

New Personal Property Exemption for 2014

You may qualify!

To be eligible, a taxpayer must meet **ALL** of the following:

- The exemption must be properly claimed (this is done by filing the affidavit by February 10) **and**
- The personal property must be classified as industrial personal property or commercial personal property as defined in MCL 211.34c or would be classified as industrial personal property or commercial personal property if not exempt **and**
- The **combined true cash** value of all industrial personal property and commercial personal property **owned by, leased by or in the possession of the owner or a related entity** claiming the exemption **is less than \$80,000** in the local tax collecting unit **and**
- The property is not leased to or used by a person that previously owned the property or a person that, directly or indirectly controls, is controlled by, or under common control with the person that previously owned the property.

NOTE: Analysis is necessary beyond just doubling last year's assessment.

If you feel you qualify for this exemption, please fill out and return by February 10, the enclosed "Affidavit of Owner of Eligible Personal Property Claiming Exemption from Collection of Taxes (As of 12-31-2013)", Michigan Department of Treasury Form number 5076.

To claim this exemption, the Affidavit must be received by the Assessor no later than February 10.

For 2014 ONLY, the owner may file an appeal with the March board of review to claim this exemption.

NOTE: This Affidavit only exempts your personal property for 2014! To continue to receive this exemption, a new affidavit must be filed each year.

Your exemption may be denied by the local assessor if it is determined you do not qualify for this exemption.

The taxpayer must keep adequate books and records relating to:

- The description - Date of purchase, lease or acquisition - The purchase price, lease amount, or value of all industrial personal property and commercial personal property **owned by, leased by or in the possession of that person or a related entity** - Records must be kept for 4 years - These records are subject to audit.

If you have questions, feel free to email us at assessor@elbatownship.org or you may call us at 810-664-2332 on Tuesdays between the hours 9:00am and 4:00 pm.

Affidavit of Owner of Eligible Personal Property Claiming Exemption from Collection of Taxes (As of 12-31-2013)

Notice: Questions regarding this form should be directed to the assessor of the city or township where the personal property is located. This form was approved by the State Tax Commission on November 4, 2013 under the authority of Public Act 206 of 1893. This form must be filed by the owner or the owner's authorized agent.

Name and Address of Owner

To claim an exemption, this Affidavit must be received by the Assessor no later than February 10, 2014.

IMPORTANT INFORMATION: This affidavit will exempt property owned only by the entity filing the affidavit. If personal property is leased to or used by an entity other than the property's owner, the owner of that personal property must file the affidavit for that property, not the lessee or the user. The owner may file the affidavit and claim the exemption only if the True Cash Value of all of the commercial or industrial personal property located within the city or township that is owned by, leased to, or in the possession of the owner or a related entity was less than \$80,000 on December 31, 2013.

Name of Local Unit of Government		
City _____	Township _____	
List all addresses where Personal Property is located within the City or Township. (may attach additional sheets)	Names of Owners or Partners (If sole Proprietorship or Partnership)	
County	Owner Telephone Number	Legal Name of Owner, if different from above
Assumed Names Used by Legal Entity, if any	Description of Owner's Business Activity and NAICS Code	
Check only one: <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Limited Liability Co. MI ID# _____ <input type="checkbox"/> Corporation MI ID# _____ <input type="checkbox"/> Partnership		
Name and Telephone Number of Person in Charge of Personal Property Records	Address where Personal Property Records are Kept	
Names of all other businesses having personal property, including any leasehold improvements assessed as personal property at the locations included in this affidavit. (attach additional sheets as necessary)		Date Business Began in Local Tax Collecting Unit

The undersigned certifies that:

- I am the owner of the commercial personal property and industrial personal property being claimed as exempt or I am the duly authorized agent.
- The True Cash Value of all the Personal Property, as defined by Public Act 153 located within the city or township indicated above, that is owned by, leased to, or in the possession of the owner or related entity was less than \$80,000 on December 31, 2013.
- Below are the procedures used to determine that the True Cash Value of the Eligible Personal Property was less than \$80,000 on December 31, 2013:
 - The determination of True Cash Value was based on the State Tax Commission's recommended valuation procedures as set forth on Form 632, *Personal Property Statement (L-4175)*. Attach an explanation of the method used if your answer is NO Yes No
 - The determination of True Cash Value includes all assessable personal property, located within the city or township listed on this Affidavit that is owned by, leased to, or in the possession of the owner or related entity. This shall include all trade fixtures and may include leasehold improvements not assessed as real property. Attach an explanation if not all personal property is included Yes No N/A

I hereby certify that the information contained within, and attached to, this Affidavit provides a full and true statement of all personal property owned, leased, or in the possession of the owner or related entity on December 31, 2013.

Printed Name	Signature	Date
Indicate which: <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partner <input type="checkbox"/> Officer <input type="checkbox"/> Managing Member <input type="checkbox"/> Agent (attach letter of authority)		

Trade Fixtures: Items of property that have been attached to real estate by a tenant to facilitate the tenant's use of the property for business purposes and which are both capable of being removed and are removable by the tenant under the terms of the lease. Examples of trade fixtures are certain costs related to telephone and security systems and most signs.

Leasehold Improvements: Land improvements, such as paving and landscaping, and improvements made by a tenant to structures owned by the landlord. Leasehold improvements are characterized by the fact that they cannot be removed for use elsewhere because they will be destroyed by removal. Leasehold improvements may be assessed as real property to the owner of the real property or may be assessed as personal property to the tenant.

Additional information can be located in Public Act 153 and State Tax Commission Bulletin 11 of 2013.