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DIVISION OF LOCAL SERVICES
MA DEPARTMENT OF REVENUE

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TAXPAYER'S GUIDE TO LOCAL PROPERTY TAX EXEMPTIONS

VETERANS

Clauses 22, 22A, 22B, 22C, 22D, 22E, 22F

The Department of Revenue (DOR) has created this fact sheet to provide general information about local property tax exemptions for veterans. **It is not designed to address all questions or issues and does not change any provision of the Massachusetts General Laws. To find out about the specific eligibility and application requirements in your city or town, you must contact your local board of assessors**. The DOR cannot determine your eligibility or give you legal advice. Property taxes are assessed and collected by cities and towns, not by the DOR. Under state law, only your board of assessors, as the local tax administrator, can decide whether you qualify for an exemption. If you disagree with its decision, you may appeal to the state Appellate Tax Board (or county commissioners if your county's government has not been abolished).

INTRODUCTION

Cities and towns may give property tax exemptions to some individuals as defined by state law. An exemption discharges the taxpayer from the legal obligation to pay all or a portion of the tax assessed for the fiscal year. Exemptions are found in various clauses of Massachusetts General Laws Chapter 59, Section 5 (M.G.L. c. 59, § 5).

Clauses 22, 22A, 22B, 22C, 22D, 22E and 22F provide exemptions to some veterans, their spouses who own the domicile and their surviving spouses, and some surviving parents and spouses of active duty military personnel who died during or due to military service.

APPLICATIONS	You must file an application for each fiscal year with the assessors in the city or town where your property is located. The application is due on December 15, or three months after the actual tax bills are mailed, whichever is later. ***Filing on time is required. By law, the assessors may not waive this filing deadline, nor act on a late application, for any reason.*** Filing an application does not entitle you to delay your tax payment.
DOCUMENTATION	You must provide the assessors with whatever information is reasonably required to establish eligibility. This information may include, but is not limited to: 1. Evidence of residency, ownership, domicile and occupancy. 2. Certification of a service-connected disability from the U.S. Department of Veterans Affairs (VA) or branch of U.S. military service from which discharged.

For more information, please contact your local assessors.

NUMBER OF EXEMPTIONS	With limited exceptions, you may only receive one exemption under M.G.L. c. 59, § 5 for each fiscal year. If you qualify for more than one, you will receive the one that provides the greatest benefit. You may receive an exemption and if qualified, defer all or a part of the balance of the reduced tax.
VETERAN	Veterans are individuals who served on active duty in the Armed Forces of the United States for certain time periods during peace or wartime eras and were discharged from military service. Their last discharge or release must have been under other than dishonorable conditions.
ELIGIBILITY REQUIREMENTS	You must satisfy tests relating to residency, domicile, ownership and service-connected disability or awards. **You must meet <u>all</u> eligibility requirements as of July 1 of the tax year.** (*The fiscal year of cities and towns begins July 1 and ends the following June 30.*) **If you do not meet all requirements as of July 1, you <u>cannot</u> receive all or any portion of the exemption for that tax year.**
RESIDENCY	Veterans must have (1) been domiciled in Massachusetts for at least 6 consecutive months before entering military service, <u>or</u> (2) lived in Massachusetts for at least 5 consecutive years before the tax year begins (or at least 1 consecutive year before the tax year begins, if the legislative body of your city or town has voted, subject to local charter, to accept this local option).
DOMICILE	You must occupy the property as your domicile. If you are a spouse of a veteran, you and the veteran must occupy the property as your domicile. Your domicile is where your principal and legal home is located, your family, social, civic and economic life is centered and you plan to return whenever you are away. You may have more than one residence, but only one domicile.
OWNERSHIP	You must own the property. 1. Your ownership interest must be worth at least an amount ranging from $2,000 to $10,000, depending on the exemption. You may own this interest solely, as a joint owner or as a tenant in common. 2. If you hold a life estate in the domicile, you are the owner. 3. If your domicile is held in a trust, you are the owner only if: a. You are a trustee or co-trustee of that trust, **and** b. You have a sufficient beneficial interest in the domicile.
EXEMPTION CREDIT	If the assessors decide you are eligible and grant an exemption, the amount granted is credited toward and reduces the tax assessed on your domicile for that fiscal year. **You will only receive a refund if the entire tax for the year has already been paid at the time the exemption is granted.**

For more information, please contact your local assessors.

SALE OF DOMICILE	If you are selling your domicile, you should make your attorney aware that you receive a property tax exemption that reduces the tax owed for the fiscal year. The sale is a private financial transaction and as a party, **you are responsible for seeing that the exemption is properly credited at the closing, through escrow or other arrangements, when the parties make adjustments for local property taxes or charges**. Your city or town is not responsible for seeing that you and the buyer allocate the property taxes so you get the benefit of the exemption.

WHO IS ELIGIBLE AND EXEMPTION AMOUNTS	
Clause 22 - $400	1. Veterans with a service-connected disability of 10% or more. 2. Veterans awarded the Purple Heart. 3. Surviving parents of military personnel who died in military service (Gold Star Parents). 4. Spouses (where the domicile is owned by the veteran's spouse), and surviving spouses (who have never remarried), of veterans entitled to exemption under Clause 22. 5. Surviving spouses (who have never remarried) of World War I veterans so long as their assets (whole worth), less any mortgage on the property, do not exceed $20,000.
Clause 22A - $750	1. Veterans who (1) suffered in the line of duty the loss or permanent loss of use of one foot or one hand or one eye, **or** (2) received the Congressional Medal of Honor, Distinguished Service Cross, Navy Cross or Air Force Cross. 2. Spouses (where veteran's spouse owns the domicile) or surviving spouses of veterans entitled to exemption under Clause 22A.
Clause 22B - $1,250	1. Veterans who suffered in the line of duty the loss or permanent loss of use of both feet, both hands or both eyes. 2. Spouses (where veteran's spouse owns the domicile) or surviving spouses of veterans entitled to exemption under Clause 22B.
Clause 22C - $1,500	1. Veterans who suffered total disability in the line of duty **and** received assistance in acquiring "specially adapted housing" which they own and occupy as their domicile. 2. Spouses (where veteran's spouse owns the domicile) or surviving spouses of veterans entitled to exemption under Clause 22C.

For more information, please contact your local assessors.

Clause 22D – Full	Surviving spouses (who have never remarried) of military personnel (including members of the National Guard on active duty) who, on or after September 11, 2001, (1) were killed, or went missing in action and are presumed to have been killed, in a combat zone, or (2) died as a proximate result of injuries sustained or diseases contracted in a combat zone. A surviving spouse must have lived in Massachusetts for at least 5 consecutive years before the tax year begins (or lived in Massachusetts for at least 1 consecutive year before the tax year begins, if the legislative body of your city or town has voted to accept this local option). If not, the deceased member of the military or guard had to have been domiciled in Massachusetts for at least 6 consecutive months before entering the service.
Clause 22E - $1,000	1. Veterans who have a service connected disability of 100%. 2. Spouses (where veteran's spouse owns the domicile) or surviving spouses of veterans entitled to exemption under Clause 22E.
Clause 22F – Full	1. Veterans who are paraplegics. 2. Spouses (where veteran's spouse owns the domicile) or surviving spouses of veterans entitled to exemption under Clause 22F.
Clause 22A, 22B, 22C, 22E and 22F exemptions are prorated for a domicile greater than a single-family house. The exemption is the same percentage of the tax as the part of the house occupied by the veteran, or if deceased, the surviving spouse, for example, 50% if one unit of a two-family house is occupied by the veteran or surviving spouse.	

APPEALS	
Appellate Tax Board	The Appellate Tax Board (ATB) is an independent, quasi-judicial state board that hears taxpayer appeals from local assessors' decisions on property tax abatements and exemptions. If county government has not been abolished, appeals may be made to the county commissioners instead, but assessors may and usually do transfer those appeals to the ATB. ATB decisions may be appealed to the Appeals Court and, ultimately, to the Supreme Judicial Court. You can obtain the ATB's guide to the property tax appeal process from its website (www.mass.gov/atb) or by calling 617-727-3100.

For more information, please contact your local assessors.

Appeal of Action of Assessors	You have three months from the date of the assessors' decision on your exemption application to appeal to the ATB. **This includes decisions to deny any exemption or to grant an exemption that provides a lesser benefit.** If the application was deemed denied, your appeal must be filed within three months of the deemed denied date. As a general rule, if the real estate tax on your domicile is over $3,000, you must also have paid each actual tax installment on time for the ATB to hear your appeal. The assessors may grant the exemption or higher exemption in final settlement of your application during the three month period for filing an appeal. In that case, you do not have to have filed an appeal with the ATB. However, if a settlement is not reached and an exemption not granted during that period, you must have filed your appeal by the deadline. If not, the ATB cannot hear the appeal.

ASSESSMENT AND EXEMPTION CALENDAR	
January 1	Property Tax Assessment Date for Next Fiscal Year
July 1	Fiscal Year Begins Real Estate Exemption Eligibility Date for Fiscal Year
October - December	Actual Tax Bills Mailed for Fiscal Year
November 1 (Semi-annual Payment Communities) **February 1 (Quarterly Payment Communities)**	1st Actual Tax Installment Payment Due [1]
December 15, or 3 Calendar Months from Mailing of Actual Tax Bill if later	Personal Exemption Applications to Assessors Due [2]

[1] Contact your assessors. The due date depends on the payment system used in your community and the date actual tax bills were mailed for fiscal year.

[2] Some assessors may accept applications before actual tax bills are mailed. If not, or your application is not approved, you must apply by this deadline to claim the exemption.

3 Calendar Months from Filing of Application (or Date of Written Extension Given by Taxpayer)	Assessors Grant or Deny Exemption Application Deemed Denied if Assessors Have Not Acted
3 Calendar Months from Assessors' Action on Application, or Deemed Denial of Application	Appeal to ATB Due