

BY-LAW NO. 98-11

Being a by-law to allow for deferrals of assessment-related residential tax increases in 1998 for low-income seniors and low-income persons with disabilities in the Township of Prince

WHEREAS the *Municipal Act, M45, R. S. O. 1990*, as amended, Section 373 provides that the Council of a single-tier or an upper-tier municipality must pass a by-law to provide for residential tax deferrals for assessment related tax increases for 1998 for low-income seniors and low-income disabled-persons.

NOW THEREFORE the Council of the Corporation of the Township of Prince ENACTS AS FOLLOWS:

I. DEFINITIONS

1. In this by-law:

- a) "Assessment-related tax increase" means a tax increase for 1998, as defined in Section 373 of the *Municipal Act*, as amended.
- b) "Eligible amount" means the "assessment-related tax increase" provided that said assessment-related tax increase for any single year exceeds \$100.00
- c) "Eligible person" means a low-income person with disabilities or a low-income senior or the spouse of such eligible person;
- d) "Low-income person with disabilities" means a person who receives support under the provisions of the *Ontario Disability Support Program Act, 1997*, or a disability amount paid under the *Family Benefits Act (Ontario)*.
- e) "Low-income senior" means a person who is 65 years of age or older and in receipt of an increment paid under the *Guaranteed Income Supplement (GIS)*, as established under Part II of the *Old Age Security Act (Canada)*;
- f) "Owner" means a person assessed as the owner of residential real property and includes an owner within the meaning of the *Condominium Act*
- g) "Treasurer" means the Clerk-Treasurer-Administrator of the Township of Prince

II FORM OF TAX RELIEF

- 1. The tax relief shall be in the form of a deferral of the eligible amount as calculated by the Treasurer of an assessment related tax increase in any year provided that:
 - (i) the application made by the eligible person must be for property owned and occupied by that person in the residential or farm property class
 - (ii) the property in question must have been owned and occupied by the applicant from January 1st in the year in which the application is made until the date the application is made, and
 - (iii) relief is granted only on an annual basis
- 2. Interest will be charged on the outstanding balance of the deferred amount annually at a rate equal to the prime rate of interest charged by the Township's bank as of June 1st in each year that a deferral is granted. The interest will be added to the tax relief and shall form part of the deferred amount.

3. The deferred amount of taxes is a lien on the property and shall be deemed to be taxes in accordance with the Municipal Act and the lien must be extinguished prior to any transfer of ownership by an eligible person.

III. REPAYMENT OF DEFERRED AMOUNT

1. Annual eligible amounts shall be deferred until the subject property is transferred, sold or otherwise disposed of by an eligible person at which time the total deferred amount including any part year portions and accumulated interest shall become due and payable to the Township.
2. If an eligible person for whom tax relief has been granted ceases to be an eligible person under this by-law all amounts previously deferred including any part year portions and accumulated interest shall become due and payable to the Township.
3. If the property is transferred or otherwise disposed of under subsection 1 or a person ceases to be an eligible person under subsection 2 and the amount required to be paid to the Township has not been paid, then the interest charged on any amount not so paid shall be the same interest rate charged by the Township on arrears of taxes.

IV. TAX DEFERRALS

Tax deferrals under this by-law apply only to assessment related tax increases on the property in the residential/farm class:

- (i) for this by-law the Corporation shall determine the amount of assessment-related tax increases in accordance with the Fair Municipal Finance Act, 1997 (No. 2);
- (ii) for 1998, the amount of assessment related increase will be $1997 \text{ taxes (class)} \div 1998 \text{ assessment (class)} \times 1998 \text{ assessment (property)} - 1997 \text{ taxes (property)}$
- (iii) in subsequent years, assessment related tax increases will be determined in accordance with this by-law and regulations passed under the Municipal Act
- (iv) if an improvement to a property is reflected in the assessment used to calculate 1998 taxes but is not reflected in the assessment used for 1997 property tax purposes, the 1998 assessment will be adjusted to what would have been recorded if the improvement has not been reflected in the 1998 assessment
- (v) in accordance with the definition of eligible amount, the first \$100.00 of assessment related tax increase will be paid by the eligible person and the balance will be the deferred amount

V. APPLICATION PROCEDURE

Applications will be accepted and processed as follows:

- (i) Applications will be available from and accepted at the Municipal Office
- (ii) Applications will be received by the Township no later than November 1st in the year for which the tax deferral is requested
- (iii) Applications attached as Schedule "A" to this by-law will be accompanied by documentation establishing that the applicant is an eligible person and that the property for which the application is made is an eligible property

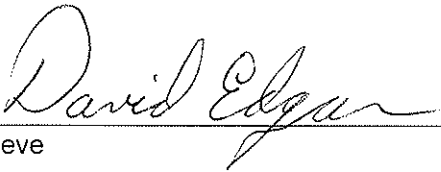
- (iv) by signing the application, the applicant is assuring the Township that the applicant has read and understands the tax relief program for low income seniors and low income disabled persons and further acknowledges that a lien will be placed on the subject property for the deferred amount and further grants the Township permission to independently verify any documentation provided with the application
- (v) applications must be made annually to the Township to maintain eligibility.

VI. EFFECTIVE DATE

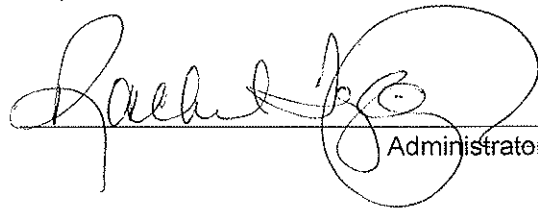
This by-law shall come into force and be passed on the third and final reading thereof.

By-law read a FIRST AND SECOND time this 8th day of September, 1998.

By-law read a THIRD AND FINAL time this 8th day of September, 1998.



Reeve



Administrator

SCHEDULE

**THE CORPORATION OF THE
TOWNSHIP OF PRINCE**

APPLICATION FOR DEFERRAL OF TAXES FOR LOW INCOME SENIORS
AND LOW INCOME DISABLED PERSONS

Request for Deferral for the taxation year 199

Name: _____

Address: _____

Postal Code: _____

Telephone No.: _____

Social Insurance Number: _____

Please select and complete one of the categories:

Low Income Senior

Date of Birth: _____

Must be 65 years of age or older on December 31, 1998

Please attach proof of age (Photocopy of Provincial Senior Citizen Card or Birth Certificate)

Please attach proof of support under the Guaranteed Annual Income Supplement (letter or cheque stub.)

Low Income Disabled Person

Please attach proof of support under the Ontario Disability Support Program (letter or cheque stub)

You will be required to pay the first \$100.00 of any assessment related tax increase.

Declaration:

I have read and understand the Township of Prince's policy on tax relief for low income seniors and low income disabled persons and further acknowledge that a lien will be placed on the subject property for the deferred amount and further grant the Corporation permission to independently verify any documentation provided with the application.

Owner's signature

Date