

# TOWN OF OAK BLUFFS

Parcel ID

## SENIOR 65 AND OLDER

### FY2024 APPLICATION FOR PROPERTY TAX DEFERRAL

General Laws Chapter 59, Section 5, Clause 41A

THIS APPLICATION IS NOT OPEN  
TO PUBLIC INSPECTION  
(See General Laws Chapter 59, Section 60)  
Must be filed with Board of Assessors within 3  
months after actual (not preliminary) tax bills are  
mailed for fiscal year.

Tax Deferral and Recovery Agreement Form 97-1 must  
accompany application unless already on file and persons  
with interest in property remain the same.

**INSTRUCTIONS. Complete all sections fully. (Please print or type.)**

**A. IDENTIFICATION**

Name of Applicant \_\_\_\_\_

Marital Status \_\_\_\_\_ Date of Birth \_\_\_\_\_

(If first year of application, attach copy of birth certificate or other government-issued identification.)

Legal Residence (Domicile) on July 1, 2023? \_\_\_\_\_

Mailing Address (If different) \_\_\_\_\_ Tel. No. \_\_\_\_\_

Location of Property \_\_\_\_\_ No. of Dwelling Units \_\_\_\_\_

Did you own the property on July 1, 2023? and for the prior 10 years? Yes  No

If no, list the other properties you owned and/or occupied during the past 10 years.

Address	Dates	Owned	Occupied
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>

Have you been granted any exemption in any other city or town for this year? Yes  No

If yes, name of city or town \_\_\_\_\_ Amount exempted \$ \_\_\_\_\_

**DISPOSITION OF APPLICATION (ASSESSORS' USE ONLY)**

\_\_\_\_\_ Ownership \_\_\_\_\_ GRANTED Assessed Tax \_\_\_\_\_

\_\_\_\_\_ Occupancy \_\_\_\_\_ DENIED Deferred Tax \_\_\_\_\_

\_\_\_\_\_ Status \_\_\_\_\_ DEEMED DENIED Adjusted Tax \_\_\_\_\_

\_\_\_\_\_ Age \_\_\_\_\_ BOARD OF ASSESSORS

\_\_\_\_\_ Income Date Voted/Deemed Denied \_\_\_\_\_

Certificate No. \_\_\_\_\_

Date Cert./Notice Sent \_\_\_\_\_ Date \_\_\_\_\_

**FILING THIS FORM DOES NOT STAY THE COLLECTION OF YOUR TAXES.**

THIS FORM APPROVED BY THE COMMISSIONER OF REVENUE

OVER

**B. PERSONS WITH INTEREST IN PROPERTY.**

Did you own the property on July 1, 2023? Yes  No

If yes, were you Sole Owner  Co-Owner with Spouse Only  Co-Owner with Others

? Was there a mortgage on the property as of July 1, 2023? Yes  No

If yes, Amount Due on Mortgage \$ \_\_\_\_\_

Name of Mortgagee(s) \_\_\_\_\_

Was property subject to a life estate as of July 1, 2023? Yes  No

If yes, Name(s) of Remaindermen (Person(s) receiving property after your death) \_\_\_\_\_

Was the property subject to a trust as of July 1, 2023? Yes  No

If yes, attach trust document including all schedules.

**C. GROSS RECEIPTS FROM ALL SOURCES IN PRECEDING CALENDAR YEAR.  
Copies of your federal and state income tax returns may be requested to verify your income.**

	Applicant and Spouse	Co-Owner and Spouse(s)
Retirement Benefits (Social Security, Railroad, Federal, Mass and Political Subdivisions) .....	_____	_____
Other Pensions and Retirement Allowances .....	_____	_____
Wages, Salaries and other Compensation .....	_____	_____
Net Profits from Business or Profession .....	_____	_____
Interest and Dividends .....	_____	_____
Other Receipts (Rent, Capital Gains, etc.) .....	_____	_____
TOTALS .....	_____	_____

**D. SIGNATURE. Sign here to complete the application.**

This application has been prepared or examined by me. Under the pains and penalties of perjury, I declare that to the best of my knowledge and belief, it and all accompanying documents and statements are true, correct and complete.

\_\_\_\_\_ Your Signature \_\_\_\_\_ Date

If signed by agent, attach copy of written authorization to sign on behalf of taxpayer.

## TAXPAYER INFORMATION ABOUT PROPERTY TAX DEFERRAL

You may be eligible to defer payment of all or a portion of the taxes assessed on property you own and occupy as your domicile if you meet certain age, ownership, residency and income qualifications, and enter into a tax deferral agreement with the Board of Assessors. If you also qualify for a personal exemption, you may defer all or a portion of the remaining taxes on the property.

**REPAYMENT.** Unlike an exemption, a tax deferral simply allows you to postpone payment of your taxes. If you qualify, you must enter into a tax deferral agreement that requires the deferred taxes, along with interest to be repaid in full (1) when the property is sold or transferred, (2) upon your death, or (3) upon the death of your surviving spouse if he or she qualifies for a deferral and enters into a new tax deferral agreement. Anyone having any legal or beneficial interest in the property must also approve the tax deferral agreements.

Once you have entered into a tax deferral agreement, the assessors will record a statement at the Registry of Deeds. That statement continues the lien that already exists on your property by law to ensure the payment and collection of your taxes. Once the deferred taxes are repaid the lien is released. However, if the deferred taxes are not paid when due, your city or town will then be able to recover the amount by foreclosing on the lien in Land Court.

**INTEREST.** If you qualify for a deferral in subsequent years, you may defer taxes until the amount due, including accrued interest, equals 50% of your share of the full and fair cash value of the property. Interest at an annual rate of 8% is charged on deferred taxes until the property is sold, your death, or the death of your surviving spouse if a new agreement has been entered into. The interest rate then increases to 16% per annum until the deferred taxes are repaid.

**WHO MAY FILE AN APPLICATION.** You may file an application if as of July first you:

- **Are 65 or older,**
- Owned and occupied the property as your domicile,
- Owned and occupied any property in Massachusetts as your domicile for at least 5 years,
- Lived in Massachusetts for at least the prior 10 years, and
- Have an annual income not more than \$35,000, or not more than a locally adopted income limit. Locally adopted income limits cannot be more than \$40,000. Your Board of Assessors can tell you the limit that applies in your community.

**WHEN AND WHERE APPLICATION MUST BE FILED.** Your application must be filed with the Board of Assessors by December 15 or 3 months after the actual (not preliminary) tax bills were mailed for the fiscal year, whichever is later. **THIS DEADLINE CANNOT BE EXTENDED OR WAIVED BY THE ASSESSORS FOR ANY REASON. IF YOUR APPLICATION IS NOT TIMELY FILED, YOU LOSE ALL RIGHTS TO A DEFERRAL AND THE ASSESSORS CANNOT BY LAW GRANT YOU ONE. AN APPLICATION IS CONSIDERED FILED WHEN RECEIVED BY THE ASSESSORS.**

**PAYMENT OF TAX.** Filing an application does not stay the collection of your taxes. In some cases, you must pay the tax when due to appeal the assessors' disposition of your application. Failure to pay the tax when due may also subject you to interest charges and collection action. To avoid any loss of rights or additional charges, you should pay the tax as assessed. If a deferral is granted and you have already paid the entire year's tax exempted, you will receive a refund of any overpayment.

**ASSESSORS' DISPOSITION.** Upon applying for a deferral, you may be required to provide the assessors with further information and supporting documentation to establish your eligibility. The assessors have 3 months from the date your application is filed to act on it unless you agree in writing before that period expires to extend it for a specific time. If the assessors do not act on your application within the original or extended period, it is deemed denied. You will be notified in writing whether an exemption has been granted or denied.

**APPEAL.** You may appeal the disposition of your application. The disposition notice will provide you with further information about the appeal procedures and deadline.

**MORE DETAILED INFORMATION ABOUT THE TAX DEFERRAL MAY BE OBTAINED FROM YOUR BOARD OF ASSESSORS.**