SENIOR PROPERTY TAX HOMESTEAD EXEMPTION

A property tax exemption is available to qualifying senior citizens and the surviving spouses of seniors who previously qualified. The three basic requirements are: 1) the qualifying senior must be at least 65 years old on January 1 of the year in which he or she qualifies; 2) the qualifying senior must be the owner of record, and must have been the owner of record for at least ten consecutive years prior to January 1; and 3) the qualifying senior must occupy the property as his or her primary residence, and must have done so for at least ten consecutive years prior to January 1.

For those who qualify, 50 percent of the first $200,000 of actual value of the applicant's primary residence is exempted. The state will reimburse the county treasurer for the lost revenue.

An applicant or married couple can apply for the exemption on only one property. That property must be his or her primary residence. Married couples and individuals who apply for the exemption on multiple properties will be denied the exemption on each property.

For the purpose of the exemption, "primary residence" is the place at which a person's habitation is fixed and to which that person, when absent, has the intention of returning. A person can have only one primary residence at a time. If the applicant is registered to vote, the address used for voter registration is considered the applicant's primary residence. If the applicant is not registered to vote, the address listed on automobile registrations, income tax returns, or other legal documents may be considered as evidence of the applicant's place of primary residency.

The property must be classified by the county assessor as residential. If the applicant owns a multiple dwelling unit property, the exemption will only be granted to the unit occupied by the applicant as his or her primary residence.

The attached Long Form is one of two application forms created for the exemption. The Long Form is intended for individuals applying under the **surviving spouse** option and for applicants applying as the qualifying senior who fall within certain **exceptions** to the occupancy and ownership requirements.

The exceptions are: 1) the ownership has been transferred to or purchased by a trust, corporate partnership or other legal entity solely for estate planning purposes; 2) the qualifying senior, spouse, or surviving spouse was or is confined to a nursing home, hospital or assisted living facility; or 3) the prior residence was condemned in an eminent domain proceeding by a governmental entity

If you are applying as a surviving spouse or if any of the above exceptions is true, you must use the Long Form. The completed form must be submitted to the county assessor's office no later than **July 15.** (If the application is not filed by July 15, the assessor must accept late applications through September 15; however, applicants will not have appeal rights for applications filed after July 15.) Your county assessor has a brochure containing additional information about the exemption.

IN ORDER TO PROCESS THE APPLICATION, THE COUNTY ASSESSOR MAY REQUEST ADDITIONAL INFORMATION.

Disabled Veteran Exemption

In November 2006, voters enacted an amendment to the Colorado Constitution extending the senior exemption benefit to disabled veterans. Qualifying veterans are those who have a 100 percent permanent and total disability rating from the U.S. Department of Veterans Affairs as a result of a service-connected disability and who have owned and occupied the property as their primary residence since January 1.

Application forms are available from the Colorado Department of Military and Veterans Affairs, Division of Veterans Affairs, 1355 S. Colorado Blvd., Bldg. C, Suite #113, Denver, CO 80222. Their telephone number is (303) 284-6077. Forms can also be obtained from their web site at http://www.colorado.gov/vets or from the web site of the Colorado Division of Property Taxation at www.dola.colorado.gov/dpt. The filing deadline is July 1.

An individual or married couple is only entitled to one exemption, either senior citizen or disabled veteran, and only on one property. If an individual or married couple applies for exemptions on more than one property, the exemptions will be denied on every property.

LONG FORM INSTRUCTIONS

Note: For questions #1 and #4 below, Colorado statute, §§ 39-3-205(2)(a)(I) and (III), C.R.S., requires that the name and **social security number** of each individual who occupies the property as his or her primary residence be listed on the application form. The names and social security numbers of the applicant and each occupant are used to ensure that no individual or married couple applies for the exemption on more than one property. The statute requires that the information be kept confidential.

1. **IDENTIFICATION OF APPLICANT AND PROPERTY:** Identify the applicant (qualifying senior or surviving spouse) and the property in this section. It is permissible for ownership to be held in a life estate. If ownership is held in a life estate, checking the life estate box will assist the assessor's office in processing your application.

2. **AGE AND OCCUPANCY REQUIREMENTS:** Either #2A, #2B, or one of the two statements in #2C must be true to qualify.

2A – For Qualifying Seniors:

- If the statement is true, check the box marked "True," and proceed to section #3.
- If the statement is not true, you may qualify if you fall within one of the two exceptions in #2C, the occupancy exceptions.

2B – For Surviving Spouse of Senior who Previously Qualified:

- If the statement is true, check the box marked "True," and proceed to section #3.
- If statements a), b) or f) are not true, you do not qualify as the surviving spouse of an individual who previously qualified.
- If statement c), d), or e) is not true, you may qualify if you fall within one of the two exceptions in #2C.

2C – Exceptions to Occupancy Requirements: Colorado statutes, §§ 39-3-202(2)(b) and 203(6)(a), C.R.S., provide two exceptions to the 10-year occupancy requirement.

- The qualifying senior or surviving spouse is/was confined to a hospital, nursing home, or assisted living facility.
- The prior home was condemned in an eminent domain proceeding by a governmental entity, or the home was sold to the governmental entity due to a threat of an eminent domain proceeding.

If either statement #2A or #2B would be true if one of the above situations had not occurred, check the appropriate box in #2C and proceed to section #3. You must also provide the information requested in sections #5 or #6 as appropriate.

3. **OWNERSHIP REQUIREMENTS:** Either #3A or #3B must be a true statement to qualify.

3A – Title to the Property Held in Qualifying Senior's Name, or Spouse's Name, or Both:

- The applicant or the applicant's spouse must be the owner of record.
- For any period in which the spouse is or was the owner of record and the applicant was not the owner of record, the spouse and the applicant must have been married, and the spouse must have occupied the property as his or her primary residence with the applicant.
- Title can be held individually, as joint tenants, or as tenants in common.
- A life estate is acceptable.
- If the statement in #3A is true, check the box marked "True" and proceed to section #4.

NOTE:

- Two individuals who are legally married, but who own more than one piece of residential real property, shall be deemed to occupy the same primary residence and may claim no more than one exemption.
- The full amount of the exemption shall be allowed even if any person who does not satisfy the requirements is also an owner of record.

3B – Title to Property Held in a Trust, Corporate Partnership or Other Legal Entity:

Colorado statute, § 39-3-202(2)(a), C.R.S., provides an exception to the ownership requirement for individuals who have transferred ownership of their residence to a trust, corporate partnership or other legal entity solely for estate planning purposes.

- If the ownership has been transferred to a trust, check the box marked "True," and proceed to section #4. You must also provide the information requested in section #7.
- If the ownership has been transferred to a corporate partnership or other legal entity, check the box marked "True," and proceed to section #4. You must also provide the information requested in section #8.

4. **NAME AND SOCIAL SECURITY NUMBER OF EACH ADDITIONAL OCCUPANT:** These are required items.

4A – The Spouse's Name:

- If your spouse occupies the property with you, provide his or her name and social security number, and check the box marked "Yes."
- If you do not have a spouse living with you, list the name and social security number of another occupant, if any, and check the box marked "No."

4B – Other Individuals:

- List all other individuals, including children, who occupy the property as their primary residence.
- If more than three additional people occupy the property, attach an additional sheet of paper listing their names and social security numbers.
- Proceed to section #9 unless question(s) 5-8 apply.

5. **CONFINEMENT TO A HEALTH CARE FACILITY:** Information required from section #2C.

5A – Provide the name of the person confined.
5B – Provide the location of confinement.
5C – Provide the time-frame of confinement.
5D – To qualify for the exemption, the statement must be true.

6. **CONDEMNATION BY EMINENT DOMAIN:** Information required from section #2C and #3B.

6A – Provide the street address of the condemned property.
6B – Provide the dates of ownership of the condemned property.
6C – Provide the dates the condemned property was occupied as the primary residence.
6D – Provide the date the property was condemned.
6E -You cannot have owned and occupied another property between the time of condemnation and the date upon which you owned and occupied your current residence. If you did, you do not qualify for the exemption.
6F – To qualify for the exemption, the statement must be true.
(You must attach documentation verifying the transfer. This may include the sales contract, condemnation order and correspondence from the governmental entity.)

7. **PROPERTY OWNED BY A TRUST:** Information required from section #3B.

7A – Provide the name of the trust.
7B – Provide the name of the maker or makers of the trust. The maker(s) is the person who established the trust. **To qualify, the maker must be the qualifying senior and/or spouse.**
7C – Provide the name of the trustee.
7D –Provide the name of each beneficiary of the trust. Attach an additional sheet of paper if necessary.
7E – To qualify for the exemption, the statement must be true.

8. **PROPERTY OWNED BY A CORPORATE PARTNERSHIP OR OTHER LEGAL ENTITY:** Information required from section #3B.

8A– Provide the name of the corporate partnership or legal entity.
8B– Provide the name of each principal of the corporate partnership or legal entity. Attach an additional sheet of paper if necessary. **To qualify, the qualifying senior or spouse must be a principal of the corporate partnership or legal entity.**
8C– To qualify for the exemption, the statement must be true.

9. **AFFIDAVIT AND SIGNATURE:** You must **sign** and **date** the form. If the form is signed on behalf of the applicant by a guardian, conservator, or attorney-in-fact, that person must provide documentation of his or her authority in the form of a court order or power of attorney. If there is a contact person other than the applicant, please provide the name and telephone number of the contact person.

Submit your application no later than July 15 to the County Assessor at the address listed below. If you have any questions, please contact the County Assessor.

Assessor Name
Address
Telephone Number
e-mail address