” February 2008.

[1] Income limits for these programs are the same as the Circuit Breaker Program. We modified the income limits listed in the COA report to reflect the current Circuit Breaker income limits.

[2] Income limits for these programs are based on 2008 data and may not reflect current limits.

ND:dy
You asked for a description of the state's local option property tax relief programs for homeowners.

**SUMMARY**

State law gives towns the option of providing limited property tax relief to homeowners based on their (1) income, (2) age or disability, or (3) veteran or emergency personnel status. The programs target specific groups of homeowners, including seniors, veterans, individuals with disabilities, firefighters and emergency personnel, and individuals whose property taxes exceed 8% of their income. These optional property tax relief programs are in addition to the tax relief municipalities are required to provide under state law, which we summarized in a recent OLR Report (2012-R-0104) (attached).

**INCOME-BASED PROGRAMS**

**Deferral of Taxes Exceeding 8% of Homeowner's Income**

Towns' legislative bodies can vote to defer property taxes for any owner-occupied residence if the tax exceeds 8% of the owner's income for a given year. Deferred taxes are a lien on the property and must be paid with interest, when the homeowner dies or the property is sold (CGS § 12-124a).

**Abatement of Taxes for the Poor**

Town selectmen, city mayors and aldermen, borough wardens and burgesses, and other communities' committees may abate taxes or the interest on delinquent taxes assessed on people who are poor and cannot pay (CGS § 12-124).

**PROGRAMS FOR SENIORS AND INDIVIDUALS WITH DISABILITIES**

**Tax Freeze for Seniors**

Municipalities may freeze property taxes on homes owned by those aged 70 or older who have lived in the state at least one year. The freeze can also apply to a surviving spouse who is at least age 62 when the homeowner dies. Homeowners must meet the income limits for the state-reimbursed circuit breaker program to qualify for the additional tax freeze (CGS § 12-170aa to CGS § 12-170cc). Towns may also impose asset limits for eligibility. Those whose taxes are frozen can also qualify for other property tax relief programs (CGS § 12-170v to CGS § 12-170w).
Relief for the Elderly and Individuals with Permanent Disability

CGS § 12-129n allows towns, upon approval by the town's legislative body, to provide relief to seniors age 65 or older and people with disabilities. It imposes no income criteria and does not require towns to adopt any.

This law allows towns to provide relief to homeowners already receiving tax relief under the circuit breaker program as well as to those who do not meet that program's income criteria. The tax relief can take any form, including freezing tax payments at specified levels. But the overall amount of tax relief towns can provide is limited to no more than 10% of the total value of real property in the town in a given year. And the total value of tax relief a homeowner can receive under this and the tax freeze and circuit breaker programs cannot exceed his or her annual tax. The town must put a lien on the property if the amount of tax relief is more than 75% of the tax owed, and the law places several other restrictions on optional, unreimbursed local tax relief.

Exemption for Homeowners with Disabilities

Municipalities must provide qualifying homeowners with disabilities a $1,000 property tax exemption. The law allows municipalities the option of also providing these homeowners an additional exemption of up to $1,000 (CGS § 12-81i).

In order to qualify for both exemptions, a homeowner must: (1) be eligible to receive permanent total disability benefits under Social Security; (2) qualify for permanent disability benefits under a federal, state, or local government retirement plan; or (3) be 65 years or older and no longer eligible to receive benefits under the disability benefit provisions of Social Security (CGS § 12-81(55)).

Exemption for Special Tax Levied

Municipalities may exempt a prorated amount of any special tax levied on real property for low-income seniors and individuals with disabilities eligible for the mandatory tax freeze program for these homeowners (CGS § 12-129o).

Exemption for Individuals who are Blind

Municipalities may provide a $2,000 exemption to qualifying homeowners who are blind (CGS § 12-81j). This local option exemption is in addition to the mandatory $3,000 exemption municipalities provide to these homeowners (CGS § 12-81(17)).

PROGRAMS FOR VETERANS OR EMERGENCY PERSONNEL

Relief for Firefighters and Emergency Personnel

Municipalities may provide property tax relief to the non-salaried local emergency management director and any individual who volunteers his or her services as a firefighter, fire police officer, emergency medical technician, paramedic, civil preparedness staff, an active member of a volunteer canine search and rescue team, an active member of a volunteer underwater search and rescue team, or an ambulance driver in the municipality.
The tax relief may be in the form of either (1) an abatement of up to $1,000 in property taxes due for any fiscal year or (2) an exemption applicable to the assessed value of real or personal property up to an amount equal to $1 million divided by the mill rate, in effect at the time of assessment, expressed as a whole number of dollars per $1,000 of assessed value. Any ordinance may authorize interlocal agreements for the purpose of providing property tax relief to such volunteers who live in one municipality but volunteer their services in another municipality (CGS § 12-81w).

**Abatement for Surviving Spouses of Police Officers or Fire Fighters**

Municipalities may establish a program to abate all or a portion of the property tax on the principal residence of the surviving spouse of a police officer or firefighter who dies while in the performance of his or her duties (CGS § 12-81x).

**Exemption for Veterans Receiving Standard Exemption**

State law provides a basic $1,200 municipal property tax exemption for qualified veterans or their surviving spouses. Municipalities may provide an additional exemption of up to $10,000 or 10% of the property's assessed value to veterans who qualify for the basic exemption and meet certain income limits (CGS § 12-81f).

**Exemption for Veterans with Severe Disabilities**

Municipalities may provide a total exemption to those veterans receiving financial assistance for specially adapted housing under Title 38 of the United States Code. (A specially adapted home is one outfitted to make it suitable for someone who has lost his limbs or eyesight.) If a municipality provides a total exemption, the taxpayer is not permitted to receive the state mandated exemption for veterans with severe disabilities (CGS § 12-81(21)(c)).

RP:ro