

# HALDIMAND COUNTY

## POLICY No. 2001-27

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**Subject:**      **Deferral of Municipal Taxes for Low Income Seniors or Low Income Disabled Property Owners**

**Purpose:**        **To Establish a Policy to Defer Municipal Taxes for Low Income Seniors or Low Income Disabled Property Owners**

**Policy:**

### **I.      BACKGROUND**

Amendments to the Municipal Act, Section 373 (R.S.O. 1997) and the Continued Protection for Taxpayers Act, 2000, requires that Haldimand County enact a by-law to defer, cancel or provide tax relief to low income seniors or low income persons with disabilities or their spouses. This relief is to be applied to all or part of the increases in municipal and education taxes on property in the residential/farm class. All tax increases, not just assessment related increases, are eligible for this deferral program if they cause undue financial hardship on eligible property owners.

### **II.     POLICY STATEMENT**

All eligible low income seniors or low income disabled persons or spouses of such persons shall be entitled to a deferral of their current property taxes if the municipality deems the increase in the individual residential or farm property's taxes to be "unduly burdensome."

### **III.    OBJECTIVE OF THE POLICY**

It is the objective of this policy to minimize the impact for low income seniors or low income disabled persons or the spouses of such persons who may experience undue financial hardship as a result of the tax increases pursuant to the Municipal Act, Section 373 (R.S.O. 1997) as amended and the Continued Protection for Taxpayers Act, 2000.

### **IV.    ADMINISTRATION OF THE POLICY**

The administration of this policy is the responsibility of the Treasurer of Haldimand County.

## **V. APPLICATION OF THE POLICY**

This Tax Deferral Policy shall apply to current municipal and education property taxes due from the residential and farm class properties. The Treasurer must receive an application for tax deferral for each taxation year.

Taxes collected by Haldimand County for education purposes will be reduced by the amount of the deferral. Haldimand County must pay the education share when the deferred taxes are paid.

## **VI. LIMITATION ON DEFERRAL OF CURRENT PROPERTY TAXES**

The annual amount eligible for tax deferral must be no less than \$100.00.

## **VII. GUIDELINES FOR APPLICATION FOR DEFERRAL OF TAXES**

For the purposes of implementing this policy the following guidelines shall apply:

Low income seniors or low income disabled persons who experience property tax increases of the residential and farm class properties may apply for and receive a tax deferral under the following conditions.

### **Eligibility Criteria**

To be eligible for a tax deferral under this policy the applicant must meet ownership, occupancy, income level and age criteria as follows:

1. The owner/occupant/applicant must occupy the property as their principal residence for which the tax deferral is applied for, and has been assessed as the owner of such residential property in Haldimand County for a period of not less than one year immediately preceding the date of application for relief. An “owner” includes an owner within the meaning of the Condominium Act.
2.
  - i) An owner, or spouse of an owner as defined, may be eligible for tax deferral if one, or both of the following is satisfied:
    - a) is 65 years of age or older and in receipt of the monthly Guaranteed Income Supplement provided under Part II of the Old Age Security Act (Canada), or
    - b) is disabled and in receipt of benefits or assistance under the Ontario Disability Support Program Act.

The applicant must verify eligibility by providing written proof of receipt or application for receipt of benefits from the appropriate program.

- ii) Where an application is pending for a monthly Guaranteed Income Supplement under Part II of the Old Age Security Act (Canada) or for benefits to be received under the Ontario Disability Support Program Act, a deferral of taxes will be granted conditional on successful application.

In the event of an unsuccessful application and where a deferral of taxes has been granted any outstanding deferred taxes will become due and payable on demand.

3. To maintain eligibility the applicant's property taxes must be current.
4. The applicant is required to establish eligibility for the deferral each taxation year. However, it is recognized that individual eligibility for assistance may change from time to time.
5. The accumulated value of the annual deferrals for each individual property cannot exceed 75% of the current value assessment of the property.

#### **VIII. REPAYMENT OF DEFERRED TAXES**

1. In the event of transference of title to the property, the remaining amount of all taxes deferred shall become due and payable on the date of transference of such title.
2. Earlier repayment could be based on an individual taxpayer's financial circumstance or as a result of a tax sale of the property.
3. All deferred taxes become due on the disposition of the property or when the applicant (including spouse) no longer resides at the property as a principal residence.
4. In the event that it is later determined that the applicant is not eligible for deferral of taxes as indicated under the eligibility criteria, then the deferred taxes will be withdrawn and the applicant must repay the deferred taxes in full.
5. The amount of the tax deferral shall be registered on title as a lien against the respective eligible property and shall be a priority lien over all other encumbrances, liens or charges.

**IX. CHARGES ON TAXES DEFERRED**

In the event a tax deferral is granted, no interest charges will be added to the amount deferred.

**X. APPLICATION PROCESS AND TIMING**

All applications for tax relief must be in writing on a form prescribed by Haldimand County for this purpose and be submitted to the Treasurer.\

**XI. EVALUATION OF APPLICATIONS**

Upon receipt of an application for deferral, the Treasurer shall review the application and determine whether or not the applicant and the property are eligible.

Questions as to the application of this policy may be referred to the Treasurer whose determination shall be final.

The Treasurer may, at any time, request the applicant to provide such additional information and/or documentation as he may require to evaluate the application and the application shall not be further processed until satisfactory information and/or documentation has been received.

In the event that an applicant fails to provide the information requested by the Treasurer within one (1) month of the date of the request, the application shall be deemed to have been abandoned and shall not be further processed.

**XII. EFFECTIVE DATE OF POLICY**

This policy and the guidelines for implementation shall take effect on the date of the passage of the relevant by-law by Council for Haldimand County.

<b>Topical Index</b>	Finance
<b>Policy Number</b>	2001-27
<b>Short Title</b>	Deferral of Municipal Taxes
<b>SMT Approval Date</b>	April 19, 2001
<b>Special Council</b>	September 18, 2001 Resolution # 266-01
<b>Council Approval Date</b>	September 24, 2001
<b>Originating Department</b>	CS-FI-12-2001
<b>Revisions</b>	

Attachment: Application for Deferral of Municipal Taxes for Low Income Seniors or Low Income Disabled Property Owners



THE CORPORATION OF HALDIMAND COUNTY  
**APPLICATION FOR DEFERRAL OF LOCAL TAXES FOR  
 LOW INCOME SENIORS OR  
 LOW INCOME DISABLED PROPERTY OWNERS**

Roll # (for office use only) \_\_\_\_\_

Address \_\_\_\_\_

Postal Code \_\_\_\_\_ Telephone # \_\_\_\_\_

	<i>OWNER</i>	<i>SPOUSE (if applicable)</i>
Last Name	_____	_____
First Name	_____	_____
Year of Birth (mm/dd/yy)	_____	_____
Old Age Security # (if applicable)	_____	_____

**IN RECEIPT OF or APPLICATION PENDING** Please indicate (X) for appropriate eligibility

GUARANTEED INCOME SUPPLEMENT	<input type="checkbox"/>	<input type="checkbox"/>
ONTARIO DISABILITY SUPPORT ACT	<input type="checkbox"/>	<input type="checkbox"/>

**Note:** Written proof of receipt of benefits or application for benefits must be attached to this application. An example of appropriate proof of receipt of benefits is a photocopy of a recent cheque. If an application for benefits is pending approval, a photocopy of the completed application must be attached to this application.

**STATEMENT**

(Please indicate (X) for appropriate eligibility)

- I or my spouse is 65 years of age or older and in receipt of the monthly Guaranteed Income Supplement provided under Part II of the Old Age Security Act (Canada). I occupy the residential property as my principal residence for which the tax deferral is applied for, and have been assessed as owner of such residential property in Haldimand County for a period of not less than one year.
- I or my spouse is disabled and in receipt of benefits or assistance under either the Ontario Disability Support Program Act. I occupy the residential property as my principal residence for which the tax deferral is applied for, and have been assessed as owner of such residential property in Haldimand County for a period of not less than one year.

I hereby acknowledge that the information provided by me is correct and the County may verify any and all information pertaining to this application.

Date	Signature of Applicant	Signature of Spouse
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# THE CORPORATION OF HALDIMAND COUNTY

## DETAILS OF TAX DEFERRAL OF LOCAL TAXES FOR LOW INCOME SENIORS OR LOW INCOME DISABLED PROPERTY OWNERS

1. The applicant, or spouse, must occupy the property as a principal residence and have been assessed as the owner of the occupied residential property.
2. The applicant, or spouse, must be in receipt of benefits from either or both of the following programs: Guaranteed Income Supplement; or Ontario Disability Support Program.
3. Applicants must supply proof of receipt of benefits from the program specified on the application. An example of such proof would be a photocopy of the most recent cheque received from the specified program.
4. Eligible applicants will be allowed to defer \$100 or more of the increase in their annual property taxes.
5. In the event a tax deferral is granted, no interest charges will be added to the amount deferred.
6. To maintain eligibility, the applicant's property taxes must be current.
7. The amount of the tax deferral shall be registered on title as a lien against the respective property.
8. In the event of transference of title of the property, the remaining amount of all taxes deferred shall become due and payable on the date of transference of such title.
9. Earlier repayment could be based on an individual taxpayers financial circumstance or as a result of a tax sale of the property.
10. All deferred taxes become due on the disposition of the property or when the applicant (including spouse) no longer resides at the property as a principal residence.
11. In the event that it is later determined that the applicant is not eligible for deferral of taxes as indicated under the eligibility criteria then the deferred taxes will be withdrawn and the applicant must repay the deferred taxes in full.