

Township of Whitehall

Resolution 23-04

POVERTY GUIDELINES RESOLUTION

WHEREAS, the adoption of guidelines for poverty exemptions is within the purview of the Township Board; and

WHEREAS, the homestead of persons who, in the judgment of the supervisor and board of review, by reason of poverty, are unable to contribute to the public charges is eligible for exemption in whole or in part from taxation under Public Act 390, 1994 (MCL 211.7u); as amended.

WHEREAS, pursuant to PA 390 of 1994 as amended, Whitehall Township of Muskegon County adopts the following guidelines for the Supervisor and Board of Review to implement. The guidelines shall include, but not be limited to the specific income and asset levels of the claimant and all persons residing in the household, filed in the current or immediately preceding year;

To be eligible a person shall do all the following on an annual basis;

- 1) File a claim with the Assessor or Board of Review, accompanied by federal and state income tax returns filed in the immediately preceding year or in the current year for all persons residing in the principal residence. The claim for exemption should be on form 5737 - Application for Poverty Exemption, along with form 5739 - Affirmation of Ownership and Occupancy. For individuals not required to file a federal or state income tax return, they must also file an affidavit affirming this on form 4988.
- 2) Meet the federal poverty income guidelines as defined and determined annually by the United States Department of Health and Human Services. (Specific income test is attached/included in this document.)
- 3) Attach copies of the following:
  - a. Federal and State Income Tax Forms for ALL persons residing in the home if required to file, otherwise a 4988 affidavit

- b. W-2 forms
- c. Copy of Deed or Land Contract proving ownership
- d. Valid driver's license or other form of identification
- e. Copies of the last four months of bank statements for ALL persons residing in the home

4) Meet asset levels of the following:

- a. Liquid assets may not exceed \$3,000
- b. Transportation- 1 per income provider
- c. Total combined assets cannot exceed \$10,000 excluding the primary residence for which the exemption is requested
- d. Recreational type vehicles- none

5) The application for an exemption shall be filed after January 1 and no later than the day before the December Board of Review begins. The filing of this claim constitutes an appearance before the Board of Review for the purpose of preserving the right of appeal to the Michigan Tax Tribunal.

You must provide proof of income and assets to be considered for a poverty exemption for ALL persons residing in the home. The Board of Review has the final decision as to whether an exemption should be granted and the amount of the exemption. Poverty exemptions must be applied for every year.

NOW THEREFORE, LET IT BE RESOLVED

That the Supervisor and the Board of Review shall follow the above stated policy and federal guidelines in granting or denying an exemption.

The foregoing resolution offered by Board Member Dennis Kroll  
and supported by Board Member Chuck Schmitigal on 2/27/23

Upon a roll call vote the following voted:

Dennis Kroll yes  
Margaret "Madge" Kraai yes  
Arnold Erb yes  
Ilene Nichols yes  
Chuck Schmitigal yes

The Supervisor declared the Policy Adopted.

I, Ilene Nichols, the duly elected and acting Clerk of Whitehall Township, hereby certify that the foregoing resolution was adopted by the Township Board of said Township at the regular meeting of said board held on 2/27/23, at which meeting a quorum was present by a roll call vote of said members as hereinbefore set forth; that said resolution was ordered to take immediate effect,

Ilene R. Nichols

Clerk



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF TREASURY  
LANSING

RACHAEL EUBANKS  
STATE TREASURER

**Bulletin 19 of 2022**  
**November 15, 2022**  
**Procedural Changes for 2023**

## **B. Federal Poverty Guidelines Used in the Determination of Poverty Exemptions for 2023**

Local governing bodies are required to adopt guidelines that set income levels for their poverty exemption guidelines and those income levels **shall not be set lower** by a city or township than the federal poverty guidelines updated annually by the U.S. Department of Health and Human Services. This means, for example, that the income level for a household of 3 persons shall not be set lower than \$23,030 which is the amount shown on the following chart for a family of 3 persons. The income level for a family of 3 persons may be set higher than \$23,030. Following are the federal poverty guidelines for use in setting poverty exemption guidelines for 2023 assessments:

Size of Family Unit	Poverty Guidelines
1	\$13,590
2	\$18,310
3	\$23,030
4	\$27,750
5	\$32,470
6	\$37,190
7	\$41,910
8	\$46,630
For each additional person	\$4,720

**Note:** MCL 211.7u states that the poverty exemption guidelines established by the governing body of the local assessing unit shall also include an asset level test. An asset test means the amount of cash, fixed assets or other property that could be used, or converted to cash for use in the payment of property taxes. The asset test should calculate a maximum amount permitted and all other assets above that amount should be considered as available. Please see STC Bulletin 3 of 2021 for more information on poverty exemptions.

**Note:** MCL 211.7u allows an affidavit (Treasury Form 4988) to be filed for all persons residing in the residence who were not required to file federal or state income tax returns in the current year or in the immediately preceding year. This includes the owner of the property who is filing for the exemption.