EXEMPTIONS: January 1 – April 1

*Overview:*
- Why is it important?
- Who is eligible?
- Deadline
- Kinds of exemptions
- Proof of eligibility
- Process for applying
- Appealing a denial
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 x .011145 = $0

The tax due on this line item would be zero. Not all line items get exemptions.

Why is Homestead Exemption Important NOW?

<table>
<thead>
<tr>
<th>Assessed Value</th>
<th>1/4/20</th>
<th>2/2/20</th>
<th>3/2/20</th>
<th>4/2/20</th>
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</thead>
<tbody>
<tr>
<td>Fulton County</td>
<td>118,730</td>
<td>118,730</td>
<td>118,730</td>
<td>118,730</td>
</tr>
<tr>
<td>Fulton Schools</td>
<td>118,730</td>
<td>118,730</td>
<td>118,730</td>
<td>118,730</td>
</tr>
<tr>
<td>State</td>
<td>118,730</td>
<td>118,730</td>
<td>118,730</td>
<td>118,730</td>
</tr>
<tr>
<td>Interest</td>
<td>118,730</td>
<td>118,730</td>
<td>118,730</td>
<td>118,730</td>
</tr>
</tbody>
</table>

2019 Floating Exemption

- 2018
- 2019

Last Payment Due Date: 3/27/2019

Tax Due: $2,164.15
Floating Exemption vs. Value Cap

SAME

<table>
<thead>
<tr>
<th>Value</th>
<th>296800</th>
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<tbody>
<tr>
<td>40% Assessment</td>
<td>118,720</td>
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<tr>
<td>Base Year Value Floating Exemption</td>
<td>64400</td>
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</table>

<table>
<thead>
<tr>
<th>Assessed Value</th>
<th>Exemption</th>
<th>Net Assessment</th>
<th>Tax Rate</th>
<th>TAX</th>
</tr>
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<tbody>
<tr>
<td>General</td>
<td>118,720</td>
<td>91,596</td>
<td>27,124</td>
<td>0.00785000</td>
</tr>
<tr>
<td>General - showing capped assessment</td>
<td>67,124</td>
<td>40,000</td>
<td>27,124</td>
<td>0.00785000</td>
</tr>
</tbody>
</table>

Timeline for Property Tax Exemption and Appeal Activity

- **MAY-JUNE**
  - Notice of Assessment Mailed

- **APRIL 1**
  - Deadline for submitting complete homestead or special exemption application

- **45 DAYS FROM ASSESSMENT DATE**
  - Period for initiating an appeal of a Notice of Assessment

- **AUG/SEPT**
  - Tax Bills sent to property owners

- **SEPTEMBER-MARCH**
  - BOE Hearing Scheduled
Who is eligible to apply

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 who is deceased or incapacitated.
– A person who resides in the home he or she will inherit, but the home is being 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 (but spouses can only have one homestead exemption).

Who is eligible (part 2)

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

You must file by April 1 (or the next business day if it falls on a weekend or holiday), unless you can’t:

– Due to health reasons and someone notifies the tax assessor; or
– Due to service in the armed forces and someone notifies the tax assessor; or
– Narrow exception for some surviving spouses—contact Legal Aid!

KINDS OF EXEMPTIONS?

Basic Homestead Exemption
Fulton: $30,000 + floating exemption
Atlanta: $30,000 + floating exemption
Atlanta Public Schools: $50,000 after first $10,000

Additional Exemptions for:
– People over 62 *
– People over 65 ($50,000 regardless of income, others *)
– People over 70 *
– People who are Disabled *
– Disabled Veteran or their unmarried surviving spouse or minor children *
– Unmarried Spouses of U.S. Servicemembers Killed in Action
– Unmarried Spouses of Peace Officers or Firefighters Killed in the Line of Duty

*Income limits apply but not all income is counted.
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.

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**WHAT DO YOU NEED TO BRING?**

**Regular Homestead Exemption:**

- Driver’s License or other Govt. Issued ID
- Registration for all vehicles owned by applicant (must be registered at homestead property address.)
- Proof of Ownership and/or Other Documents as necessary.

**Senior Exemption:**

- All of the above.
- Proof of income, such as social security or other benefits award letters.
- Tax returns if you file them.
**A NOTE: OWNERSHIP DOCUMENTATION**

*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)(child of homeowner regardless of whether the estate is distributed) that allow exemption where deed is clearly in someone else’s name.

**WHAT IS OWNERSHIP DOCUMENTATION?**

- Recorded Deed in your name
- Recorded deed *plus* documentation linking you to that deed to show an ownership interest such as:
  - Birth Certificate
  - Death Certificate
  - Probate Records
  - Copy of Will
  - Contract for Deed
- Trust Documents
Apply Online

www.fassmartfile.fultoncountyga.gov

OR 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

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**Special Considerations**

- Get **proof of application** in order to preserve the appeal. If they do not give you anything, ask to get **date-stamped** and signed confirmation. 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.
- File an **appeal** if your Notice of Assessment does not show an exemption you applied for.
**Property Assessment Appeals: Beginning in May(ish)**

- 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 404-657-9915 (Seniors 60+)

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**READING THE NOTICE OF ASSESSMENT**

- **Notice of Assessment Date**
- **Appeal Deadline**
- **Exemption Status**
- **Current Year Market Value**
- **Estimated Taxes Due**

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**ANNUAL NOTICE OF ASSESSMENT**

<table>
<thead>
<tr>
<th>Assessed Value</th>
<th>Property ID</th>
<th>Assessed</th>
<th>Tax Year</th>
<th>Current Year Market Value</th>
<th>Estimated Taxes Due</th>
</tr>
</thead>
<tbody>
<tr>
<td>$120,000</td>
<td>12345</td>
<td>$120,000</td>
<td>2020</td>
<td>$150,000</td>
<td>$18,000</td>
</tr>
</tbody>
</table>

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**County Board of Appraisers’ Notice: Appeals Deadline Expires (Notice of Assessment, or Exemption)**

- Effective April 1, 2020
- Rt 101 - Doesn’t apply
- March 101 - Doesn’t apply
- April 101 - Doesn’t apply
- May 101 - Begins
- June 101 - Ends
- July 101 - No appeal
- August 101 - No appeal
- September 101 - No appeal
- October 101 - No appeal
- November 101 - No appeal
- December 101 - No appeal

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**Contact**

Atlanta Legal Aid
404-524-5811 or 404-657-9915 (Seniors 60+)**

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**Notice of Assessment Date and Appeal Deadline Exemption Status Current Year Market Value Estimated Taxes Due**

- **ested Value**
- **Property ID**
- **Assessed**
- **Tax Year**
- **Current Year Market Value**
- **Estimated Taxes Due**
WHAT IF I DON’T PAY MY TAXES?
## Tax Foreclosure Process

<table>
<thead>
<tr>
<th>Step</th>
</tr>
</thead>
<tbody>
<tr>
<td>Taxes Due</td>
</tr>
<tr>
<td>Fi.Fa. Issued</td>
</tr>
<tr>
<td>Levy</td>
</tr>
<tr>
<td>Tax Foreclosure (aka Tax Deed Sale)</td>
</tr>
<tr>
<td>Right of Redemption (1 year, minimum)</td>
</tr>
<tr>
<td>Redeem (Pay amount of tax sale plus interest.)</td>
</tr>
<tr>
<td>Foreclose or Bar Right to Redeem</td>
</tr>
</tbody>
</table>

### IF YOU HAVE QUESTIONS

**Stacy Reynolds**  
Staff Attorney, Senior Citizens Law Project  
Atlanta Legal Aid Society  
54 Ellis Street NE  
Atlanta, GA 30303  
Phone: (404) 614-3931 | Fax: (404) 525-5710  
Email: sereynolds@atlantalegalaid.org

**General Intake:** Seniors (60+): 404-657-9915  
South Fulton: 404-669-0233  
Fulton: 404-524-5811