

BANKS TOWNSHIP

ANTRIM COUNTY, MICHIGAN

POVERTY EXEMPTION INCOME AND ASSET GUIDELINES

RESOLUTION NO. 1 OF 2026

**A RESOLUTION ADOPTING POVERTY EXEMPTION GUIDELINES PURSUANT TO
MCL 211.7u AND STATE TAX COMMISSION BULLETINS**

WHEREAS, the General Property Tax Act, MCL 211.7u, authorizes the Board of Review to grant a poverty exemption, in whole or in part, to persons who, by reason of poverty, are unable to contribute to the public charges; and

WHEREAS, MCL 211.7u requires the Township Board to adopt written income and asset guidelines to be used by the Board of Review in determining eligibility for a poverty exemption; and

WHEREAS, the Township Board desires to ensure full compliance with MCL 211.7u and applicable State Tax Commission Bulletins;

NOW, THEREFORE, BE IT RESOLVED that the Banks Township Board hereby adopts the following Poverty Exemption Income and Asset Guidelines:

SECTION 1 — ELIGIBILITY REQUIREMENTS

To be eligible for a poverty exemption, a claimant must annually satisfy all of the following:

1. Ownership and Occupancy

The claimant must own and occupy the property as their principal residence and affirm such status by filing State Tax Commission Form 5737.

2. Annual Filing Requirement

The claimant must file an application annually with the Board of Review using State Tax Commission Form 5737.

3. Income Documentation

The claimant shall submit federal and state income tax returns for all household members for the immediately preceding or current tax year.

If not required to file tax returns, the claimant shall submit State Tax Commission Form 4988 or other affidavit prescribed by the State Tax Commission.

4. Identification and Ownership Verification

The claimant shall provide identification and proof of ownership when requested by the assessor or Board of Review.

SECTION 2 — INCOME GUIDELINES

Household income shall not exceed the Federal Poverty Income Guidelines as published annually by the United States Department of Health and Human Services.

If household income exceeds these guidelines, a poverty exemption shall not be granted.

SECTION 3 — ASSET GUIDELINES

A. Cash Assets

Total household cash assets shall not exceed an amount equal to two (2) months of gross household income. Cash assets include, but are not limited to:

- Cash on hand
- Checking and savings accounts
- Stocks, bonds, money market accounts
- Retirement accounts
- Insurance cash values
- Gifts, loans, inheritances, lump-sum payments
- Collectibles, boats, ORVs, RVs, motorcycles, jewelry, and similar assets readily convertible to cash

B. Fixed Assets

Total household fixed assets shall not exceed Fifteen Thousand Dollars (\$15,000).

C. Excluded Assets

The following are excluded from asset calculations:

1. Applicant's principal residence

2. One vehicle necessary for transportation
 3. Household personal property
 4. Assets not accessible to the applicant or household
-

SECTION 4 — EXEMPTION AMOUNTS

If eligibility is established, the Board of Review shall grant an exemption in one of the following amounts:

- 100% exemption
- 75% exemption
- 50% exemption
- 25% exemption

Only percentages approved by the State Tax Commission may be used.

SECTION 5 — BOARD OF REVIEW AUTHORITY

The Board of Review shall grant or deny poverty exemptions solely in accordance with these adopted written guidelines and the requirements of MCL 211.7u. The Board of Review shall not deviate from these standards.

SECTION 6 — ANNUAL REQUIREMENT

All poverty exemptions are valid for one tax year only. Claimants must reapply annually to maintain eligibility.

SECTION 7 — RESCISSION REQUIREMENT

A claimant granted a poverty exemption shall notify the local assessing unit within forty-five (45) days if:

1. Ownership or occupancy changes; or
2. Income or assets change such that eligibility is no longer met.

Failure to rescind may result in repayment of taxes with interest as provided by law.

SECTION 8 — REPEAL OF PRIOR POLICIES

All prior poverty exemption resolutions or policies inconsistent with this resolution are hereby repealed.

SECTION 9 — EFFECTIVE DATE

This resolution shall take effect immediately upon adoption.

ADOPTION

This resolution was offered by Alex Busman and supported by _____.

Upon roll call vote:

Member	Vote
<u>Richard Fenske</u>	<input checked="" type="radio"/> YES / NO
_____	YES / NO
_____	YES / NO
_____	YES / NO
_____	YES / NO

The Supervisor declared the resolution adopted on _____, 2026.

SIGNATURES

BANKS TOWNSHIP BOARD

Supervisor



Clerk

Julie Chellis

Treasurer

Luther Voth

Trustee

R. Voth

Trustee

Mary Kubicki

CLERK CERTIFICATION

I, Julie Chellis, Clerk of Banks Township, Antrim County, Michigan, hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Banks Township Board at a regular meeting held on January 19, 2026, at which a quorum was present.

Clerk

Date: January 19, 2026

MCL 211.7u Poverty Exemption Taxpayer Fact Sheet

[MCL 211.7u](#) provides for a property tax exemption, in whole or part, for the principal residence of persons who, by reason of poverty, are unable to contribute to the public charges. For the purposes of the poverty exemption, the term “principal residence” has the same meaning as the term’s principal residence exemption and qualified agricultural property as defined in MCL 211.7dd. The exemption does not apply to property owned by a corporation.

How To Apply For The Poverty Exemption

To request a poverty exemption, a taxpayer must file:

1. Form 5737 Application and Affirmation for MCL 211.7u Poverty Exemption
2. All required additional documentation (such as federal/state income tax returns)

Form 5737, along with any additional documentation, must be filed with the local assessing unit where the property is located. **Do not file this form with the Department of Treasury or the State Tax Commission.** The form may be submitted to the local assessing unit on or after January 1 but before the day prior to the last day of the December Board of Review during the year in which the exemption is requested. Taxpayers should contact the local assessing unit directly to verify submission deadlines to ensure that their application is reviewed by a Board of Review during that calendar year.

In addition to filing Form 5737 and any supporting documentation, a taxpayer must do all of the following to be eligible for the poverty exemption:

1. Own and occupy the property as a principal residence.
2. Provide federal and state income tax returns for the current or immediately preceding year, including any property tax credits, for all persons **residing in the principal residence** (disclosure of the income of an owner who is not residing in the principal residence is not required). Federal and state income tax returns are not required for a person residing in the principal residence if that person was not required to file a federal or state income tax return. Instead, Form 4988, *Poverty Exemption Affidavit* may be filed for all persons residing in the residence who were not required to file federal or state income tax returns in the current or immediately preceding year.
3. Produce a valid driver’s license or other form of identification, if requested.
4. Produce a deed, land contract, or other evidence of ownership of the property, if requested.
5. Meet the federal poverty guidelines published in the prior calendar year in the Federal Register by the United States Department of Health and Human Services or alternative guidelines adopted by the local assessing unit. The

alternative guidelines cannot provide income eligibility requirements less than the federal guidelines.

6. Meet the asset level test adopted by the local assessing unit.

Appeal Rights

An appeal of a decision made by the March Board of Review must be filed by completing and submitting a petition to the Michigan Tax Tribunal no later than July 31 of the same year. A decision of the July or December Board of Review may be appealed by filing a petition with the Michigan Tax Tribunal within 30 days of the Board of Review's decision. Additional information on how to file an appeal is available by contacting the Michigan Tax Tribunal or by visiting its website at <https://www.michigan.gov/taxtribunal>.

Application and Affirmation for MCL 211.7u Poverty Exemption

This form is issued under the authority of the General Property Tax Act, Public Act 206 of 1893, MCL 211.7u.

MCL 211.7u of the General Property Tax Act, Public Act 206 of 1893, provides a property tax exemption for the principal residence of persons who, by reason of poverty, are unable to contribute toward the public charges. This application is to be used to apply for the exemption and must be filed with the Board of Review where the property is located. This application may be submitted to the city or township where the property is located in each year on or after January 1 but before the day prior to the last day of the board of review. Poverty Exemptions may be heard by the Board of Review during its March, July, and December sessions.

To be considered complete, this application must: 1) be completed in its entirety, 2) include information regarding all members residing within the household, and 3) include all required documentation as listed within the application. Please write legibly and attach additional pages as necessary.

PART 1: PERSONAL INFORMATION — Petitioner must list all required personal information.				
Petitioner's Name			Daytime Phone Number	
Age of Petitioner	Marital Status	Age of Spouse	Number of Legal Dependents	
Property Address of Principal Residence		City	State	ZIP Code
PART 2: REAL ESTATE INFORMATION				
List the real estate information related to your principal residence. Be prepared to provide a deed, land contract or other evidence of ownership of the property at the Board of Review meeting.				
Property Parcel Identification Number		Name of Mortgage Company		
Unpaid Balance Owed on Principal Residence	Monthly Payment	Length of Time at this Residence		
Property Description				
PART 3: AFFIRMATION OF OWNERSHIP, OCCUPANCY, AND INCOME STATUS (Check all boxes that apply.)				
<input type="checkbox"/> I own the property in which the exemption is being claimed.				
<input type="checkbox"/> The property in which the exemption is being claimed is used as my homestead. Homestead is generally defined as any dwelling with its land and buildings where a family makes its home.				
PART 4: ADDITIONAL PROPERTY INFORMATION				
List information related to any other property owned by you or any member residing in the household.				
<input type="checkbox"/> Check if you own, or are buying, other property. If checked, complete the information below.			Amount of Income Earned from other Property	
1	Property Address	City	State	ZIP Code
	Name of Owner(s)	Assessed Value	Date of Last Taxes Paid	Amount of Taxes Paid
2	Property Address	City	State	ZIP Code
	Name of Owner(s)	Assessed Value	Date of Last Taxes Paid	Amount of Taxes Paid

PART 5: EMPLOYMENT INFORMATION — List your current employment information.

Name of Employer			
Address of Employer	City	State	ZIP Code
Contact Person	Employer Telephone Number		

PART 6: INCOME SOURCES

List all income sources, including but not limited to: salaries, Social Security, rents, pensions, IRAs (individual retirement accounts), unemployment compensation, disability, government pensions, worker's compensation, dividends, claims and judgments from lawsuits, alimony, child support, friend or family contribution, reverse mortgage, or any other source of income, for all persons residing at the property.

Source of Income	Monthly or Annual Income (indicate which)

PART 7: CHECKING, SAVINGS AND INVESTMENT INFORMATION

List any and all savings owned by all household members, including but not limited to: checking accounts, savings accounts, postal savings, credit union shares, certificates of deposit, cash, stocks, bonds, or similar investments, for all persons residing at the property.

Name of Financial Institution or Investments	Amount on Deposit	Current Interest Rate	Name on Account	Value of Investment

PART 8: LIFE INSURANCE — List all policies held by all household members.

Name of Insured	Amount of Policy	Monthly Payments	Policy Paid in Full	Name of Beneficiary	Relationship to Insured

PART 9: MOTOR VEHICLE INFORMATION

All motor vehicles (including motorcycles, motor homes, camper trailers, etc.) held or owned by any person residing within the household must be listed.

Make	Year	Monthly Payment	Balance Owed

PART 10: HOUSEHOLD OCCUPANTS — List all persons living in the household.				
First and Last Name	Age	Relationship to Applicant	Place of Employment	\$ Contribution to Family Income

PART 11: PERSONAL DEBT — List all personal debt for all household members.					
Creditor	Purpose of Debt	Date of Debt	Original Balance	Monthly Payment	Balance Owed

PART 12: MONTHLY EXPENSE INFORMATION			
The amount of monthly expenses related to the principal residence for each category must be listed. Indicate N/A as necessary.			
Heating	Electric	Water	Phone
Cable	Food	Clothing	Health Insurance
Garbage	Daycare	Car Expense (gas, repair, etc.)	
Other (type and amount)	Other (type and amount)	Other (type and amount)	
Other (type and amount)	Other (type and amount)	Other (type and amount)	

NOTICE: Per MCL 211.7u(2)(b), federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns, filed in the immediately preceding year or in the current year must be submitted with this application. Federal and state income tax returns are not required for a person residing in the principal residence if that person was not required to file a federal or state income tax return in the tax year in which the exemption under this section is claimed or in the immediately preceding tax year.

PART 13: POLICY AND GUIDELINES ACKNOWLEDGMENT

The governing body of the local assessing unit shall determine and make available to the public the policy and guidelines used for the granting of exemptions under MCL 211.7u. In order to be eligible for the exemption, the applicant must meet the federal poverty guidelines published in the prior calendar year in the Federal Register by the United States Department of Health and Human Services under its authority to revise the poverty line under 42 USC 9902, or alternative guidelines adopted by the governing body of the local assessing unit so long as the alternative guidelines do not provide income eligibility requirements less than the federal guidelines. The policy and guidelines must include, but are not limited to, the specific income and asset levels of the claimant and total household income and assets. The combined assets of all persons must not exceed the limits set forth in the guidelines adopted by the local assessing unit.

The applicant has reviewed the applicable policy and guidelines adopted by the city or township, including the specific income and asset levels of the claimant and total household income and assets.

PART 14: LEGAL DESIGNEE INFORMATION (Complete if applicable.)

Legal Designee Name		Daytime Telephone Number	
Mailing Address	City	State	ZIP Code

PART 15: CERTIFICATION

I hereby certify to the best of my knowledge that the information provided in this form is complete, accurate and I am eligible for the exemption from property taxes pursuant to Michigan Compiled Law, Section 211.7u.

Printed Name	Signature	Date
--------------	-----------	------

This application shall be filed after January 1, but before the day prior to the last day of the local unit's December Board of Review.

Decision of the March Board of Review may be appealed by petition to the Michigan Tax Tribunal by July 31 of the current year. A July or December Board of Review decision may be appealed to the Michigan Tax Tribunal by petition within 30 days of decision. A copy of the Board of Review decision must be included with the petition.

Michigan Tax Tribunal
PO Box 30232
Lansing MI 48909

Phone: 517-335-9760
Email: taxtrib@michigan.gov

Poverty Exemption Affidavit

This form is issued under authority of Public Act 206 of 1893; MCL 211.7u.

INSTRUCTIONS: When completed, this document must accompany a taxpayer's Application for Poverty Exemption filed with the supervisor or the board of review of the local unit where the property is located. MCL 211.7u provides for a whole or partial property tax exemption on the principal residence of an owner of the property by reason of poverty and the inability to contribute toward the public charges. MCL 211.7u(2)(b) requires proof of eligibility for the exemption be provided to the board of review by supplying copies of federal and state income tax returns for all persons residing in the principal residence, including property tax credit returns, or by filing an affidavit for all persons residing in the residence who were not required to file federal or state income tax returns for the current or preceding tax year.

I, _____, swear and affirm by my signature below that I reside in the principal residence that is the subject of this Application for Poverty Exemption and that for the current tax year and the preceding tax year, I was not required to file a federal or state income tax return.

Address of Principal Residence: _____

Signature of Person Making Affidavit

Date