

# Ways to Lower Your Property Taxes: **HOMESTEAD EXEMPTIONS & TAX APPEALS**

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Tax assessments are rising to reflect market increases. This is likely to lead to **dramatic property tax increases** for low income homeowners.

**ESCROW SHORTAGES**

**TAX LIENS**

**TAX FORECLOSURE**

**PREDATORY PRACTICES**

# Fulton Property Tax Exemption and Appeal Assistance

## *GOAL:*

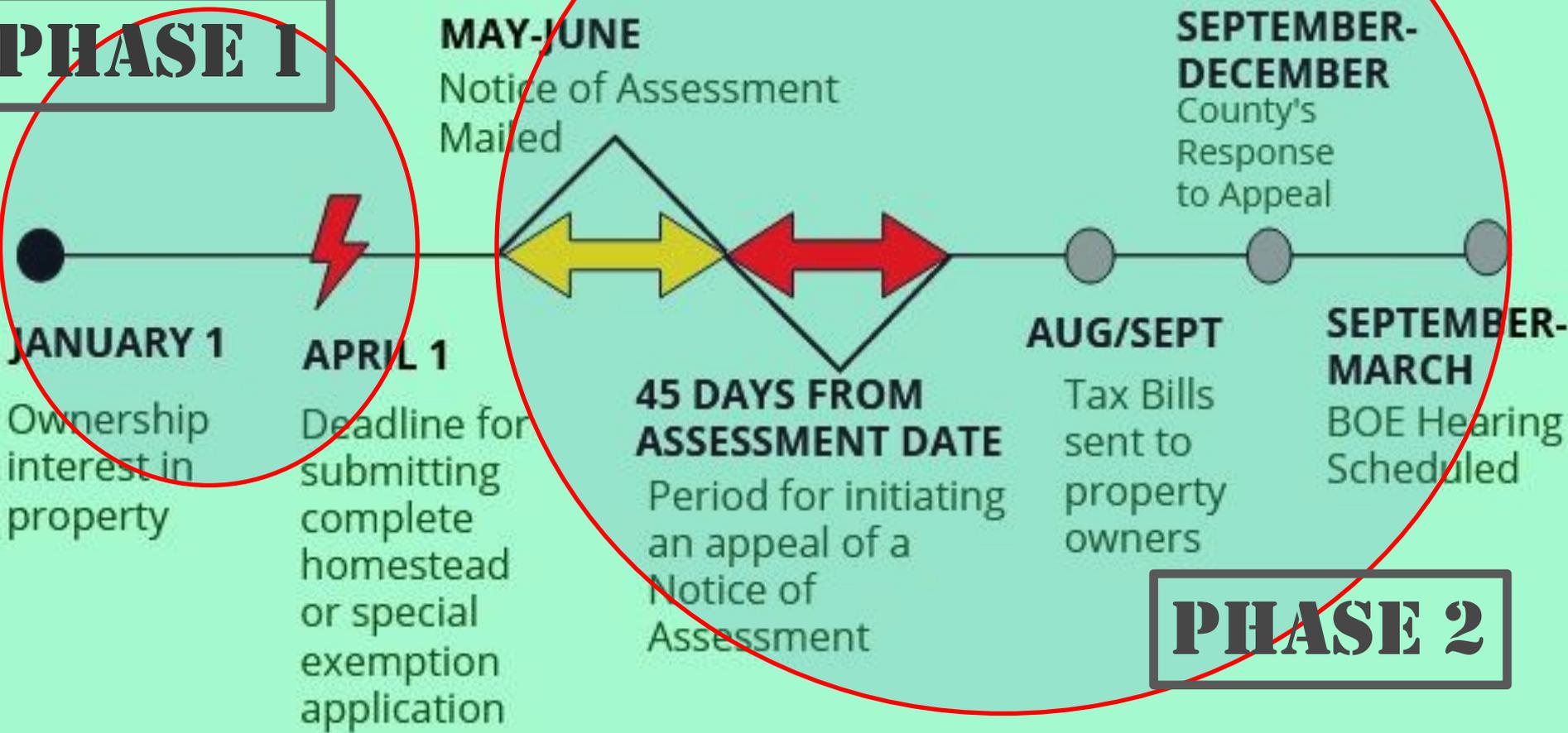
Protect existing low- and fixed-income homeowners from dramatic property tax increases.

## *Tactics:*

- Ensure all eligible property tax exemptions are in place.
- Ensure property assessments are low.

# Timeline for Property Tax Exemption and Appeal Activity

## PHASE 1



## PHASE 2

# PHASE 1

## Exemptions: January 1 – April 1

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- Why does it matter?
- Who is eligible?
- When to apply by?
- What proof do I need?
- Which exemptions to apply for and how?
- How to appeal?

# How are Property Taxes Calculated?



Step in Calculation:	Example
Tax Assessor's Total Value	\$100,000
"Assessed Value" (40% of Total)	\$40,000
MINUS any exemptions	-\$50,000  (this would be considered zero)
MULTIPLIED BY millage rates for each category of tax.	$\$0 \times .011145 = \$0$ The tax due on this line item would be zero. Not all line items get exemptions.

# Why is Homestead Exemption Important NOW?

Fair Market Value

296,800

Assessed Value

118,720

City Exemption: Atlanta H04 + New Aged

County Exemption: Fulton O/A + L1 + L2

2019 Floating Exemption

2018

Levies	Assessment	Exemptions	Net Assessment	X	Net Rate	State Credit	TAX
<b>Fulton Cycle</b>							
FULTON BONDS	118,720	118720	0	X	.000220	\$0.00	\$0.00
FULTON OPER	118,720	118720	0	X	.009899	\$0.00	\$0.00
STATE	118,720	118720	0	X	.000000	\$0.00	\$0.00
INTEREST							\$0.00
PENALTIES/FEES							\$0.00
Last Payment: Not Found			<b>Total Amount Billed</b>				\$0.00
			<b>Less Amount Paid</b>				\$0.00
			<b>Total Due</b>				\$0.00

Levies	Assessment	Exemptions	Net Asses	X	Net Rate	State Credit	TAX
<b>Fulton Cycle</b>							
FULTON BONDS	118,720	118720					
FULTON OPER	118,720	118720					
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			<b>Total Due</b>				\$0.00

Levies	Assessment	Exemptions	Net Asses	X	Net Rate	State Credit	TAX
<b>City of Atlanta Cycle</b>							
ATLANTA BONDS	118,720	0	118,720	X	.001880	\$0.00	\$223.19
ATLANTA GENERAL	118,720	91596	27,124	X	.007850	\$0.00	\$212.92
ATLANTA PARKS	118,720	91596	27,124	X	.000500	\$0.00	\$13.56
ATLANTA SCHOOL	118,720	75000	43,720	X	.020740	\$0.00	\$906.75
INTEREST							\$0.00
PENALTIES/FEES							\$0.00
Last Payment: 9/16/2019			<b>Total Amount Billed</b>				\$1,356.42
			<b>Less Amount Paid</b>				\$0.00
			<b>Total Due</b>				\$0.00

Levies	Assessment	Exemptions	Net Asses	X	Net Rate	State Credit	TAX
<b>City of Atlanta Cycle</b>							
ATLANTA BONDS	118,720	0	118,720	X	.001880	\$0.00	\$223.19
ATLANTA GENERAL	118,720	40000	78,720	X	.007850	\$0.00	\$617.95
ATLANTA PARKS	118,720	40000	78,720	X	.000500	\$0.00	\$39.36
ATLANTA SCHOOL	118,720	40000	78,720	X	.020740	\$0.00	\$1,632.65
INTEREST							\$0.00
PENALTIES/FEES							\$0.00
Last Payment: 3/27/2019			<b>Total Amount Billed</b>				\$2,513.15
			<b>Less Amount Paid</b>				\$0.00
			<b>Total Due</b>				\$2,513.15

# Floating Exemption vs. Value Cap

# SAME

Value	296800				
40% Assessment	118,720				
Base Year Value Floating Exemption	64400				
	Assessed Value	Exemption	Net Assessment	Tax Rate	TAX
General	118,720	<b>91,596</b>	27,124	0.00785000	\$212.92
General - showing capped assessment	67,124	<b>40,000</b>	27,124	0.00785000	\$212.92

# Who is eligible to apply

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Someone with a “**bona fide claim to ownership**” in the residence, such as:

- Someone **with a deed** in his or her name, alone or jointly with others.
- Someone with a **Life Estate** in the home.
- A person with a **contract for purchase** of the home.
- A person who resides in a **home owned by a parent**.
- A person who resides in the home **he or she will inherit**, but the home is being actively probated.
- A person who resides in a home that is **in a trust** and that person is a beneficiary under the trust.
- The **spouse of a homeowner** who lives in the home.

# Who is eligible to apply

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A person **must live in the home** to get the homestead exemption unless:

- the absence is due to **health reasons**; or
- the absence is due to duty in the **armed forces**; or
- the absence is due to the home being **uninhabitable** due to fire, flood, storm, or other unavoidable accident that occurred within a year; or
- the **owner's spouse or children** live in the home and it is maintained for their benefit.



# MEET THE DEADLINE

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Applications must be accepted up to and including the date for the closing of the books for the return of taxes for the calendar year.

According to Ga. Dept. of Revenue, this date is:

**April 1**



# MEET THE DEADLINE

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Failure to file for the homestead exemption by the deadline waives the right to the exemption for that year unless you fall into one of the exceptions:

- the absence is due to **health reasons** and a friend or immediate family member notifies the tax receiver; or
- the absence is due to **duty in the armed forces** and a friend or immediate family member notifies the tax receiver; or
- failure to file by a **surviving spouse** where waiver arises because of an administrator's or executor's deed and the surviving spouse makes the application within 30 days of the notice of the intent to deny the homestead exemption.



# OWNERSHIP DOCUMENTATION

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Recorded Deed: O.C.G.A. 48-5-40(3)(M) states, “The deed reflecting the actual ownership of the property for which the applicant seeks to receive a homestead exemption must be recorded in the deed records of the county prior to the filing of the application for the homestead exemption.”

*But see,* 48-5-40(3)(E)(title in a spouse); 48-5-40(3)(D)(regardless of whether the estate is distributed)



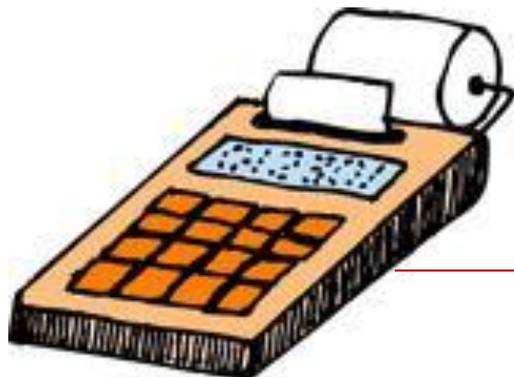
# WHAT IS THERE TO GET?

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## Basic Homestead Exemption

### Additional Exemptions for:

- People over 62
- People over 65
- People over 70\*
- People who are Disabled\*
- Disabled Veteran or their unremarried surviving spouse or minor children
- Unremarried Spouses of U.S. Servicemembers Killed in Action
- Unremarried Spouses of Peace Officers or Firefighters Killed in the Line of Duty
- Floating Inflation-Proof Exemptions/Value Caps



# **WHAT IS INCOME?**

## **Depends on Exemption...**

Federal Adjusted Gross Income

vs.

The applicant's and spouse's combined Income from lines 16b, 20b and 21, form 1040 of the Federal Income Tax Return for the preceding taxable year cannot exceed the maximum amount a husband and wife receive under Social Security. (Subject to adjustment by the Social Security Administration annually - \$68,644 for 2019).



# TAX DEFERRAL OPTIONS

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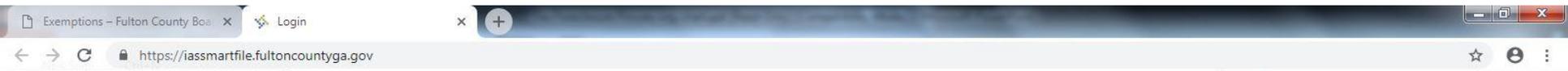
There are **TWO deferral options** for people 62 or older:

- OCGA 48-5-72 deferral for taxes on up to \$50,000 assessed value for households with gross household income\* of \$15,000 or less.
- OCGA 48-5-72.1 deferral for taxes which exceed 4% of the gross household income\* regardless of value or amount of income so long as the home is in a county having a population of 550,000 or more.
- **LIMITATION:** Deferral is only available if all liens and/or mortgages encumbering the property total to an amount under 85% of the property value.

\*Note that this really means gross income from all sources.



# Apply Online



Welcome to the Fulton County SmartFile site

If assistance is needed, please call 404-612-6440

[www.iassmartfile.fultoncountyga.gov](https://www.iassmartfile.fultoncountyga.gov)

Fulton County Board of Assessors  
Fulton County Board of Assessors  
205 Peachtree Street, NE  
Suite 1400  
Atlanta, Georgia 30303

\* For returning users, please log in below to access eFile forms. For new users, please create an account.

## Login

Email

Password

Login

[Forgot password?](#)

[New user? Create an account](#)

# Find your local tax office:

**APPLY IN PERSON**

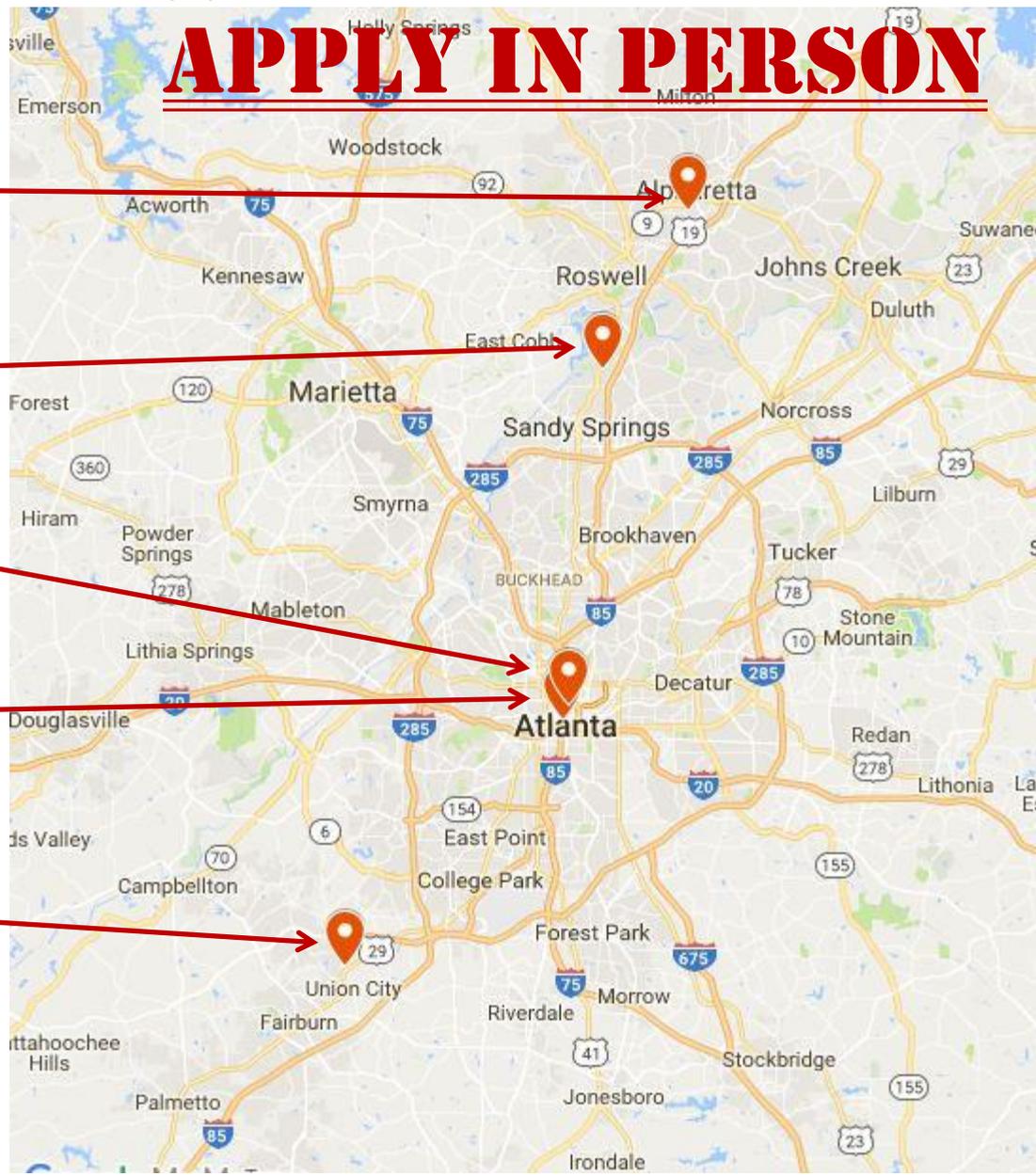
Fulton County Customer Service Center  
at Maxwell Road  
11575 Maxwell Road  
Alpharetta, GA 30009

North Service Center  
7741 Roswell Road N.E. Suite 210  
Atlanta, GA 30350

Peachtree Center  
235 Peachtree Street, N.E. Suite 1400  
Atlanta, GA 30303

Fulton County Government Center  
141 Pryor St., S.W. Suite 1018  
Atlanta, GA 30303

South Service Center  
5600 Stonewall Tell Road  
Suite 224  
College Park, GA 30349



# OTHER MUNICIPALITIES

Cities may assess and collect taxes on their own and may have their own Homestead and Specialty Exemptions.

## *Cities in Fulton County:*

Atlanta  
Alpharetta  
Johns Creek  
Milton  
Mountain park  
Roswell  
Sandy Springs  
Union City  
Chattahoochee Hill Country  
College Park  
East Point  
Fairburn  
Hapeville  
Palmetto  
City of South Fulton



# *Special Considerations*



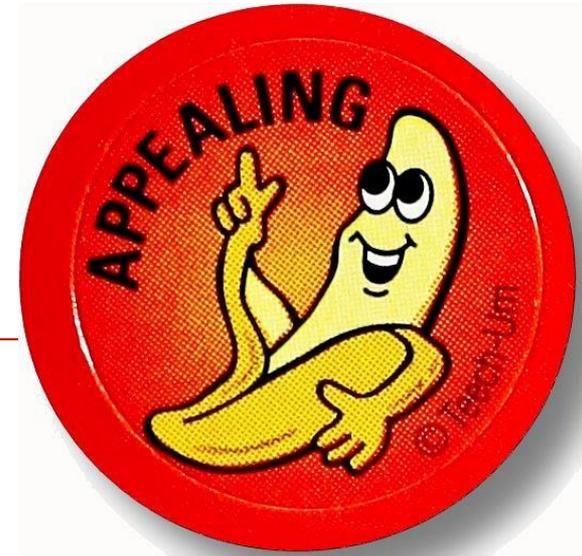
- Transfer records delay: **bring recorded document demonstrating ownership interest.**
- Get **proof of application** in order to preserve the appeal. If they do not give you anything, ask to get something **date-stamped** and signed. Be sure to sign in at the office!
- If you are turned away, **call us ASAP** so that we can assist before the deadline passes.

# REFUSAL AND DENIAL

## § 48-5-49. Determination of eligibility of applicant; **appeal**

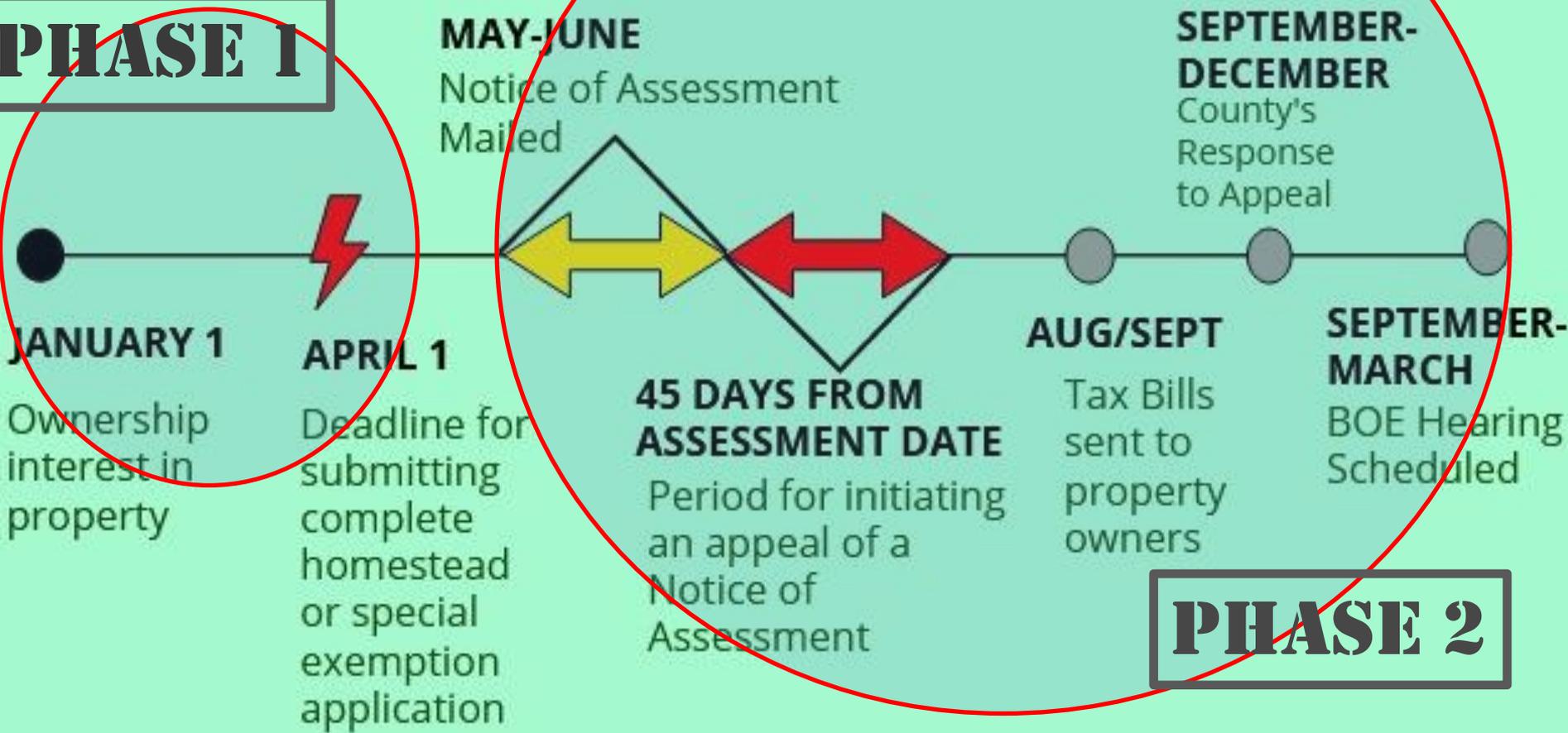
(a) The official receiving an application for homestead exemption shall determine the eligibility of the applicant to claim the exemption and, whether the application is approved or disapproved, he shall then transfer the application to the county board of tax assessors for final determination by the board as to eligibility and value as provided by law.

(b) The applicant shall have the right of appeal from the decision of the board of assessors to the county board of equalization as provided in Code Section **48-5-311**.

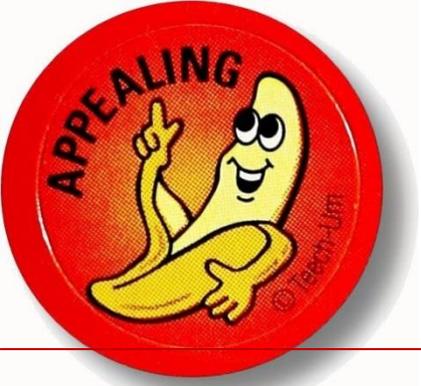


# Timeline for Property Tax Exemption and Appeal Activity

## PHASE 1



## PHASE 2



# Property Assessment Appeals: Beginning in May(ish) in Fulton

- 45-day period for appeal begins when the assessments are *made available*.
- REVIEW your **Notice of Assessment**.
- Consider whether an argument could be made for an appeal.
- Contact Atlanta Legal Aid **404-524-5811** or Seniors 60+ **404-657-9915** or **888-257-9519**

# READING THE NOTICE OF ASSESSMENT

## ANNUAL NOTICE OF ASSESSMENT

PT-306 (revised Jan 2016)

### FULTON COUNTY ASSESSORS OFFICE

235 Peachtree St. NE, Suite 1400  
 Atlanta, GA 30303  
 (404) 612-6440

#### Official Tax Matter - 2017 Tax Year

This correspondence constitutes an official notice of an assessment for the tax year shown above.

Annual Assessment Notice Date: **05/19/2017**

Last date to file a written appeal: **07/03/2017**

\*\*\*This is not a tax bill - Do not send payment\*\*\*

County property records are available online at:  
[www.fultonassessor.org](http://www.fultonassessor.org)

1434 BELMONT AVE SW  
 ATLANTA GA 30310

Notice of Assessment Date and Appeal Deadline

Exemption Status

Current Year Market Value

The amount of your ad valorem tax bill for the year shown above will be based on the Appraised (100%) and Assessed (40%) values specified in BOX 'B' of this notice. You have the right to submit an appeal regarding this assessment to the County Board of Tax Assessors. If you wish to file an appeal, you must do so in writing no later than 45 days after the date of this notice. If you do not file an appeal by this date, your right to file an appeal will be lost. Appeal forms which may be used are available at <http://dor.georgia.gov/documents/property-tax-appeal-assessment-form>.

At the time of filing your appeal you must select one of the following appeal methods:

- A
- (1) County Board of Equalization (value, uniformity, denial of exemption, or taxability)
  - (2) Arbitration (value)
  - (3) County Hearing Officer (value or uniformity, on non-homestead real property or wireless personal property valued, in excess of \$750,000)

All documents and records used to determine the current value are available upon request. For further information regarding this assessment and filing an appeal, you may contact the county Board of Tax Assessors which is located at 235 Peachtree St. NE, Ste 1400, Atlanta and which may be contacted by telephone at: 404-612-6440. Your staff contacts are Cherry, Forrest and Tara Parker.

Additional information on the appeal process may be obtained at <http://dor.georgia.gov/property-tax-real-and-personal-property>

Account Number	Property ID Number	Acreage	Tax Dist	Covenant Year	Homestead
1196990	14 -0105-0012-064-7	.15	ATLANTA		YES - HF01
<b>Property Description</b>		R1 - Residential Improvement		NBHD - 1407	
<b>Property Address</b>		1434 BELMONT AVE SW			
		Taxpayer Returned Value	Previous Year Fair Market Value	Current Year Fair Market Value	Current Year Other Value
<b>100% Appraised Value</b>			59,300	120,600	
<b>40% Assessed Value</b>			23,720	48,240	

#### Reasons for Assessment Notice

Value adjusted to reflect current market or uniformity

The estimate of your ad valorem tax bill for the current year is based on the previous or most applicable year's net millage rate and the fair market value contained in this notice. The actual tax bill you receive may be more or less than this estimate. This estimate may not include all eligible exemptions.

Taxing Authority	Other Exempt	Homestead Exempt	Net Taxable Value	Previous Millage	Estimated Tax
FULTON OPER		48,240	0	.010450	.00
FULTON BONDS			48,240	.000250	12.06
<b>Total County Tax</b>					<b>12.06</b>
ATLANTA GENERAL		30,000	18,240	.008880	161.97
ATL BONDS			48,240	.001480	71.40
ATL SCHOOL OPER		30,000	18,240	.021715	396.08
ATL SCHOOL BOND			48,240	.000025	1.21
ATLANTA PARKS		30,000	18,240	.000500	9.12
Total City Tax					639.78
STATE		2,000	46,240	.000000	.00
<b>Total Estimated Tax</b>					<b>651.84</b>

Estimated Taxes Due



# *Grounds for Appeal:*

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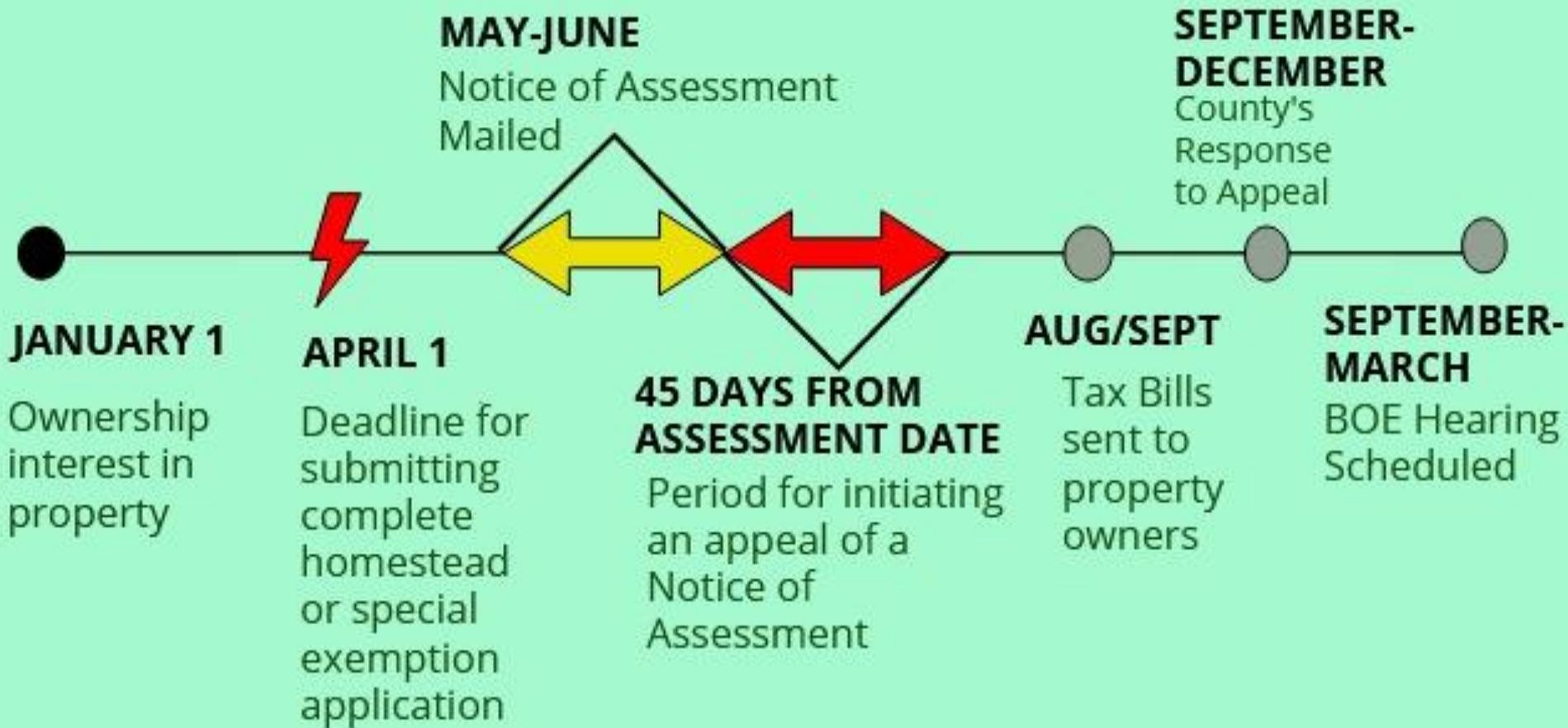
## 1) Value:

- Incorrect or incomplete **property information** was used
- The value is too high (**Recent sales** represent upgraded homes compared to subject property or sales for lower values are more comparable.) **\*\*PRIOR YEAR SALES ONLY**

2) **Uniformity/Equity:** Fairness. **Compare similar homes** (in age, square footage, and condition). If you find homes in the neighborhood are being assessed at a lesser value, this is good grounds for a uniformity argument. **\*\*CURRENT YEAR VALUES ONLY**

3) **Exemption Denied:** Homestead exemption applied for, but **not listed** on assessment notice **or incorrect exemption** appears.

# Timeline for Property Tax Exemption and Appeal Activity



**WHAT IF I  
DON'T  
PAY  
MY TAXES?**



# Tax Foreclosure Process



**PAYMENT  
REQUIRED**

# IF YOU HAVE QUESTIONS

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Atlanta Legal Aid Society

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