

Annual Income and Whole Estate

Gross receipts minus social security allowance must be less than:

- \$20,000 if single
- \$30,000 if married

Whole estate less the value of the home except for the value of any portion which exceeds three dwelling units and produces income cannot exceed:

- \$40,000 if single
- \$55,000 if married

The value of a person's (a) cemetery plots, (b) registered motor vehicles, (c) wearing apparel and (d) household furniture and effects kept at the domicile should be excluded from the calculation of the person's whole estate for purposes of these clauses.

**For Further Information,
contact your local
Board of Assessors at:
(978)448-1127
or call the:
Department of Revenue
Division of Local Services
Property Tax Bureau
(617) 626-2300**



TAXPAYER'S GUIDE TO REAL ESTATE TAX EXEMPTIONS IN MASSACHUSETTS

CLAUSE 41C

ELDERLY PERSONS (70 years of age or older)

**Massachusetts Department of Revenue
Division of Local Services
Property Tax Bureau**

Introduction

A tax exemption is a discharge from the obligation to pay all or a portion of a tax. Exemptions are conferred by the legislature on particular categories of persons or property.

Clause 41C of Section 5 of Chapter 59 provides an exemption to persons 70 years of age or older who satisfy certain whole estate or asset, annual income and residency requirements. Persons 70 or older may, alternatively, qualify for an exemption under Clause 17C which provides reduced benefits, but for which the eligibility requirements are less strict.

Exemption Amount

The state exemption amount for Clause 41C is \$500. The Town of Groton has approved to increase it to \$1000.

Applications

Applications must be filed annually with the local Assessor's office, in the city or town where the property is located, on or before December 15th, or three months after the actual tax bills are mailed, **whichever is later**. Filing an application does not entitle the applicant to a delay in tax payment.

Documentation

An applicant for an exemption must provide to the Assessors whatever information is reasonably required to establish eligibility. This information may include, but not be limited to:

1. Birth Certificates
2. Evidence of Domicile and Occupancy
3. Income Tax Returns

Eligibility Requirements

For eligibility, an individual must satisfy requirements relating to:

1. age
2. ownership and domicile
3. annual income
4. whole estate or assets

Number of Exemptions

Not more than one exemption may be granted under Clause 41C on the same parcel of real estate.

Age

An individual must be (a) 70 years or older or (b) joint owner with a spouse 70 years or older as of July 1st of the tax year.

Ownership and Domicile

Under Clause 41, an individual must own and occupy the subject property on July 1st of the tax year. Under Clause 41C, in addition to so owning and occupying the subject property, an individual must have been continuously domiciled in Massachusetts for the 10 years preceding the application and have owned and occupied the property or other property in Massachusetts for 5 years.

- To satisfy this ownership requirement, the person's interest must be worth at least \$4,000. The person may own this interest solely, as a joint owner or as a tenant in common. However, if ownership is joint or a tenancy in common with someone other than a spouse, the exemption amount is reduced to that proportion of \$500 as the person's ownership interest in the property.
- The holder of a life estate satisfies the ownership requirement.
- If the domicile is held in a trust, a person can only satisfy the ownership interest if he:
 - Is a trustee or co-trustee of that trust, and
 - Possesses a sufficient beneficial interest in the domicile through that trust. (Splitting the interest between multiple trusts does not qualify.)

17	41
Assessors' Use only	
Date Received	
Application No.	
Parcel Id.	

Name of City or Town

SENIOR
FISCAL YEAR _____ APPLICATION FOR STATUTORY EXEMPTION
General Laws Chapter 59, § 5

THIS APPLICATION IS NOT OPEN TO PUBLIC INSPECTION
(See General Laws Chapter 59, § 60)

Return to: Board of Assessors

Must be filed with assessors on or before December 15 or 3 months after actual (**not** preliminary) tax bills are mailed for fiscal year if later.

Exception: Seniors must file by the **earlier** abatement application deadline if local option Clause 41C½ accepted. See Assessors.

INSTRUCTIONS: Complete the following. Please print or type.

A. IDENTIFICATION. Complete this section fully.

Name of Applicant _____

Telephone Number _____ Marital Status _____

Legal Residence (Domicile) on July 1, _____ Mailing Address (If different) _____

No. Street City/Town Zip Code

Location of Property: _____ No. of Dwelling Units: 1 2 3 4 Other _____

Did you own the property on July 1, _____? Yes No

If yes, were you: Sole Owner Co-owner with Spouse Only Co-owner with Others

Was the property subject to a trust as of July 1, _____? Yes No

If yes, please attach trust instrument including all schedules.

Have you been granted any exemption in any other city or town (MA or other) for this year? Yes No

If yes, name of city or town _____ Amount exempted \$ _____

DISPOSITION OF APPLICATION (ASSESSORS' USE ONLY)

Ownership <input type="checkbox"/>	GRANTED <input type="checkbox"/>	Assessed Tax \$ _____
Occupancy <input type="checkbox"/>	DENIED <input type="checkbox"/>	Exempted Tax \$ _____
Status <input type="checkbox"/>	DEEMED DENIED <input type="checkbox"/>	Adjusted Tax \$ _____
Income <input type="checkbox"/>		
Assets <input type="checkbox"/>		Board of Assessors
Date Voted/Deemed Denied _____		
Certificate No. _____		
Date Cert./Notice Sent _____		
Exemption: Clause _____		Date: _____

B. EXEMPTION STATUS. Complete the questions that follow.

SENIOR 70 OR OLDER (65 or older by local option- See Assessors) Date of Birth _____

If first year of application, attach copy of birth certificate.

Have you owned and occupied the property as your domicile for at least 11 years? Yes No

(6 years if local option under Clause 41C½ adopted - See Assessors)

If no, list the other properties you owned and/or occupied during the past 11 years (6 years if local option under Clause 41C½ adopted - See Assessors.)

Address	Dates	Owned	Occupied
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>

Continue list on attachment in same format as necessary.

C. GROSS RECEIPTS FROM ALL SOURCES IN PRECEDING CALENDAR YEAR. Complete this section. Copies of your federal and state income tax return, and other documentation, may be requested to verify your income.

	Applicant & Spouse	Co-owner(s) & Spouse(s)
Retirement Benefits (Social Security, Railroad, Federal, MA & Political Subdivisions)...		
Other Pensions and Retirement Allowances.....		
Wages, Salaries and other Compensation		
Net Profits from Business, Profession or Property Rental		
Interest and Dividends		
Other Receipts (Capital Gains, Public Assistance, etc.).....		
TOTALS		

D. VALUE OF ALL PROPERTY OWNED ON JULY 1 THIS YEAR. Complete this section. Documentation may be requested to verify your assets.

Real Estate	Assessed Valuation	Amount Due on Mortgage	Value
Domicile	_____	_____	_____
Other	_____	_____	_____
Personal Estate			
Bank Accounts: Name & Address of Bank	_____	_____	_____
_____	_____	_____	_____
Stocks, Bonds, Securities, etc.: Description & Amount	_____	_____	_____
_____	_____	_____	_____
Motor Vehicles & Trailers: Year, Make & Model	_____	_____	_____
_____	_____	_____	_____
Other Non-exempt Personal Property: Kind & Description	_____	_____	_____
_____	_____	_____	_____
		TOTAL	_____

E. SIGNATURE. Sign here to complete the application.

This application has been prepared or examined by me. Under the pains and penalties of perjury, I declare that to the best of my knowledge and belief, this return and all accompanying documents and statements are true, correct and complete.

Signature

Date

If signed by agent, attach copy of written authorization to sign on behalf of taxpayer.

TAXPAYER INFORMATION ABOUT PERSONAL EXEMPTIONS

PERSONAL EXEMPTIONS. You may be eligible to reduce all or a portion of the taxes assessed on your domicile if you meet the qualifications for one of the personal exemptions allowed under Massachusetts law. Qualifications vary, but generally relate to age, ownership, residency, disability, income or assets.

You may be eligible for an exemption if you fall into any of these categories:

- Blind
- Veteran with a service-connected disability
- Surviving spouse
- Minor child of deceased parent
- Senior citizen age 70 and older (65 and older by local option)

More detailed information about the qualifications for each exemption may be obtained from your board of assessors.

WHO MAY FILE AN APPLICATION. You may file an application if you meet all qualifications for a personal exemption as of July 1. You may also apply if you are the administrator or executor of a person who qualified for a personal exemption on July 1.

WHEN AND WHERE APPLICATION MUST BE FILED. Your application for any personal exemption, except local option Clause 41C½ for seniors, must be filed with the assessors by December 15 or 3 months after the actual bills were mailed for the fiscal year, whichever is later. An application for Clause 41C½ must be filed by the earlier abatement application deadline for the fiscal year, which is the same day that the first actual tax payment for the year is due. An application is filed when (1) received by the assessors on or before the filing deadline, or (2) mailed by United States mail, first class postage prepaid, to the proper address of the assessors, on or before the filing deadline, as shown by a postmark made by the United States Postal Service. THIS DEADLINE CANNOT BE EXTENDED OR WAIVED BY THE ASSESSORS FOR ANY REASON. IF YOUR APPLICATION IS NOT TIMELY FILED, YOU LOSE ALL RIGHTS TO AN EXEMPTION AND THE ASSESSORS CANNOT BY LAW GRANT YOU ONE.

PAYMENT OF TAX. Filing an application does not stay the collection of your taxes. In some cases, you must pay the tax when due to appeal the assessors' disposition of your application. Failure to pay the tax when due may also subject you to interest charges and collection action. To avoid any loss of rights or additional charges, you should pay the tax as assessed. If an exemption is granted and you have already paid the entire year's tax as exempted, you will receive a refund of any overpayment.

ASSESSORS DISPOSITION. Upon applying for an exemption, you may be required to provide the assessors with further information and supporting documentation to establish your eligibility. The assessors have 3 months from the date your application is filed to act on it unless you agree in writing before that period expires to extend it for a specific time. If the assessors do not act on your application within the original or extended period, it is deemed denied. You will be notified in writing whether an exemption has been granted or denied.

APPEAL. You may appeal the disposition of your application to the Appellate Tax Board, or if applicable, the County Commissioners. The appeal must be filed within 3 months of the date the assessors acted on your application, or the date your application was deemed denied, whichever is applicable. The disposition notice will provide you with further information about the appeal procedure and deadline.
