

Birch Run Township
Assessor's Office

APPLICATION FOR AD VALOREM PROPERTY TAX EXEMPTION

The Michigan Constitution of 1963 (as amended) and the General Property Tax Act (PA 206 of 1893, as amended) set forth that all real and personal property located within the State of Michigan is subject to ad valorem property taxation, unless expressly exempt.

Real and personal property exemptions are identified and authorized within specific sections and subsections of Section 211.7 and Section 211.9 of the Michigan Compiled Laws. Further, Michigan Courts have set that the burden of proof of exemption entitlement rests with the claimant/applicant. An claimant/applicant's 501(c)(3) status is not a determining factor for exemption [*American Concrete Institute v State Tax Commission*, 12 Mich App595;163 NW2d 508 (1968)].

In the *Engineering Society of Detroit v Detroit*, 308 Mich 539 (1044), the Michigan Supreme Court established a four-part test for claimants/applicants requesting an exemption pursuant to MCL 211.7o. This four-part is also applicable for claimants/applicants requesting an exemption pursuant to MCL 211.7n:

- 1) The exemption claimant/applicant must be incorporated as non-profit. **AND**
- 2) The exemption claimant/applicant must be a theater, library, educational institution, scientific institution benevolent or charitable institution, or hospital. **AND**
- 3) The real estate must be owned and occupied by the exemption claimant/applicant. **AND**
- 4) The exemption exists only when the claimant/applicant uses the property solely for the purpose for which it was incorporated.

If you believe that you or your organization is eligible for a qualifying ad valorem property tax exemption, you may file an application with the Birch Run Township Assessor's Office. **The following documentation must be submitted to the Assessor on or before December 1st to be reviewed for applicable exemption approval for the subsequent tax year:**

- 1) Completed Application for Ad Valorem Property Tax Exemption
- 2) Copy of Articles of Incorporation
- 3) Copy of By-Laws
- 4) Current Nonprofit Corporation Information Update
- 5) Copy of instrument by which property was acquired (Warranty Deed, Quit Claim Deed, Land Contract, or Bill of Sale)
- 6) Copy of any pamphlet, other information, or literature describing the functions of the organization
- 7) Copy of previous 3 years of Income Tax filings including 990 forms
- 8) Copy of 501(c)(3) Approval Letter
- 9) FEIN- Federal Tax Identification Number

A member of the Assessor's Office will review all required documentation that has been filed by the claimant/applicant. The Assessor's office reserves the right to periodically audit exemption qualifications by means of property inspection and requests for additional documentation.

Any organization that is granted an Ad Valorem Tax Exemption has 30 days from which the property no longer qualifies for an exemption to notify the Assessor's Office of such, notification is required by certified mail. If the Assessor later determines that an applicant failed to notify the Assessors Office, or it is found that the applicant submitted false or misleading information in application, the Assessor will return the property back to the assessment roll for the current and up to 3 years previous if necessary.

If you have any questions or concerns regarding the ad valorem property tax exemption process, please feel free to contact the Assessor's Office at (989) 624-9773.

Submit completed application and supporting documentation to:

**Birch Run Township
Assessor's Office
8425 Main Street P O Box 152
Birch Run, Michigan 48415**

Application for Property Tax Exemption

Property Tax ID (Parcel Number): _____

Street Address of Property: _____

Name of Organization: _____

Mailing Address: _____

Officers: _____ Title: _____

Under what section(s) of the Michigan General Property Tax Act are you requesting exemption?

Please state the reason you are applying for this exemption:

Are you currently receiving a property tax exemption in another Michigan City or Township?

Yes _____ No _____

If Yes, where and what type of exemption is being received?

Please enclose the following documents with this application: **(All information is required)**

1. Articles of Incorporation
3. Proof of Ownership

2. I.R.S. Statement indicating status
4. By Laws

Signature/Title

Phone#

Date

For Office Use Only:

Approved: Yes _____ No _____

Assessor

Date