

Homestead Credit for Senior Citizens or Disabled Persons

Cory Fong, Tax Commissioner

North Dakota's Homestead Tax Credit program provides assistance to the elderly and disabled who need help in paying their property taxes through a reduction in taxable value according to income.

Eligibility Requirements:

You may be eligible for North Dakota's Homestead Credit Program if you are:

- 65 years of age or older
or
- Permanently and totally disabled

Qualified homeowners receive a credit to reduce property taxes on their home and qualified renters receive a partial refund of their rent.

Homeowner Requirements:

1. You must be 65 years of age or older (unless you are permanently and totally disabled) in the year for which your application is made.
2. For a husband and wife who are living together, only one may apply for the credit. Only the spouse applying for the credit need be 65 years of age or older.
3. You must reside on and have an interest in the property for which the credit is claimed.
4. Your income, plus the income of your spouse and any dependents, may not exceed \$17,500 for the calendar year preceding the assessment date. You must consider income from all sources, which includes but is not limited to social security benefits, pensions, salaries, Experience Works, TANF, alimony, unemployment benefits, dividends, interest, net gains from the sale of property, net rental income and net profit from any business, including ranching and farming.
5. Payments NOT considered income under this act include: gifts, inheritances, life insurance proceeds, social security lump sum death payments, workforce safety and insurance payments, insurance policy proceeds for illness, injury, or casualty losses to property, child support, federal fuel assistance, renter's

refund payments, food stamps, veteran's disability payments, payments for foster care of a qualifying child or adult or for difficult care, Foster Grandparents Program, Retired Senior Volunteer Program (RSVP), Senior Companion Program and Vista Program.

6. Medical expenses actually paid during the year are deductible from income if not compensated for by insurance or otherwise.
7. Your assets may not exceed \$50,000, including the value of any assets gifted or otherwise divested within the last three years, excluding the first unencumbered \$100,000 of market value of your homestead.
8. The homestead credit will reduce the homeowner's taxable value according to the following schedule:

If your income is:	Taxable value is reduced by	Maximum reduction
\$ 0 - 10,000	100%	\$ 3,375
10,001 - 12,000	80%	2,700
12,001 - 14,000	60%	2,025
14,001 - 16,000	40%	1,350
16,001 - 17,500	20%	675

9. The property tax credit is subject to adjustment, equalization and abatement in the same manner as other real property assessments.
10. If you believe you are eligible, file an application with your local assessor or county director of tax equalization by February 1 (or as soon thereafter as possible) in the year in which your property is assessed and for which the credit is requested.
11. In the event of the applicant's death, all benefits terminate at the end of the taxable year.
12. No person shall qualify to receive the property tax credit if the homestead is rented while the owner is temporarily absent or the homestead is a farm structure which is exempt from taxation.

Renter Requirements:

1. You must be 65 years of age or older (unless you are permanently and totally disabled) in the year for which the refund is claimed.
2. For a husband and wife who are living together, only one may apply for the refund. Only the spouse applying for the refund need be 65 years old or older.
3. Renters must meet the same income requirements as homeowners. There is no asset limitation for renters.
4. No refund may be made to a person who pays rent or fees for any living quarters, including nursing homes, that are exempt from property taxation and for which payment in lieu of property taxes is not made.
5. Heat, water, lights, telephone or furniture costs may not be considered as part of your rent costs. If your landlord pays for these items, you must deduct the cost of these items from your rent when you apply for a refund. If you pay for your utilities and furniture yourself, you may not add the costs of these items to your rent when you apply for the refund.
6. In order for you to receive a refund for part of the rent you pay, your annual rent payments must use up a certain percentage of your income. Here is how the formula works:

When 20% of your annual rent exceeds 4% of your income, you receive a refund for the overpayment of rent. Example: A renter pays \$200 per month in rent (\$2,400 per year), and the renter's income is \$8,000.00.

20% of \$2,400 is \$480
4% of \$8,000 is \$320

Because \$480 is \$160 greater than \$320, the renter is entitled to a refund of \$160.
7. A refund may not exceed \$240.
8. If you believe you are eligible, file an application with the Office of State Tax Commissioner before June 1 following the year for which the refund is claimed. Extensions of time may be allowed for good cause.

Disabled Person Requirements:

1. You must be a permanently and totally disabled person.
2. Proof of total disability must be established with a certificate from a licensed physician, or a written determination of disability from the social security administration.
3. You may be either a homeowner or renter.
4. There is no age requirement for the permanently and totally disabled applicant.
5. A disabled homeowner must meet the same requirements, except for age, as a senior citizen homeowner (see the section on "Homeowner Requirements").
6. A disabled renter must meet the same requirements, except for age, as a senior citizen renter (see the section on "Renter Requirements").

Application Process for Homestead Credit or Rent Refund:

1. Contact your local assessor or county director of tax equalization for further information and the proper application form. You may also call the Office of State Tax Commissioner for more information or an application:
 - 328.3127 (Bismarck-Mandan area)
 - 1.800.638.2901, option 5 (Toll-free)
 - 1.800.366.6888 Hearing/Speech Impaired (TTY Relay North Dakota)
2. Homeowners must file an application for a property tax credit with their local assessor or county director of tax equalization.
3. Renters must file an application for a refund with the Office of State Tax Commissioner before June 1 following the year for which the refund is claimed. Applications must be sent to: the Office of State Tax Commissioner, 600 E. Boulevard Ave., Dept. 127, Bismarck, ND 58505-0599.