Georgia Department of Revenue

Exemptions

Exempt Property
Homesteads

1

Georgia Department of Revenue

Tax Digest?

The digest is a listing of assessments

Real and Personal Property

Timber

Mobile Homes

Motor Vehicles

Heavy Duty Equipment

Public Utilities

EXEMPT PROPERTY

2

Georgia Department of Revenue

48-5-342

Revenue Commissioner examines the Exempt Digest and notifies the County Board of Assessors when potentially taxable property is found.

3

Georgia Department of Revenue

Classification / Strata

Parcel: 05-1235-001

- R1 = Residential Improvement $50,000
- R4 = Residential Small Acreage Tract $10,000

$60,000

Account: 11-12345

- CA = Commercial Aircraft $500,000
- CF = Commercial FFME $300,000

$800,000

Public Utility Assessment

- U2 = Utility Operating Property $600,000

4

Georgia Department of Revenue

Exempt Property Codes

E0 – Non Profit Home for the Aged
E1 – Public Property
E2 – Places of Religious Worship and No Rent income properties
E3 – Property used for Charitable Purposes
E4 – Places of Religious Burial
E5 – Charity Hospital
E6 – Educational Institution
E7 – Air and Water Pollution Equipment
E8 – Farm Products in Hands of Producer
E9 – Other

5

Georgia Department of Revenue

State HOMESTEAD Exemption Codes

S1 – Regular Homestead	48-5-44
SC – Age 65 Homestead	48-5-48.3
S2 – Reserved	----------
S3 – Age 62 (Net Income<10,000)	48-5-52
S4 – Age 65 (Net Income<10,000)	48-5-47
S5 – Disabled Veteran or Surviving Spouse	48-5-48
SD – Age 65, Disabled Veteran or Surviving Spouse	48-5-48
SS – Surviving Spouse of US service member killed in action	48-5-52.1
SE – Age 65, Surviving Spouse of US service member killed in action	48-5-52.1
SG – Surviving Spouse of peace officer killed in line of duty	48-5-48.4
S6 – Age 62, Floating (Fed AGI < 30,000)	48-5-47.1; 48-5-52
S7 – Reserved	----------
S8 – Age 62, Floating (Fed AGI < 30,000 and Net Income < 10,000)	48-5-47.1; 48-5-52
S9 – Age 65, Floating (Fed AGI<30,000 and Net income <10,000)	48-5-47; 48-5-47.1; 48-5-52

6

Georgia Department of Revenue

State Exemption Coding – **'S Code'**

Parcel: 05-1235-001

- R1 = Residential Improvement $50,000
- R4 = Residential Small Acreage Tract $10,000

$60,000

- S1 = Regular Homestead - 2,000

Net Assessed Value $58,000

7

Georgia Department of Revenue

Local HOMESTEAD Exemptions – **'L Codes'**

LOCAL EXEMPTIONS

COUNTY Taylor DIGEST YEAR 2008

List all Local Exemptions and provide the criteria for each local homestead exemption shown on the 2008 Consolidation Sheets. Fill in the amount of Exemption allowed in the corresponding fields below. All local homestead exemptions, approved in a local referendum, are to be listed, along with the Resolution/House/Senate Bill Number authorizing the referendum and the year passed. This form serves as documentation of the local homestead exemptions and the specific qualification criteria.

CODE USED ON CONSOLIDATION SHEET	QUALIFICATIONS	RESOLUTION HOUSE/SENATE BILL NUMBER	YEAR PASSED	EXEMPTION AMOUNT FOR COUNTY M & O PURPOSES	EXEMPTION AMOUNT FOR COUNTY BOND PURPOSES	EXEMPTION AMOUNT FOR COUNTY SCHOOL M & O PURPOSES	EXEMPTION AMOUNT FOR COUNTY SCHOOL BOND PURPOSES
L1	Age 65 +	HR985	1986	25,000	0	25,000	0

8

Georgia Department of Revenue

Other State Exemption Codes

SP – Personal Property valued less than $7500

SF – Freeport

ST – Residential Transitional

SH – Landmark/Rehabilitated Historic

SA – Preferential

SV – Conservation Use

SB – Brownfield

SJ – Forest Land Conservation

SN – Inventory (State Only)

SY – Heavy Duty Equipment - repealed

SW – Environmentally Sensitive

9

Georgia Department of Revenue

Servicemembers Civil Relief Act

- Provides legal and financial protection to qualified Service members during their military service
- Enables military persons to devote their entire energies to the defense needs of the Nation

10

Georgia Department of Revenue

Taxes Respecting Personal and Real Property

- Personal Property:
  - Deemed located in the 'Home of Record' domicile (Home State)
- Real Property:
  - *Deemed located in Georgia county where real property is physically located (Host State)*

11

Georgia Department of Revenue

Motor Vehicle Registration & Fees

- If Non-Resident Soldier registers with Home of Record…. Georgia cannot require vehicle registration.
- If Non-Resident Soldier registers with Georgia …. Georgia can charge registration fees.
  - *But can not apply ad valorem tax to the vehicle registration.*

12

Georgia Department of Revenue

DOR Regulation 560-10-30-.13

Georgia Department of Revenue

SERVICE MEMBER'S AFFIDAVIT FOR EXEMPTION OF AD VALOREM TAXES FOR MOTOR VEHICLES

I, _____ _____
(Full Legal Name) (Service Member's Number)
do hereby solemnly swear or affirm that:

a) I am an active member of the armed services of the United States of America,
Location of GA permanent duty station: _____
b) I am temporarily residing in the State of Georgia solely because my military orders require me to be stationed in Georgia and,
c) I am a citizen of the United States and not a legal resident of Georgia.
d) At this time, my home of record is the City of _____, County of _____, and State of _____,
e) _____ is my Dependent as defined in
(Full Legal Name of Dependent)

Regulation 560-10-30-.13. (If not filing this affidavit for a Dependent please leave blank).

I claim exemption from Georgia personal property taxes by the virtue of the Service Member's Relief Act of 2009, as amended.

Vehicle Identification Number	Year	Make	Model / Body Style

13

Georgia Department of Revenue

Attorney General Opinion

Although the husband's filing for homestead did not establish the wife's Georgia residency, her own conduct might have accomplished this. Even though she claims to be a non-resident of Georgia, "such self-serving statements must be viewed in light of objective acts indicative of actual intent." Deckers v. Kenneth W. Rose, Inc., 592 F. Supp. 25, 27-28 (M.D. Fla. 1984). You would need to examine her conduct to see if any of her acts indicated a desire to establish Georgia residency. For example, one possible indication is whether she had an ownership interest in the home on which her husband claimed the exemption. Other indications of Georgia residency include being registered to vote and voting in Georgia elections, paying Georgia income tax, and listing oneself as a Georgia resident on a federal income tax return. Decker, 529 F. Supp. 25; Smiley v. Davenport, 139 Ga. App. 753, 758 (1976). Alternatively, the taxpayer may pay ad valorem tax or do one of the above acts in a state other than Georgia. If the objective acts of the military wife establish an intent to change her residency to Georgia, then she may not claim the exemption under the Civil Relief Act.

14

Georgia Department of Revenue

Warning Regarding Domicile

- If Soldier loses "contacts" with HOME state of **Domicile**; then Georgia (HOST state of Residence) might pursue domicile status and attempt to tax the Soldier.
- **Ways to Establish or Maintain Domicile**:
  - Purchase a home/land
  - Register to vote
  - Register vehicles
  - Physical presence from time to time
  - Driver's license (GA does not issue DL to non-residents)
  - Membership in church/organizations
  - Own bank accounts/investments

15

Georgia Department of Revenue

Constitution of State of Georgia

Article VII, Section II
EXEMPTIONS FROM AD VALOREM TAXATION

Paragraph II. Exemptions from taxation of property.

(1) Except as otherwise provided in this Constitution, no property shall be exempted from ad valorem taxation unless the exemption is approved by two-thirds of the members elected to each branch of the General Assembly in a roll-call vote and by a majority of the qualified electors of the state voting in a referendum thereon.

16

Georgia Department of Revenue

GA Constitutions of 1877, 1945, and 1976 included some Local constitutional amendments.

In 1983, when the GA Constitution was overhauled, future amendments to the Constitution were limited to only those which are of general and uniform applicability throughout the state.

The 1983 constitution enacted LOCAL constitutional amendment '4-year kick-out clause'.

Meaning – the local constitutional amendments would expire after four years (July 1, 1987), unless the applicable local jurisdiction adopted a local resolution, in an exact form, keeping the amendment provisions in place.

Many of those local ad valorem constitutional amendments that were kept in place by local resolutions were homestead exemptions.

But noteworthy others include…

- Richmond County millage cap.
- Muscogee County Homestead Freeze.
- Pike County Board of Assessors is designated as TAX RECEIVER.
- Chatham County Chief Tax Assessor is designated as TAX RECEIVER.
- Telfair County Constitutional officers limited to two terms.
- Dougherty County office of tax commissioner is abolished, merged with tax assessor and replaced as tax administrator.
- Lowndes County board of assessors elected.

17

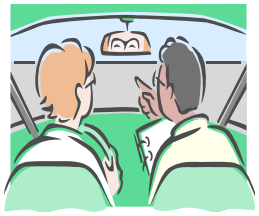
Georgia Department of Revenue

Motor Vehicles

18

Georgia Department of Revenue

O.C.G.A. 48-5-470



- Driver education vehicles are declared to be public property. Which are Exempt.

19

Georgia Department of Revenue

O.C.G.A. 48-5-470.1 Motor Vehicles used for transporting persons with disabilities

- All motor vehicles owned by a school or educational institution.
  - Used principally for transporting disabled students to or from such school.
  - IRS code, Section 501(c)(3).

20

Georgia Department of Revenue

O.C.G.A. 48-5-470.2

- Vans and buses owned by religious groups.
  - Exclusively used to maintain exempt properties owned by such group.
  - Exclusively used for transporting individuals to religious services or trips.
  - May NOT be used for
    - producing private or corporate profit
    - for any private purposes

21

Georgia Department of Revenue

O.C.G.A. 48-5-471
Motor Vehicles SCRA

- This Georgia statute requires amendment due to new Federal law passed November 2009.
  - Spouses Residency Relief Act

22

Georgia Department of Revenue

O.C.G.A. 48-5-472

- Motor vehicles which are owned by a dealer and which are held for sale are exempt…

23

Georgia Department of Revenue

O.C.G.A. 48-5-478

- A motor vehicle owned by or leased to a disabled veteran.

24

Georgia Department of Revenue

O.C.G.A. 48-5-478.1

- Those veterans who were discharged under honorable conditions and who were captured and held prisoner by forces hostile to U.S. while serving in WWI, WWII, Korean War or Vietnam:
  - Ad Valorem exempt on one vehicle.
  - Un-remarried surviving spouse retains benefit.
  - DD214, a military 201 file, or similar sufficient proof of his or her former POW status
  - Also receive one Free Special License Plate

25

Georgia Department of Revenue

O.C.G.A. 48-5-478.2

- A single motor vehicle owned by or leased to a veteran of the armed forces of the United States who has been awarded the Purple Heart citation.

26

Georgia Department of Revenue

O.C.G.A. 48-5-478.3

- A single motor vehicle owned by or leased to a veteran of the armed forces of the United States who has been awarded the Medal of honor .
  - Also receive two Free License Plates for front and back of vehicle.

27

Georgia Department of Reven

Miscellaneous Veterans tags that are NOT ad valorem exempt…

- Veterans of Pearl Harbor Attack – special plate
- Retired Veterans – one free plate
- Veterans of Chosin Reservoir Campaign – special plate
- Gold Star Families – one free plate for spouse, mother and father; and special plates for other relatives.

28

Georgia Department of Revenue

O.C.G.A. 48-5-478.4

- A single motor vehicle owned or leased to a veteran organization is exempt.

29

Georgia Department of Revenue

O.C.G.A. 48-5-505

- heavy-duty equipment motor vehicles which are owned by a dealer are exempt….
  - UNLESS heavy-duty equipment was in dealer inventory on January 1 and continued to be in dealer inventory on December 20…

30

Georgia Department of Revenue

- **Yancey Dealership has bulldozer in inventory on January 1, 2011**.

Cost =	$50,000	Exempt

- **Still in Inventory on Dec 20, 2011.**

Cost =	$50,000	Taxable
	.40	
Assessment	$20,000	
Millage rate	.030	
Tax	$600	

31

Georgia Department of Revenue

Mr. Smith buys a tractor from dealer on June 1…

Invoice price	$60,000
Discount	.333
	$19,980
Assessment level	.40
	$ 7,992
Pro-rate by month	.50
	$ 3,996
Millage rate	.030
Tax	$ 119.88

32

Georgia Department of Revenue

O.C.G.A. 48-5-506.1
$100,000 exemption repealed
12/31/2010

- Watch for Refund Requests for next three years.
- Exemption Does Not apply to dealers.
- Exemption Does Not apply to owners in first year of purchase.

33

Georgia Department of Revenue

Motor Vehicle Title Ad Valorem Tax

'TAVT'

State and local Title Tax does not apply to titles issued on the following vehicles:

Vehicles owned or leased by state, county, school, municipality, or other government entity.

48-5-478 (disabled veteran)
48-5-478.1 (former prisoner of war)
48-5-478.2 (veterans awarded Purple Heart)
48-5-478.3 (veterans awarded Medal of Honor)

34

Georgia Department of Revenue

Homesteads

35

Georgia Department of Revenue

48-5-40. Definitions - **"APPLICANT"**

means a person who is:

1. A married individual living with his or her spouse;
2. An individual who is unmarried but who permanently maintains a home for the benefit of one or more other individuals who are related to such individual or dependent wholly or partially upon such individual for support;
3. An individual who is widowed having one or more children and maintaining a home occupied by himself or herself and the child or children;
4. A divorced individual living in a bona fide state of separation and having legal custody of one or more children, when the divorced individual owns and maintains a home for the child or children; or
5. An individual who is unmarried or is widowed and who permanently maintains a home owned and occupied by himself or herself; and

36

Georgia Department of Revenue

48-5-40. Definitions - A **"RESIDENT"** of this state as defined in paragraph (15) of Code Section 40-5-1, as amended

(15) "RESIDENT" means a person who has a permanent home or abode in Georgia to which, whenever such person is absent, he or she has the intention of returning. For the purposes of this chapter, there is a rebuttable presumption that the following person is a resident:

(A) Any person who accepts employment or engages in any trade, profession, or occupation in Georgia or enters his or her children to be educated in the private or public schools of Georgia within ten days after the commencement of such employment or education; or

(B) Any person who, except for infrequent, brief absences, has been present in the state for 30 or more days;

provided, however, that no person shall be considered a resident for purposes of this chapter unless such person is either a United States citizen or an alien with legal authorization from the U.S. Immigration and Naturalization Service.

37

Georgia Department of Revenue

48-5-40
Definitions…

"HOMESTEAD" means the real property owned by and in possession of the applicant on January 1 of the taxable year and upon which the applicant resides including, but not limited to, the land immediately surrounding the residence to which the applicant has a right of possession under a bona fide claim of ownership.

38

Georgia Department of Revenue

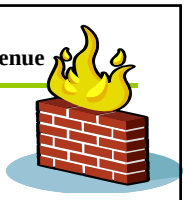
48-5-40 The term **"HOMESTEAD"** includes the following qualifications:

1. The actual permanent place of residence of an individual who is the applicant and which constitutes the home of the family;
2. Where the person who is the applicant holds the bona fide fee title, an estate for life, or under any bona fide contract of purchase providing for the conveyance of title to the applicant upon performance of the contract;
3. Where the building is occupied primarily as a dwelling;
4. Where the children of deceased or incapacitated parents occupy the homestead of their parents and one of the children stands in the relation of applicant. … whether or not the estate is distributed;
5. Where a husband or wife occupies a dwelling and the title of the homestead is in the name of the wife;

39

Georgia Department of Revenue

Qualifications continued:



6. In the event a dwelling house … is destroyed by fire, flood, storm, or other unavoidable accident or is demolished or repaired so that the owner is compelled to reside temporarily in another place, the …house shall continue to be classed as a homestead for a period of one year after the occurrence;
7. In the event an individual who is the applicant owns two or more dwelling houses, he shall be allowed the exemption … on only one of the houses. Only one homestead shall be allowed to one immediate family group;
8. Where property is owned and occupied jointly by two or more individuals all of whom occupy the property as a home and if the property is otherwise entitled to a homestead exemption, the homestead may be claimed in the names of the joint owners residing in the home. Where the property on which a homestead exemption is claimed is jointly owned by the occupant and others, the occupant or occupants shall be entitled to claim the full amount of the homestead exemption;

40

Georgia Department of Revenue

More qualifications:

9. The permanent place of residence of an individual in the armed forces...shall be construed to be actually occupied … when the family of the individual resides in the residence or when the family is forced to live elsewhere because of the individual's service in the armed forces;
10. Absence of an individual from his residence because of duty in the armed forces shall not be considered as a waiver upon the part of the individual in applying for a homestead exemption…;
11. The homestead exempted must be actually occupied as the permanent residence by the applicant…, and the homestead shall be the legal residence and domicile of the applicant for all purposes whatever;
12. In all counties having a population …;
13. The deed … must be recorded … prior to filing the application ...; and
14. Absence of an individual from such individual's residence because of health reasons shall not in and of itself be considered as a waiver … if all other qualifications are otherwise met.

41

Georgia Department of Revenue

48-5-40 **"OCCUPIED PRIMARILY AS A DWELLING"** means:

1. The applicant or members of family occupy the property; or
2. The applicant or members of family occupy a portion of the property;
3. No more than one exemption may be claimed …, except in the case of a duplex or double occupancy dwelling … and the two units thus formed are separately owned and occupied.

42

Georgia Department of Revenue

Size or physical proportions…

- *There is no limitation as to size or physical proportions of property to be embraced within the homestead provision, and it would seem that the purpose of Ga. Const. … and this section in fixing a maximum valuation was by so doing to equalize the exemption as between applicants on the basis of value, regardless of the extent of the tract involved.*

43

Georgia Department of Revenue

48-5-45. Application for homestead exemption; unlawful to solicit fee to file application for homestead for another.

- An applicant seeking a homestead exemption shall file a written application with the tax commissioner
  - at any time during the calendar year subsequent to the property becoming the primary residence of the applicant
  - up to and including date for the closing of the books.
- Failure to file the application shall constitute a waiver of the homestead exemption for that year.
- The owner shall not have to apply for the exemption more than once so long as the owner remains in continuous occupation of the residence. The exemption shall automatically be renewed from year to year.
- It is unlawful for any person, firm, or corporation to solicit for the purpose of filing on behalf of such other person if a fee is charged. A violation of this subsection shall be a misdemeanor.

44

Georgia Department of Revenue

48-5-46. Procedure for application.

- The application for the homestead exemption shall be furnished by the commissioner not later than February 1 of each year
- The application shall include:
  - A statement of ownership of the homestead,
  - a complete description of the property on which homestead exemption is claimed,
  - when and from whom the property was acquired,
  - the kind of title held, and the amount of liens, if any, and to whom due; and
  - The approval of the application by the official so authorized.
- A form of oath shall be provided and administered by the tax commissioner…
- The tax commissioner shall deliver the forms prescribed for the exemption.
- The applicant must answer all questions correctly to be entitled to an approval of the application.
- The tax commissioner shall receive all applications for homestead exemption and shall file and preserve the applications.

45

		State	County		School	
Code	Type of Exemption		M&O	Bond	M&O	Bond
S1	Regular	2,000	2,000	0	2,000	0
SC	Age 65	100% on 10 acres + 2,000	2,000		2,000	
S3	Elderly - Age 62 – Net Income less than $10,000	2,000	2,000	0	10,000	10,000
S4	Elderly - Age 65 - Net Income less than $10,000	4,000	4,000	4,000	10,000	10,000
S5	Disabled Veterans (2015Amount)	70,465	70,465	70,465	70,465	70,465
SD	Age 65 - 100% Disabled Veteran; Unremarried Surviving Spouse of Disabled Veteran	100% on 10 acres+ 70,465	70,465	70,465	70,465	70,465
SS	Surviving Spouse of Disabled Veterans	70,465	70,465	70,465	70,465	70,465
SE	Age 65 - Unremarried Surviving Spouse of US Service Member killed in action	100% on 10 acres+ 70,465	70,465	70,465	70,465	70,465
SG	Unremarried Surviving Spouse of a Firefighter or Peace Officer killed in the line of duty	100%	100%	100%	100%	100%
S6	Floating - Age 62 – Fed. A.G.I. less than 30,000	Varying	Varying	0	2,000	0
S8	Floating - Age 62 - Net Income less than 10,000 or Fed. A.G.I. less than 30,000	Varying	Varying	0	10,000	10,000
S9	Floating - Age 65 - Net Income less than 10,000 or Fed. A.G.I. less than 30,000	Varying	Varying	4,000	10,000	10,000

46

Georgia Department of Revenue

48-5-51. Fraudulent claim of homestead exemption under Code Sections 48-5-44 through 48-5-50; penalty.

- It shall be unlawful for any person to:
  - Make any fraudulent claim for exemption
  - Make any false representation of a material fact in support of a claim
  - Assist another knowingly in the preparation of any false or fraudulent claim for exemption, or enter into any collusion with another by the execution of a fictitious deed, deed of trust, mortgage, or otherwise.
- Any person who violates this Code section shall be guilty of a misdemeanor.
- In addition, the property shall be taxed in an amount double the tax otherwise to be paid.

47

Georgia Department of Revenue

48-5-54. Application of homestead exemptions to properties with multiple titleholders and properties held by administrators, executors, or trustees.

- **The homestead shall apply to those properties the legal title to which is vested in one or more titleholders if actually occupied by one or more of such owners as a residence.**
- **In such instances, exemptions shall be granted if claimed by one or more of the owners actually residing on such property.**
- **Such exemptions shall also extend to those homesteads the title to which is vested in an administrator, executor, or trustee if one or more of the heirs or cestui que uses residing on such property claims the exemption in the manner provided by law.**
- **The provisions of this Code section shall also apply to exemptions granted to the homestead by any local law adopted after July 1, 1984, unless the local law expressly provides to the contrary.**

48

Georgia Department of Revenue

48-5-54. Application of homestead exemptions to properties with multiple titleholders and properties held by administrators, executors, or trustees.

- The failure to file an application shall not be cause for waiver of the exemption where such waiver arises because of an administrator's or executor's deed transferring the property to a surviving spouse.
  - In such instances, the board of tax assessors shall give notice of its intent to deny the exemption, and the surviving spouse may make application for the amount of homestead exemption to which such applicant is entitled within 30 days from the date of the notice by the board of tax assessors.
  - In the case of a base year assessed value homestead exemption, as long as the surviving spouse otherwise meets the requirements specified for such exemption and makes proper application under this subsection, upon approval of such application the exemption shall be continued with the same base year assessed value as had been established for the deceased spouse of such surviving spouse, unless otherwise provided by local law.

49

Georgia Department of Revenue

Homestead Exemption

- O.C.G.A. 48-5-40
- State portion only
- $2,000
- $4,000
- $70,465
- Varying
- 100% on 10 acres

50

Georgia Department of Revenue

Rules

- Real Property & Land surrounding
- Own on January 1
- Permanent and Legal Residence
- Used as a dwelling
- Only one per family group
- Must file an application

51

Georgia Department of Revenue

Deadline for Filing

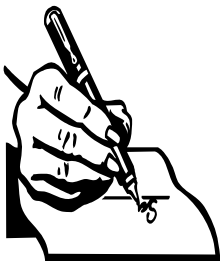
- Affective June 1, 2005
- NO DEADLINE for Filing
- Return Deadline is deadline for *receiving* homestead (usually April 1)
- Filing = year round
- Receiving = April 1

52

Georgia Department of Revenue

Designation of Returns

- 48-5-103 (5)
- Tax Commissioner may give written authority for Tax Assessor to receive returns and/or homestead applications



53

Georgia Department of Revenue

Eligibility

- BOA makes determination of eligibility
- Written notice required for denial
- Taxpayer may appeal to BOE
- 48-5-49

54

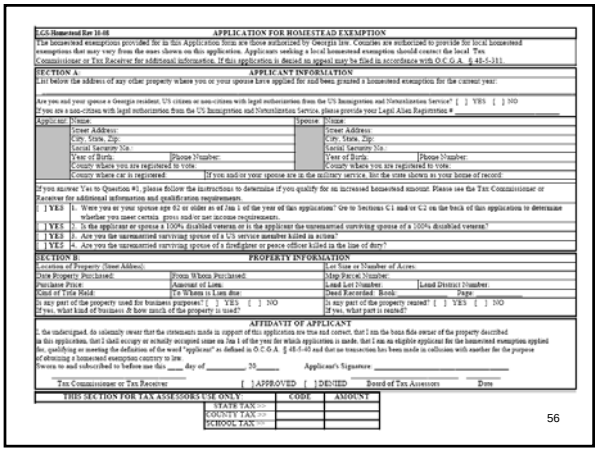
Georgia Department of Revenue

Forms

Online at:

www.dor.georgia.gov

55



LGS-Homestead Rev 10-08

APPLICATION FOR HOMESTEAD EXEMPTION

The homestead exemption provided for in this Application form are those authorized by Georgia law. Counties are authorized to provide for local homestead exemptions that may vary from the ones shown on this application. Applicant seeking a local homestead exemption should contact the local Tax Commissioner or Tax Receiver for additional information. If this application is denied an appeal may be filed in accordance with O.C.G.A. § 48-5-311.

SECTION A. APPLICANT INFORMATION

List below the address of any other property where you or your spouse have applied for and been granted a homestead exemption for the current year:

Are you and your spouse a Georgia resident, US citizen or non-citizen with legal authorization from the US Immigration and Naturalization Service? [ ] YES [ ] NO

If you are a non-citizen with legal authorization from the US Immigration and Naturalization Service, please provide your Legal Alien Registration # _____

Applicant	Name		Spouse	Name	
	Street Address:			Street Address:	
	City, State, Zip:			City, State, Zip:	
	Social Security No.:			Social Security No.:	
	Year of Birth:	Phone Number:		Year of Birth:	Phone Number:
	County where you are registered to vote:			County where you are registered to vote:	
	County where car is registered:	If you and or your spouse are in the military service, list the state shown as your home of record:			

If you answer Yes to Question #1, please follow the instructions to determine if you qualify for an increased homestead amount. Please see the Tax Commissioner or Receiver for additional information and qualification requirements.

[ ] YES 1. Were you or your spouse age 62 or older as of Jan 1 of the year of this application? Go to Sections C1 and/or C2 on the back of this application to determine whether you meet certain gross and/or net income requirements.

[ ] YES 2. Is the applicant or spouse a 100% disabled veteran or is the applicant the unremarried surviving spouse of a 100% disabled veteran?

[ ] YES 3. Are you the unmarried surviving spouse of a US service member killed in action?

[ ] YES 4. Are you the unmarried surviving spouse of a firefighter or peace officer killed in the line of duty?

SECTION B. PROPERTY INFORMATION

Location of Property (Street Address):		Lot Size or Number of Acres:	
Date Property Purchased:	From Whom Purchased:	Map Parcel Number:	
Purchase Price:	Amount of Loan:	Land Lot Number:	Land District Number:
Kind of Title Held:	To Whom is Loan due:	Deed Recorded: Book:	Page:
Is any part of the property used for business purposes? [ ] YES [ ] NO		Is any part of the property rented? [ ] YES [ ] NO	
If yes, what kind of business & how much of the property is used?		If yes, what part is rented?	

AFFIDAVIT OF APPLICANT

I, the undersigned, do solemnly swear that the statements made in support of this application are true and correct, that I am the bona fide owner of the property described in this application, that I shall occupy or actually occupied same on Jan 1 of the year for which application is made, that I am an eligible applicant for the homestead exemption applied for, qualifying or meeting the definition of the word "applicant" as defined in O.C.G.A. § 48-5-40 and that no transaction has been made in collusion with another for the purpose of obtaining a homestead exemption contrary to law.

Sworn to and subscribed to before me this ____ day of _____ 20____ Applicant's Signature: _____

Tax Commissioner or Tax Receiver [ ] APPROVED [ ] DENIED Board of Tax Assessors Date

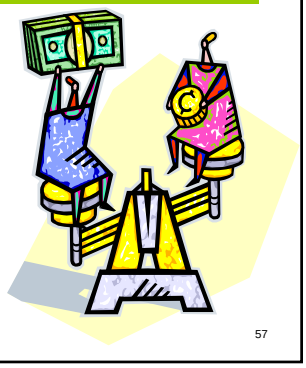
THIS SECTION FOR TAX ASSESSORS USE ONLY	CODE	AMOUNT
STATE TAX >>		
COUNTY TAX >>		
SCHOOL TAX >>		

56

Georgia Department of Revenue

Regular (S1)

- $2,000 exemption from M & O
  - State
  - County
  - School



57

Georgia Department of Revenue

How to Figure a Homestead Exemption

[(40% * FMV) – 2,000] * millage rate

100,000 * 40% = 40,000

40,000 – 2,000 = 38,000

38,000 * .02000 = $760.00

58

Georgia Department of Revenue

SC

- O.C.G.A. 48-5-48.3
- 65 years of age and older on January 1st
- 100% exemption on house and 10 acres
- State ONLY
- In addition to any other exemption
- No income information needed

59

Georgia Department of Revenue

How to Figure SC Elderly

Over the Age of 65
Net Income of 50,000
15 acres of land and house
FMV of house = 150,000
FMV of land = 75,000

Millage Rate
State = .25
County = 10.75
School = 19.00

60

Georgia Department of Revenue

FMV of house = 150,000
FMV of land = 75,000

150,000 x 40% = 60,000
75,000 / 15 = 5,000 an acre x 10 = 50,000
50,000 x 40% = 20,000
State Exemption = 60,000 + 20,000 + 2,000

61

Georgia Department of Revenue

State Portion
150,000 + 75,000 = 225,000
225,000 x 40% = 90,000
90,000 – 82,000 = 8,000
8,000 x .00025 = 2.00
Tax Due = 2.00

62

Georgia Department of Revenue

County Portion
90,000 – 2,000 = 88,000 x .01075 = 946.00
8,000 x .01075 = 86.00
Tax Due = 860.00

School Portion
90,000 – 2,000 = 88,000 x .019 = 1672.00
8,000 x .019 = 152.00
Tax Due = 1520.00

63

Georgia Department of Revenue

Total Tax Bill

State = 2.00
County = 860.00
School = 1520.00

Total Due = $2,382.00

64

Georgia Department of Revenue

$10,000 School Exemption

- A.K.A. (S3)
- 48-5-52
- Must be Age 62 on January 1
- Must meet requirements for (S1)
- $10,000 Net Income
  (Applicant and Spouse)
- Applies to School M & O and Bond

65

Georgia Department of Revenue

$4,000 State and County Exemption

- A.K.A. (S4)
- 48-5-47
- Must be Age 65 on January 1
- Must meet requirements for (S1)
- $10,000 Net Income
  (Applicant and Spouse)
- Applies to M & O and Bond on
  - State
  - County
  - School = 10,000

66

Georgia Department of Revenue

Income Tax Returns

- Use most current tax information
- May require to prove income yearly

General rule—elderly income decreases with age

67

Georgia Department of Revenue

Definition of GA Net Income

- 48-7-27
- Homestead Form may be used as Affidavit of Income
- Transfer information from Work Form to Homestead Form

68

Georgia Department of Revenue

48-5-52

- "net income shall not include income received as retirement, survivor, or disability benefits under the federal Social Security Act or under any other public or private retirement, disability, or pension system, except such income which is in excess of the maximum amount authorized to be paid to an individual and his or her spouse under the federal Social Security Act."

69

Georgia Department of Revenue

Maximum Social Security

2015 - $63,912

- should be used when determining the eligibility of any taxpayer seeking the elderly homestead exemptions

- www.ssa.gov/pressoffice/factsheets/colafacts2015.htm

70

Georgia Department of Revenue

Application Form

SECTION C: 1. COMPLETE THIS SECTION TO DETERMINE ELIGIBILITY OF NET INCOME REQUIREMENT

INCOME FOR YEAR ENDING DECEMBER 31, 20____	**Column 1A Applicant Only or Applicant & Spouse if Tax Return filed Jointly**	**Column 1B Spouse Only if Tax Return Filed Separately**
Line 1-Total Income from Public or Private retirement, disability or pension system		
Line 2-Total Income from Social Security		
Line 3-Total income from Retirement and Social Security (Line 1 plus Line 2)		
Line 4-Maximum Social Security amount (from Tax Receiver)-Cannot exceed Line 3		
Line 5-Adjusted Income (Line 3 less Line 4)		
Line 6-Other Income from all sources		
Line 7-Adjusted Income (Line 5 plus Line 6)		
Line 8-Standard or Itemized Deductions from Georgia Income Tax Return		
Line 9-Personal exemption Amount from Georgia Income Tax Return		
Line 10-Net Income (Line 7 less Lines 8 & 9)		
If filing Jointly (Line 10, Column 1A) Must be < $10,000		
If filing Separately (Total of Line 10, Columns 1A & 1B) Must be < $10,000		

71

Georgia Department of Revenue

Application Form Continued

SECTION C1. COMPLETE THIS SECTION TO DETERMINE ELIGIBILITY OF NET INCOME REQUIREMENT
INCOME FOR YEAR ENDING DECEMBER 31, 20____

	Column 1A Applicant	**Column 1B Spouse**
Line 1-Total Income from Public or Private Retirement, disability or pension system	21646	
Line 2-Total Income from Social Security	10790	
Line 3-Total income from Retirement and Social Security (Line 1 plus Line 2)	32436	

72

Georgia Department of Revenue

Application Form Continued

	Column 1A Applicant	Column 1B Spouse
Line 4-Maximum Social Security amount (from Tax Receiver)	63912	
Line 5-Adjusted Income (Line 3 less Line 4)	0	
Line 6-Other Income from all sources	16595	
Line 7-Adjusted Income (Line 5 plus Line 6)	16595	

73

Georgia Department of Revenue

Georgia Standard Deductions

- Single/Head of Household $2,300
- Married filing Joint $3,000
- Married filing separate $1,500
- Additional Deductions $1,300
  - Blind
  - Over 65

74

Georgia Department of Revenue

Georgia Personal Exemptions

- Line 6C $2,700
  - Yourself and Spouse
- Line 7A $3,000
  - Dependants

75

Georgia Department of Revenue

Application Form Continued

	Column 1A Applicant	Column 1B Spouse
Line 8-Standard or Itemized Deductions from Georgia Income Tax Return	3000	
Line 9-Personal exemption Amount from Georgia Income Tax Return	5400	
Line 10-Net Income (Line 7 less Lines 8 & 9)	8195	

76

Georgia Department of Revenue

Disabled Veterans

- $70,465
- Apply to M & O and Bond for
  - State
  - County
  - School
- Qualifications
  - Wartime Veteran – Totally Disabled
  - Form DD #214
  - Letter from Doctor verifying disability

77

Georgia Department of Revenue

SD

- 48-5-48.3
- Must meet the requirements of S5 Disabled Veteran.
- Individuals 65 years of age and older on January 1
- 100% exemption on House and 10 acres
- State ONLY
- In addition to

78

Georgia Department of Revenue

Surviving Spouse (SS)

- 48-5-52.1
- Spouse killed in an armed conflict
- May not remarry
- $70,465
- Applies to M & O and Bonds for
  - State
  - County
  - School

79

Georgia Department of Revenue

SE

- Must meet the requirements of SS Surviving Spouse
- 65 years of age and older
- 100% exemption on house and 10 acres
- State ONLY.
- In addition to

80

Georgia Department of Revenue

SG

- 48-5-48.4
- Peace Officers and Fire Fighters
- 100% exemption from state, county, school, municipal, and bond taxes
- Unremarried surviving spouses
- In lieu of any existing exemptions

81

Georgia Department of Revenue

Floating Exemptions

- 62 years of age
- Appraised value should increase more than $5,000 to benefit
- Total household income not to exceed $30,000
- Does not apply to municipal or school taxes.

82

Georgia Department of Revenue

Tax Deferrals

- 62 years of age
- Entitled to a homestead
- Total amount of taxes and interest and all other liens cannot exceed 85% of FMV
- Gross household income less than $15,000

83

Georgia Department of Revenue

Valuation Freeze

- Much like the floating homestead
- Locally Granted on County and/or School Only
- Does NOT affect State taxes
- FMV continues to increase
  - Exemption increases yearly
- Valuation changes when sold

84

Georgia Department of Revenue

Tax Deferral

- 48-5-70
- 62 years old on January 1
- entitled to claim homestead exemption
- Taxes, interest, and other liens can not exceed 85% of the fair market value
- Gross household income < $15,000
- must have fire insurance with a loss payable clause to the county tax collector or county tax commissioner.

85

Georgia Department of Revenue

Freeport Exemptions

- Applies to State, County and School
- Percentage set by Governing Authority
  - 20%, 40%, 50%, 80% or 100%

Between	And	Percentage of Exemption Allowed
March 2	March 31	9/12 or 75 per cent
April 1	April 30	8/12 or 67 per cent
May 1	May 31	7/12 or 58 per cent
On June 1	N/A	6/12 or 50 per cent

86