

DEFERMENT OF SPECIAL ASSESSMENTS ON HOMESTEADS (EXCERPT)
Act 225 of 1976

211.763 Deferment of special assessments on homesteads; eligibility; limitation on household income; gross amount of special assessment; maximum dollar amount of household income; adjustment; reacquisition of property purchased through tax sale; land contract as special assessment; borrowing money from lending institution to pay special assessment; repayment from special revolving fund; lien.

Sec. 3. (1) An owner of a homestead who is 65 years of age or older or who is totally and permanently disabled, a citizen of the United States, a resident of this state for 5 or more years, and the sole owner of the homestead for 5 or more years is eligible for the deferment of special assessments on that homestead pursuant to this act. The owner and the owner's spouse shall not have received during the last calendar year household income as defined in section 508 of Act No. 281 of the Public Acts of 1967, as amended, being section 206.508 of the Michigan Compiled Laws, in excess of \$8,000.00; this amount shall be increased to \$10,000.00 for the determination of eligibility for a deferment after December 31, 1982. The gross amount of the special assessment, exclusive of interest, shall not be less than \$300.00.

(2) The maximum dollar amount of household income required by subsection (1) to be eligible for the deferment of special assessments under this act shall be adjusted each year beginning on January 1, 1984, pursuant to the annual average percentage increase or decrease in the Detroit consumer price index—all items as defined and reported by the United States department of labor, bureau of labor statistics. The adjustment shall be made by multiplying the annual average percentage increase or decrease in the Detroit consumer price index for the prior calendar year by the current maximum dollar amount of the household income requirement as adjusted by this subsection. The resultant product shall be added to the maximum dollar amount of the household income requirement as adjusted by this subsection and then rounded off to the nearest whole number, which shall be the new household income requirement for the current year.

(3) After January 1, 1975, a person 65 years of age or older who otherwise qualifies under this section for deferral of special assessments who fails to pay a prior delinquent special assessment and thereby lost the property to the local unit of government who purchased the property through tax sale may reacquire the property from the local unit of government through a land contract. The land contract for a parcel of property reacquired under the circumstances set forth in this subsection shall be treated as a special assessment for purposes of this act.

(4) The owner of a homestead who is 65 years of age or older or is totally and permanently disabled, a citizen of the United States, a resident of this state for 5 or more years, and the sole owner of the homestead for 5 or more years, in the year the special assessment was levied, and who has borrowed money from a lending institution to pay a special assessment before the effective date of this subsection, shall be eligible to receive money from the special revolving fund created in section 10, to be used for the purpose of repaying the lending institution the principal amount used by the person to pay the special assessment. The department shall cause a lien on the homestead in favor of the state to be recorded with the appropriate register of deeds, indicating the amount of the money paid and identifying the homestead. Money paid from the fund under this subsection shall be treated as if the money had been paid as deferred special assessment.

History: 1976, Act 225, Imd. Eff. Aug. 4, 1976;—Am. 1976, Act 437, Imd. Eff. Jan 13, 1977;—Am. 1978, Act 360, Imd. Eff. July 22, 1978;—Am. 1980, Act 403, Imd. Eff. Jan. 8, 1981.