

PROPERTY TAX EXEMPTIONS

**FOR OLDER CITIZENS,
SURVIVING SPOUSES
AND MINORS**

- ◆ **CLAUSE 17**
- ◆ **CLAUSE 17C**
- ◆ **CLAUSE 17C 1/2**
- ◆ **CLAUSE 17D**



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If you are an older citizen or surviving spouse (husband or wife) or minor

whose parent is deceased, you may be more vulnerable than most citizens to high property taxes.

Fortunately, there are programs to help you meet your tax obligations. These programs, which provide either property tax exemptions or a deferral of taxes, are set forth in different clauses of Section 5 of Chapter 59 of the General Laws of Massachusetts. Those specifically geared for you are variations of Clause 17 or Clause 41, both property tax exemptions, or the Clause 41A tax deferral.

With revaluation of property at full and fair cash value, most people found that they could no longer meet the eligibility requirements of Clause 17 and

Clause 41 exemptions. Aware that this situation had arisen, the legislature enacted statutes which created alternative exemptions to the Clause 17 and Clause 41 exemptions. These alternative clauses - Clause 17C, Clause 17C1/2 or Clause 17D, and Clause 41B or Clause 41C - are available to those whose cities or towns have accepted them.*

This brochure describes the exemptions under the variations of Clause 17. See companion brochure for information on variations of Clause 41 exemptions and the one deferral available to the elderly, Clause 41A. For more information on all exemption and deferral clauses, contact your local assessor.

Which Exemption to Choose

In general, you should select the exemption most advantageous to you and which has been accepted by your city or town.

If you qualify under one of the Clause 17 exemptions, your assessor will grant you a deduction of \$175 from your tax bill.

If you qualify for one of the Clause 41 exemptions, you will receive a deduction of \$500 from your tax bill. A companion brochure provides information on Clause 41 exemptions and the Clause 41A tax deferral.

**Acceptance by a city or town means approval by the town meeting in a town, the city council subject to the provisions of the city charter in a city and the town council in a municipality having such form of government. All cities and towns are subject to the provisions of Clause 17 and Clause 41 unless they have accepted a more recently enacted clause. When they accept such a clause, the provisions of the clause which was in effect are no longer applicable.*

CLAUSES 17, 17C, 17C^{1/2} AND 17D TAX EXEMPTIONS

Clause 17 exemptions are geared to older citizens, surviving spouses (widows and widowers) of any age and to qualified minors who have a deceased parent. Senior citizens who are 70 and over and who are not eligible for one of the Clause 41 exemptions may be able to qualify for one of the Clause 17 exemptions because under the Clause 17 exemptions there are no income limitations.

ELIGIBILITY REQUIREMENTS

Age and Status

CLAUSES 17, 17C, 17C^{1/2} AND 17D

1. You are single, or if married, your spouse is not an owner. You must be 70 years or older before the beginning of the fiscal year (July 1) for which an exemption is sought.

2. You and your spouse are joint owners. Either spouse must be 70 years or older before the beginning of the fiscal year (July 1) for which an exemption is sought.

3. You are a surviving spouse of any age or a qualified minor, that is, a minor who has a deceased parent.

Ownership and Occupancy

CLAUSES 17, 17C, 17C^{1/2} AND 17D

Those 70 years of age as defined above must have owned and occupied the property as domicile in Massachusetts for not less than ten years (Clauses 17C, 17C^{1/2} and 17), for not less than five years (Clause 17D) and must own and occupy the property on July 1 in the year of application.

A surviving spouse or qualified minor must be the present owner and occupant.

Real Estate and Personal Property

CLAUSE 17

A person may have a total worth of \$20,000, including the assessed value of the domicile as of July 1 in the year of the application. Any unpaid mortgage balance on that property is excluded.

CLAUSE 17C

A person may have a total worth of \$40,000, excluding up to \$60,000 of the assessed value of the domicile as of July 1 in the year of the application and any unpaid mortgage balance on that property.

CLAUSE 17C^{1/2}

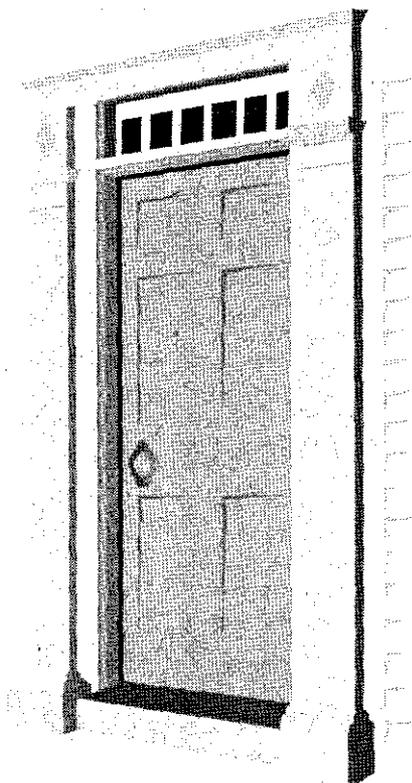
A person may have a total worth of \$40,000, excluding up to \$150,000 of the assessed value of the domicile as of July 1 in the year of the application and any unpaid mortgage balance on that property.

CLAUSE 17D

A person may have a total worth of \$40,000, excluding the assessed valuation of the domicile as of July 1 in the year of the application. Only the portion which produces income and which exceeds two dwelling units must be included. Any unpaid mortgage balance on that property is excluded.

Gross Receipts (Income)

Yearly income is not considered in determining eligibility for Clauses 17, 17C, 17C^{1/2} or 17D.



HOW TO APPLY

Contact your local Board of Assessors for an application form. You must apply each year for an exemption or a deferral. Generally, you can receive only one exemption, so submit the application for the exemption which will give you the greatest benefit. However, since Clause 41A is a deferral of taxes, you may use a Clause 41A deferral in conjunction with a tax exemption for which you qualify.

Applications under Clauses 17, 17C, 17C1/2, or 17D must be filed with the Board of Assessors on or before December 15 of each year. If the actual (not preliminary) property tax bill is mailed after September 15, you have three months

from the date the bill is first mailed in which to apply.

In addition to your local Board of Assessors, your local Council on Aging may be able to help you fill out the forms. Some councils employ tax specialists to provide such assistance.

Joint Ownership

If two or more people own property, each of whom is entitled to a *different* exemption, each can apply and if the person is qualified, each will be entitled to his/her exemption. Consult you local Board of Assessors.

OTHER EXEMPTIONS

In addition to the deferral and exemptions already described, there are several other kinds of property tax exemptions under Massachusetts General Laws, Chapter 59, Section 5:

Clause 18 exemptions are for persons who, because they are aged, infirm and poverty-stricken, cannot make full or partial payment of their property taxes. The decision to grant a Clause 18 exemption is made solely at the discretion of the assessors.

Varieties of Clause 22 exemptions are available for certain categories of veterans and their families.

Clauses 37 or 37A exemptions are available to a blind person.

A Clause 42 exemption is available for a surviving spouse of a police officer or firefighter killed in the line of duty.

A Clause 43 exemption is available to minor children of a police officer or firefighter killed in the line of duty.

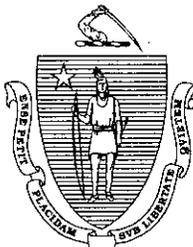
If you think you qualify for any of these exemptions, you may file an application with your local Board of Assessors.

APPEALS

If your application for any of the exemptions described in this publication is denied, except in the case of Clause 18,

you may appeal to the Appellate Tax Board, 100 Cambridge Street, 10th floor, Boston, MA 02204. Tel: (617) 727-3100.

- ◆ See companion brochure for information on variations of Clause 41 tax exemptions and the Clause 41A tax deferral.
- ◆ Your local Board of Assessors should be able to answer any questions you may have. If not, please contact the Property Tax Bureau of the Massachusetts Department of Revenue, 100 Cambridge Street, Boston MA 02204 at (617) 626-2300.



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