

## THE COMMONWEALTH OF MASSACHUSETTS

## TOWN OF SUDBURY

## SENIOR 60 AND OLDER

## FY 2021 APPLICATION FOR PROPERTY TAX DEFERRAL

pursuant to Chapter 320 of the

Acts of 2002, and Chapter 458 of the Acts of 2008

## General Laws Chapter 59, Section 5, Clause 41A

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THIS APPLICATION IS NOT  
OPEN TO PUBLIC INSPECTION

(See General Laws Chapter 59 Section 60)

Must be filed with Board of Assessors on or before

April 1, 2021

Tax Deferral and Recovery Agreement Form 97-1 must accompany application  
unless already on file and persons with interest in property remain the same

Application Returns to: Sudbury Assessors, 278 Old Sudbury Rd. Sudbury, MA. 01776

## INSTRUCTIONS: Complete all sections fully.

## A. IDENTIFICATION

Name of Applicant \_\_\_\_\_

Social Security No (optional). \_\_\_\_\_ Marital Status \_\_\_\_\_ Date of Birth \_\_\_\_\_

(If first year of application, attach copy of birth certificate)

Legal Residence (Domicile) on July 1, 2020

\_\_\_\_\_

Mailing Address (If different) \_\_\_\_\_ Tel. No. \_\_\_\_\_

Location of Property \_\_\_\_\_ No. of Dwelling Units \_\_\_\_\_

Did you own and occupy the property as your domicile on July 1, 2020?

Have you been granted any exemption in any other city or town for this year?

Yes ☐ No ☐ If yes, name of city or town \_\_\_\_\_ Amount exempted \_\_\_\_\_Amount of tax you are seeking to defer this year \$ \_\_\_\_\_ please indicate actual dollar  
amount or % of tax (in any percentage up to 100%)

(DISPOSITION OF APPLICATION (ASSESSORS' USE ONLY))

GRANTED ☐

Assessed Tax \_\_\_\_\_

DENIED ☐

Deferred Tax \_\_\_\_\_

DEEMED DENIED ☐

Adjusted Tax \_\_\_\_\_

Date Voted/Deemed Denied \_\_\_\_\_

Certificate No. \_\_\_\_\_ Date Sent \_\_\_\_\_ Filing this form does not stay the collection of  
your tax.

**B. PERSONS WITH INTEREST IN PROPERTY.**

Did you own the property on **July 1, 2020** as: (please circle or underline answers)

Sole Owner: Co-owner with Spouse Only: or Co-Owner with Others ?

Was there a mortgage on the property as of **July 1, 2020**? Yes No If yes, Amount Due on Mortgage (s) \_\_\_\_\_

Name of Mortgagee(s) \_\_\_\_\_

Was property subject to a life estate as of **July 1, 2020**? Yes No If yes, Name(s) of Remainder men (Person(s) receiving property after your death) \_\_\_\_\_

Was property subject to a trust as of **July 1, 2020**? Yes No

(If yes, and this is your first year of application, attach trust instrument including all schedules.)

**C. GROSS RECEIPTS FROM ALL SOURCES IN PRECEDING CALENDAR YEAR.**

Copies of your federal and state income tax returns may be requested to verify your income: (**calendar year 2019**income)

	Applicant and Spouse	Co-Owner(s) and Spouse
Retirement Benefits (Social Security, Railroad, Federal, Mass, and Political Subdivisions)	_____	_____
Other Pensions and Retirement Allowances	_____	_____
Wages. Salaries and other Compensation	_____	_____
Net Profits from Business or Profession	_____	_____
Interest and Dividends	_____	_____
Other Receipts (Rent, Capital Gains, etc.)	_____	_____
TOTALS	_____	_____

**D. SIGNATURE.** Sign here to complete the application.

This application has been prepared or examined by me. Under the pains and penalties of perjury, I declare that to the best of my knowledge and belief, it and all accompanying documents and statements are true, correct and complete.

\_\_\_\_\_  
Your Signature

\_\_\_\_\_  
Date

If signed by agent, attach copy of written authorization to sign on behalf of taxpayer.

## TAXPAYER INFORMATION ABOUT PROPERTY TAX DEFERRAL

Chapter 320 of the Acts of 2002 (in red), and Chapter 458 of the Acts of 2008 (in blue) resulted in the following changes applicable to Town of Sudbury Tax Deferral Program. Please note to the best of our knowledge the changes only pertain to Sudbury. Massachusetts General Laws Chapter 59 Section 5, Clause 41A should be consulted for the guidelines regulating other municipalities.

You may be eligible to defer payment of all or a portion of the taxes assessed on property you own and occupy as your domicile if you meet certain age, ownership, residency and income qualifications, and enter into a tax deferral agreement with the Board of Assessors. If you also qualify for a personal exemption, you may defer all or a portion of the remaining taxes on the property.

**REPAYMENT:** Unlike an exemption, a tax deferral simply allows you to postpone payment of your taxes. If you qualify, you must enter into a tax deferral agreement that requires the deferred taxes along with interest to be repaid in full (when the property is sold or transferred, (2) upon your death, or (3) upon the death of your surviving spouse if he or she qualifies for a deferral and enters into a new tax deferral agreement. Anyone having any legal or beneficial interest in the property must also approve the tax deferral agreements.

Once you have entered into a tax deferral agreement, the assessors will record a statement at the Registry of Deeds. That statement continues the lien that already exists on your property by law to ensure the payment and collection of your taxes. Once the deferred taxes are repaid the lien is released. However, if the deferred taxes are not repaid when due, your city or town will then be able to recover the amount by foreclosing on the lien in Land Court.

**INTEREST:** If you qualify for a deferral in subsequent years. You may defer taxes until the amount due, including accrued interest, equals 50% of your share of the full and fair cash value of the property. Interest at an annual rate (set by the Board of Selectmen) is charged on deferred taxes until the property is sold, your death, or the death of your surviving spouse if a new agreement has been entered into. The interest rate then increases to 16% per annum until the deferred taxes are repaid. One of the provisions of Chapter 320 of the Acts of 2002 allows for the Selectmen to set a yearly interest rate. **2% has been the established rate since 2015 .**

**WHO MAY FILE AN APPLICATION?** You may file an application if as of July first you:

- Are **60** or older,
- Owned and occupied the property as your domicile,
- Have an annual income not more than \$20,000, or not more than a locally adopted income limit. Locally adopted income limits cannot be more than \$40,000. Your Board of Assessors can tell you the limit that applies in your community. **Town of Sudbury income limit (married or single calendar year 2019) \$90,000**

**WHEN AND WHERE APPLICATION MUST BE FILED:** Your application must be filed with the Board of Assessors by December 15 or 3 months after the actual tax bills were mailed for the fiscal year whichever is later. **THIS DEADLINE CANNOT BE EXTENDED OR WAIVED BY THE ASSESSORS FOR ANY REASON. IF YOUR APPLICATION IS NOT TIMELY FILED, YOU LOSE ALL RIGHTS TO A DEFERRAL AND THE ASSESSORS CANNOT BY LAW GRANT YOU ONE. AN APPLICATION IS FILED WHEN RECEIVED BY THE ASSESSORS.**

**PAYMENT OF TAX:** Filing an application does not stay the collection of your taxes. In some cases, you must pay the tax when due to appeal the assessors' disposition of your application. Failure to pay the tax when due, may also subject you to interest charges and collection action. To avoid any loss of rights or additional charges, you should pay the tax as assessed. If a deferral is granted and you have already paid the entire year's tax as exempted, you will receive a refund of any overpayment.

**ASSESSORS DISPOSITION:** Upon applying for a deferral, you may be required to provide the assessors with further information and supporting documentation to establish your eligibility. The assessors have 3 months from the date your application is filed to act on it unless you agree in writing before that period expires to extend it for a specific time. If the assessors do not act on your application within the original or extended period, it is deemed denied. You will be notified in writing whether an exemption has been granted or denied.

**APPEAL:** You may appeal the disposition of your application. The disposition notice will provide you with further information about the appeal procedure and deadline.

**MORE DETAILED INFORMATION ABOUT THE TAX DEFERRAL MAY BE OBTAINED FROM YOUR BOARD OF ASSESSORS.**