SENIOR PROPERTY TAX HOMESTEAD EXEMPTION SHORT FORM

APPLICATION DEADLINE JULY 15

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 senior is registered to vote, the address used for voter registration is considered the senior's primary residence. If the senior 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 senior's place of primary residency. The property must be classified by the county assessor as residential. If the senior owns a multiple dwelling unit property, the exemption will only be granted to the unit occupied by the senior as his or her primary residence.

The **social security numbers** of the applicant and each additional person who occupies the property as his or her primary residence are required by law, §§ 39-3-205(2)(a)(I) and (III), C.R.S. They are used to ensure that no individual or married couple receives the exemption on more than one property.

Two application forms have been created for the exemption. The attached Short Form is intended for qualifying seniors who meet each of the requirements stated above, including those who meet the ownership requirement through ownership by their spouse. The Long Form must be used by 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.

Exceptions to the occupancy and ownership requirements are as follows: 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 or his or her spouse was or is confined to a health care facility; 3) the prior residence was condemned in an eminent domain proceeding.

The **surviving spouse** of an individual who previously qualified is someone who was married to a senior who met each of the application requirements on January 1 of the year of application. Qualifications for the surviving spouse option are listed under "Long Form Qualifications."

The application deadline for either form is **July 15** of the year for which you are seeking exemption. (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.) The exemption must be applied for only once, and it remains in effect for subsequent years as long as the property ownership and occupancy do not change. Your county assessor has a brochure containing additional information about the exemption.

Short Form Qualifications

The application deadline for the attached Short Form is **July 15**. The form can be used by applicants who meet each of the following requirements.

- **Age Requirement:** You are 65 years old or older as of January 1 of the year for which you are seeking exemption.
- **Ownership Requirement:** You are the current owner of record, and you have owned the property for at least 10 consecutive years prior to January 1 of the tax year for which you are seeking the exemption. (You do not have to be the sole owner of the property. You can own it with your spouse or with someone else. You can also own a life estate in the property.)

  If Your Spouse is/was the Owner of Record: For the purpose of the exemption, you are also considered an owner of the property for periods during which your spouse was the owner of record, if, during those periods, your spouse and you were married and your spouse also occupied the property as his or her primary residence.
- **Occupancy Requirement:** You occupy the property as your primary residence, and you have done so for at least 10 consecutive years prior to January 1 of this year.

Long Form Qualifications

If you qualify based on one or more of the following statements, you must use the long application form. The Long Form can be obtained by calling your county assessor at the telephone number listed on this brochure. The deadline for applying is **July 15.**

- **Surviving Spouse Option:** Did your spouse apply for and receive the exemption on your residence prior to passing away? Could your spouse have received the exemption on your residence had he or she applied? If so, you qualify as the surviving spouse if each of the following statements is true:
  - On January 1 of this year, your husband or wife met the age, ownership, and occupancy requirements stated above under "Short Form Qualifications."
  - You currently occupy the property as your primary residence, and you did so with your spouse.

- The property has been owned by you and/or your spouse for at least 10 consecutive years prior to January 1 of this year to present.
- If your husband or wife passed away prior to January 1, review the ***Surviving Spouse Option*** to see if you qualify.

- **Exceptions to Ownership & Occupancy Requirements:**

If Property is Owned by Trust, Corporate Partnership or Legal Entity: The ownership requirement may be satisfied if your property is owned by a trust, a corporate partnership, or other legal entity solely for estate planning purposes. You and/or your spouse must be the maker of the trust or a principal of the corporate partnership or legal entity. If the property was not owned by the trust, corporate partnership or legal entity, it would be owned by you and/or your spouse.

or

If Confined to Healthcare Facility: The occupancy requirement may be satisfied even though occupancy has been interrupted by confinement of the applicant or spouse to a nursing home, hospital or assisted living facility. While confined to the health care facility, the property was/is unoccupied, or it was/is occupied only by the spouse of the person confined or by a financial dependent.

or

If Prior Residence was Condemned: The ownership and occupancy requirements may be satisfied if the reason for not meeting the 10-year time frame is due to the condemnation of the prior residence by a governmental entity in an eminent domain proceeding. Had that not occurred, you would still live in the prior residence, and you would meet the 10-year ownership and occupancy requirements for that property, or you would qualify as a surviving spouse for that property. Since condemnation, you have not owned and occupied any residence other than the current residence.

or

Surviving Spouse Option, Spouse Passed Away Prior to January 1: If your spouse passed away prior to January 1, you can still qualify if your spouse met the requirements stated in "Short Form Qualifications" on January 1, 2002, or on any January 1 thereafter, and you otherwise meet the requirements for the surviving spouse option.

Disabled Veterans 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.

SHORT FORM INSTRUCTIONS

Note: For #1 and #3 below, you must include the name and social security number of each person who occupies the property as his or her primary residence.

1. Identify the qualifying senior and the property in this section.

- The applicant's Social Security number is required. For an explanation, please review #3 below.
- Life estate – 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, occupancy, and ownership - In order to use the Short Form, all three questions in this section must be answered "True". If any questions are "False", please review the Long Form Qualifications to see if you still qualify.

3. Pursuant to § 39-3-205(2)(a)(III), C.R.S., the name and Social Security number of each individual who occupies the property must be listed on the application form. The information is needed to ensure that no one receives the exemption on more than one property. The form will be kept confidential. If your husband or wife occupies the property, he or she must be listed on the first line and identified as your spouse. If more than three additional people occupy the property, you can attach an additional sheet with their names and social security numbers.

4. 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 that person.

If you have any questions, please contact your county assessor's office at the telephone number listed on this brochure.

Assessor Name

Address

Telephone Numbers

E-mail Address

Web Site