



## TOWN OF CUMBERLAND

### Tax Assessor

### Totally Disabled Program

Date: \_\_\_\_\_

Under the provisions of the ordinance titled “granting a Tax Exemption for the Totally Disabled” (02-35) on the assessed value of the person’s residential real property, the social security administration shall determine if a person is totally disabled. Those deemed totally disabled and **under 65 years of age** shall file certified annual statements of income with the Assessor’s Office on or before the last day on which sworn statements may legally be filed (March 15<sup>th</sup>).

I have read and understand the attached Ordinance # 02-35 Section 36-5

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

### Complete the following information:

Property Owner Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Age: \_\_\_\_\_

Assessors Plat: \_\_\_\_\_

Lot: \_\_\_\_\_

Telephone Number(s): \_\_\_\_\_

Other Owners: \_\_\_\_\_

Applicant Signature: \_\_\_\_\_

Tangible proof of total income must be submitted at the time of filing. Income qualifications are contained in the attached ordinance #02-35.

**Please read ordinance carefully.**



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Your application will not be reviewed without this documentation.

<u>Tangible proof includes:</u>	<u>Check if Submitted</u>
<u>Form SSA-1099*</u>	
<u>Annual Bank Interest Statements</u>	
<u>Annual Dividend Stock Statements</u>	
<u>Annual Pension Income Statements</u>	
<u>Annual Rent Receipts</u>	
<u>Miscellaneous (see statement of income on following page)</u>	

If you need a copy of your SSA-1099 you must contact the Social Security Department:

Social Security  
4 Pleasant Street  
Pawtucket, RI 02860

Local Phone Number: 1-866-931-7079  
National Toll-Free: 1-800-772-1213  
TTY: 1-401-729-1896



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### **§ 36-4 Property tax deferment plan.**

**[Ord. No. 97-14, § 1, 5-7-1997]**

The Town will allow real estate taxes to accrue without interest for applicants that meet all of the requirements listed below:

- (1) The property taxes of a qualified applicant will be deferred until a transfer of the property occurs. Full payment will be due upon transfer. A payment plan will be developed by the tax assessor and tax collector for qualified applicants whose income rises above current income limits when property is not being transferred.
- (2) A lien will be recorded with the Town Clerk's office upon the approval of the applicant.
- (3) Individual receiving this tax deferment shall not be subject to tax sale.
- (4) The property owner shall deed the property to the Town and retain a life estate for him/her in situations where the tax due exceeds the value of the property. The Town will not make any further attempt to recover any unpaid taxes.
- (5) Income limits: Qualified applicants shall have households incomes below the current Federal Poverty Guidelines.
- (6) Property type: This deferment will cover the real estate taxes of a property owner's primary residence only. The value of the real estate must be less than \$150,000.
- (7) Assets: Total bank accounts or similar funds must be less than the annual property tax due.
- (8) Total current value of motor vehicles must be less than \$5,000.
- (9) The applicant cannot have an interest in any other parcel of real estate.
- (10) All other assets with a value of over \$1,000 must be disclosed to the tax assessor.
- (11) Application date: Property owners must apply by March 15 annually. Copies of the last two years tax returns shall accompany all applications.

### **36-5 Tax exemption for the totally disabled.**

**[Ord. No. 02-35, § 1, 2-5-2003; Ord. No. 11-04-A, § 1, 5-4-2011]**

- (a) The tax assessor is hereby authorized to grant every person who is a citizen and resident of the Town who is determined to be totally disabled by the Social Security Administration an exemption on the assessed valuation of the person's residential real property. The amount of the exemption will be in accordance with the schedule set forth below, and entitlement to the exemption shall be determined by the person's compliance with the Town's rules



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and regulations for exemption from property taxes for persons who are totally disabled in Subsection (c) of this section. **[Amended 4-19-2017 by Ord. No. 17-07A]**

- (b) Schedule of exemptions: **[Amended 4-19-2017 by Ord. No. 17-07A]**
- (1) Taxpayers having an annual household income, as that term is defined in the rules, of less than \$10,500 shall receive an exemption of \$24,066 of the assessed valuation.
  - (2) Taxpayers having an annual household income, as that term is defined in the rules, of at least \$10,500 but less than \$15,000 shall receive an exemption of \$19,253 of the assessed valuation.
  - (3) Taxpayers having an annual household income, as that term is defined in the rules, of at least \$15,000 but less than \$20,000 shall receive an exemption of \$14,439 of the assessed valuation.
  - (4) Taxpayers having an annual household income, as that term is defined in the rules, of at least \$20,000 but less than \$25,000 shall receive an exemption of \$9,626 of the assessed valuation.
- (c) Rules and regulation for exemption from property taxes for persons who are totally disabled:
- (1) All applicants must be determined to be totally disabled by the social security administration and must be under the age of 65 years.
  - (2) Applicants must be legally domiciled and must have actually resided in the Town for a period of five years ending with the date of assessment for the year which exemption is claimed (the year following the date of assessment). Absence from this Town for a period of one year shall constitute prima facia evidence of abandonment of domicile. In those instances where absence in excess of one year is due solely to hospitalization or other residential medical treatment (nursing homes and the like), the tax assessor is authorized to review individual cases and waive the absence standard, provided that all other requirements are satisfied and the facts presented so warrant.
  - (3) The applicant must own or live and live in the house to which the exemption is to be applied and must have owned that dwelling for at least two years prior to the date of assessment for which the exemption is claimed.
  - (4) No income-producing property, residential or otherwise, shall be entitled to an exemption.
  - (5) Professional persons who operate and conduct their respective professions from their residences shall not be entitled to an exemption.
  - (6) Only one exemption will be granted to joint tenants, tenants by the entirety or tenants in common, even though all such tenants meet eligibility requirements.



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- (7) Tax assessor's "application for exemption" form must be filled out in its entirety and submitted each year to the tax assessor.
- (8) The tax assessor's confidential statement of annual income must:
  - a. Be filled out in its entirety;
  - b. Indicate whether or not the claimant is required under law and regulation to file a state personal income tax return;
  - c. Waive, by signature of the unmodified waiver contained in the form, the applicant's Privacy Act rights with respect to tax assessor's confidential confirmation of claimed income;
  - d. Submitted to the tax assessor each year with the application for exemption form.
- (9) All required forms must be filed with the tax assessor on or before March 15 (or the next normal business day following) of the year for which application is made. If the applicant was required to submit a state personal income tax return for the year prior to that for which application for exemption is made, a copy of that return shall be submitted to the tax assessor by April 16. No exemption shall be approved in the absence of the state personal income tax return or statement that such return was not required. All statements concerning income, whether or not taxable, are subject to independent verification by the tax assessor. These forms, and the state personal income tax return, are required as due evidence that the applicant is, in all respects, qualified for the relief provided by this article. All statements are subject to verification and the burden of proof for all requirements shall be with the applicant. The tax assessor may require certified proof of place and date of birth, voter registration, period of abode or domicile and ownership of property.
- (10) Household income shall be computed on the basis of the calendar year and shall include all earned and unearned income. Earned income shall include wages, salaries, fees and monies received for personal services rendered. Unearned income shall include, but not limited to:
  - a. Gifts.
  - b. Pensions and annuities.
  - c. Insurance proceeds (other than medical).
  - d. Social security benefits.
  - e. Supplementary security income and attendant state and federal supplementary benefits.
  - f. Interest (regardless of source).



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- g. Dividends.
  - h. Net income from business, farm, rental and capital gains as determined in accordance with the rules and regulations of the United States Treasury Department's Internal Revenue Service.
- (11) Exemptions shall terminate upon the death or removal of the person receiving the exemption (except in those cases where there is a surviving, qualified spouse) or upon sale of the exempted property.
- (12) The tax assessor may, at any time, inquire into the right of a claimant to the continuance of an exemption under this section and for that purpose the tax assessor may require the filing of a new application or the submission of such proof as deemed necessary to determine the right of the claimant to continuance of such exemption.
- (13) If the tax assessor denies a claim for exemption and terminates a previously approved exemption, the claimant may appeal the tax assessor's decision to the Town's tax assessment board of review.
- (14) The office of the tax assessor shall take the following action to ensure maximum dissemination of information concerning granting a tax exemption for the totally disabled.
- a. Advertise the potential for tax relief in the newspaper at least two times per month between January 1 and the closing date for receipt of exemption applications.
  - b. Mail all necessary application forms to potentially qualified applicants not later than January 15 of the current tax year. The term "potentially qualified applicants" includes:
    - 1. Claimants granted exemption for the prior tax year; and
    - 2. Those persons who may from time to time make formal or informal inquiries at the tax assessor's office concerning tax relief for the totally disabled.
  - c. Provide such assistance to applicants as may be required to assure accurate and complete applications.



## TOWN OF CUMBERLAND

### TITLE 44

### Taxation

#### Chapter 44-3

#### Property Subject to Taxation

##### Section 44-3-3

###### 44-3-3. Property Exempt.

(16) The estate of any person who, in the judgement of the assessors, is unable from infirmity or poverty to pay the tax; provided, that in the towns of Burrillville and West Greenwich, the tax shall constitute a lien for five (5) years on the property where the owner is entitled to the exemption. At the expiration of the five (5) years, the lien shall be abated in full. Provided, if the property is sold or conveyed, or if debt secured by the property is refinanced during the five-year (5) period, the lien immediately becomes due and payable; any person claiming the exemption aggrieved by an adverse decision of an assessor shall appeal the decision to the local board of tax review and thereafter according the provisions of 44-5-26;

*The Cumberland Tax Assessor's Office used the 100% Disabled Income bracket qualifications as a guide, however all Limited Income applications are approved at the discretion of the Tax Assessor.*

*The Income Qualifications are as follows:*

<b><u>Income Bracket</u></b>	<b><u>Exemption (subject to Tax Assessor's Approval)</u></b>
\$0-\$10,499	\$24,0666
\$10,500-\$14,999	\$19,253
\$15,000-\$19,999	\$14,439
\$20,000-\$24,999	\$9,626