2. If you hold a life estate in the domicile, you are considered the owner.
3. If your domicile is held in trust, you are considered the owner only if:
    a. You are a trustee or co-trustee of the trust, and
    b. You have a sufficient beneficial interest in the domicile

ANNUAL INCOME AND WHOLE ESTATE.

Your income (gross receipts) for the previous calendar year cannot exceed a specified limit. Each clause has a different limit. Gross receipts means income from all sources and is broader than taxable income for federal or state income tax purposes.

Your assets (whole estate) on July 1 cannot exceed a specified limit. Each clause has a different limit. Whole estate means all assets to which you have legal title and access as sole, joint owner or trustee that contributes to your total worth.

Clause 41C

*Gross receipts minus social security allowance must be less than:

- $28,012.96 if single
- $42,019.45 if married

*Gross receipts and whole estate values are subject to change each Fiscal Year. The amounts shown are for Fiscal Year 2017. Social Security deduction from Gross Receipts:

- Worker: $4,523
- Spouse: $2,262
- Total: $6,785

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:

- $56,025.93
- $77,035.65

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.

Note: Income and assets limits adjusted annually by COLA

FOR FUTHER INFORAMTION, CONTACT YOUR LOCAL BOARD OF ASSESSORS:

Hopedale Board of Assessors
74 Hopedale Street
Hopedale, MA 01747

508-634-2203 x224
508-634-2203 x214

tgonsalves@hopedale-ma.gov

Rev 7-2017 Hopedale

TAXPAYER'S GUIDE TO REAL ESTATE TAX EXEMPTIONS IN HOPEDALE

CLAUSE 41C

ELDERLY PERSONS

(65 years of age or older)

Local Option

Hopedale Board of Assessors
74 Hopedale Street
Hopedale, MA 01747

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.

Clauses 41, 41B and 41C of Section 5 of Chapter 59 provide exemptions 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 Clauses 17, 17C, 17C½ or 17D which provide reduced benefits but for which the eligibility requirements are less strict.

Clause 41 was an early Legislative response to the need of the above category of persons for assistance with their tax obligations. It set out original eligibility requirements for the exemption. As property values and income levels rose, however, it became more difficult for persons to satisfy these requirements. Therefore, the Legislature made alternative exemptions (Clauses 41B and 41C) available for cities or towns to accept by town meeting or city council vote. Each alternative has different eligibility requirements. If a city or town has accepted Clause 41B or 41C, the Clause most recently accepted establishes eligibility rules. If a city or town has not so voted, Clause 41 prevails.

EXEMPTION AMOUNT

The exemption amount for Clause 41C is **$705.75**. The exemption amount is subject to change each fiscal year.

APPLICATIONS

Applications must be filed annually with the local assessors 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 on time is required. By law, the assessors may not waive this filing deadline, nor act on a late application, for any reason."** Filing an application does not entitle the applicant to a delay in tax payment.

DOCUMENTATION

You must provide the assessors with whatever information is reasonably required to establish your eligibility. This information may include, but is not limited to:

1. Birth certificates.

2. Evidence of ownership, domicile and occupancy.

3. Income tax returns, bank and other asset account statements

NUMBER OF EXEMPTIONS

With limited exceptions, you may only receive one exemption under M.G.L. c.59 §5. If you qualify for more than one, you will receive the one that provides the greatest benefit. You may receive an exemption and if qualified, defer all or part of the balance of the reduced tax.

ELIGIBILITY REQUIREMENTS

You must satisfy test relating to age, domicile ownership, occupancy, annual income and assets. All eligibility requirements must be met as of July 1 of the tax year.

If you property with someone who is not your spouse, for example, you children or other relatives, then each of the other co-owners must also satisfy the annual income and assets teat.

AGE

You must be 70 or older.

Hopedale has adopted Local Option

An individual must be (a) 65 years or older or (b) joint owner with a spouse 65 years or older as of July 1 of the tax year. The Town of Hopedale has adopted the local option of 65 years of age or older beginning with Fiscal Year 2007.

OWNERSHIP AND DOMICILE

You must own and occupy the property as you domicile. For Clauses 41B, 41C and 41C½, you must also have had a domicile in Massachusetts for 10 consecutive years before the tax year begins, and have owned and occupied the property, or any other property in Massachusetts for any 5 years. The 10 year continuous domicile requirement for Clause 41C½ may be reduced to 5 years, by legislative body vote.

1. Under Clauses 41, 41B and 41C, you ownership interest must be worth at least $4,000. You may own this interest solely, as a joint owner or as a tenant in common. If you own the property with someone who is not your spouse, you exemption will be equal to the same percentage of the exemption as your ownership interest in the property, for example, 50% if you are a joint owner with one other person.