

**TOWN OF FAIRFIELD**

Senior & Disabled Tax Relief Amendment

Approved by the RTM 7/22/2024

**Suggested Change #1:**

Corrects a typo, deleting the word “prior” and clarifies that the applicable rate will be the opening rate at the start of the day.

**95-15 B (3)**

*All benefits shall be subject to an interest charge at the greater of the annual percentage rate of 3% or the rate on ten-year United States Treasury Notes. The rate for the purposes of this subsection shall be set by the Chief Fiscal Officer of the Town of Fairfield on January 31 in each calendar year or, if such day is a day on which the fiscal office of the Town of Fairfield is not open, on the next ~~prior~~ day on which it is open. **If using the ten-year United States Treasury Note rate, it shall be the opening price for the given day.***

**Suggested Change #2:**

Corrects a typo, changing the word “application” to “applicant”, and changes the date of determining Qualified Total Asset Value (QTAV) from the “date of application” to “the end of the preceding calendar year”.

As the date of application can vary, and may not coincide with a financial statement, it’s virtually impossible for the Town to verify an applicant’s QTAV affidavit. By changing the valuation date to a date certain (12/31/xx), the applicant will have the benefit of a year-end financial statement, the determination date will be consistent for all applicants, and the date of asset verification will be consistent with the end date for verification of periodic income.

**95-8 Conditions for Eligibility Section C (8)**

*Any ~~application~~ **applicant** and spouse who qualify for property tax relief under this article shall have a qualifying total asset value (QTAV) not exceeding \$650,000. Qualifying total asset value shall consist of any and all assets of the applicant and spouse as of the ~~date of application~~ **the end of the preceding calendar year** but shall specifically exclude the value of the applicant's primary legal residence and all tangible personal property contained therein. Each applicant to*

*whom QTAV applies shall make a sworn statement in a form satisfactory to the Assessor that such applicant's QTAV does not exceed \$650,000.*

**Suggested Change #3:**

Deletes the language “and a copy thereof shall be delivered to the applicant” from the Assessor’s responsibilities once an applicant has been accepted in the program.

Effectively, this step is duplicative as the calculated tax relief and adjusted tax liability for the applicant is printed on the taxpayer’s tax bill. Further, the final tax relief calculations are printed, shared with, and signed by the applicant.

**95-9 Application Section B**

*When the Assessor is satisfied that the applying taxpayer qualifies under this article, he/she shall compute the amount of such tax relief and tax deferral and cause certificates of tax credit and tax deferral to be issued in such form as to permit the Tax Collector to reduce the amount of tax levied against the taxpayer and make proper record thereof, ~~and a copy thereof shall be delivered to the applicant.~~ Neither the Assessor nor the Tax Collector shall unreasonably withhold the issuance of such a tax credit and tax deferral to a properly qualifying taxpayer. The tax credit shall be applied to the tax payments.*

**Suggested Change #4:**

Change the age requirement for a surviving spouse from 60 to 50 to match state program.

Currently, the Town program has this age requirement at 60 while the State program has the age requirement at 50. Aligning these age requirements would assist in the administration of the programs and would eliminate potential confusion between the programs. Mr. Murray was not aware of any program participants for which this would be applicable and expects this change to have little to no economic impact to the current program.

**95-8 Conditions for Eligibility – Section C (1)**

*Such applicant (or a spouse domiciled with such applicant) has attained age 65 or over at the end of the preceding calendar year or ~~60~~50 years of age or over and the surviving spouse of a taxpayer qualified for tax relief under this program at the time of his or her death;*

**Suggested Change #5:**

Amend the definition of “Qualifying Income” from “adjusted gross income as defined in the Internal Revenue Code of 1986, as may be amended from time to time,...” to “all taxable and nontaxable income...”

Effectively, this would not change the definition but would align the Town program with the State program and would reduce or eliminate confusion as to what is included in Qualified Income.

**95-8 Conditions for Eligibility – Section C (5)**

*Such persons shall have individually, if unmarried, or jointly, if married, qualifying income in an amount not to exceed limits described below for each program for the tax year ending immediately preceding the application for tax relief benefits.. "Qualifying income" is defined as adjusted gross income as defined in the Internal Revenue Code of 1986, as may be amended from time to time, plus the nontaxable portion of any social security benefits, railroad retirement benefits, any tax shelter losses, income from other tax-exempt retirements and annuity sources and income from tax-exempt bonds and any other income not included in the in the adjusted gross income. Unreimbursed gross medical and dental expenses shall be deducted from income in calculating the applicant's qualifying income, as long as such unreimbursed gross medical and dental expenses are included on the applicant's federal income tax return of the calendar year immediately preceding the year of application as an itemized deduction and qualify as a medical deduction under Section 213 (a) of the Internal Revenue Code of 1986, as may be amended.  
[Amended 2-24-2020]*