



AGENDA 7c
DATE 12-17-19

Internal Memo

December 11, 2019

TO: Mark C. Meyers, City Administrator
FROM: Michael D. Huston, CPA, Finance Director 
SUBJECT: Property Transfer Affidavit Penalty Waiver

The State of Michigan through MCL 211.27b(5) provides that the governing body of a local tax collecting unit may waive, by resolution, the penalty originally levied under MCL 211.27b(1)(c) or (d).

The original MCL 211.27b(5) allowed local units of government to fine anyone who did not comply with this ruling \$200 for not filing the Property Transfer Affidavit. This originally was initiated because the purchasers of the property would often try to avoid the uncapping of the taxable value. The State later realized that local units of government were getting the information from title companies and determined the fines were unnecessary.

The City has not had to levy this penalty since 2008, once people were informed the information was readily available and title companies explained the process.

The reason for the resolution now is to make it official, which has recently become a requirement by the State Tax Commission.

If you have any questions or need anything else just let me know.

RESOLUTION

WHEREAS, MCL 211.27a(10) required the buyer, grantee, or other transferee of the property shall notify the appropriate assessing office in the local unit of government in which the property is located of the transfer of ownership of the property within 45 days of the transfer of ownership, on a form prescribed by the state tax commission that states the parties to the transfer, the date of the transfer, the actual consideration for the transfer, and the property's parcel identification number or legal description; and

WHEREAS, MCL 211.27b(1) requires that if the buyer, grantee, or other transferee in the immediately preceding transfer of ownership of property do not notify the appropriate assessing office of the transfer, then penalties as described in MCL 211.27b(1)(c) or (d) are levied; and

WHEREAS, MCL 211.27b(5) provides that the governing body of a local tax collecting unit may waive, by resolution, the penalty levied under MCL 211.27b(1)(c) or (d);

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City of Norton Shores waives the penalty for failure to file the Property Transfer Affidavit following a transfer of ownership pursuant to the local unit's authority contained in MCL 211.27b

At a regular meeting of the City Council of the City of Norton Shores, held at the Norton Shores Branch Library, 705 Seminole Road, on the 17th day of December 2019, the foregoing resolution was moved for adoption by Council Member . The motion was supported by Council Member .

Ayes:

Nays:

Resolution declared adopted/denied.

Shelly Stibitz, City Clerk