



MONTGOMERY COUNTY, MARYLAND  
DEPARTMENT OF FINANCE  
DIVISION OF TREASURY  
255 ROCKVILLE PIKE, SUITE L-15  
ROCKVILLE, MARYLAND 20850

**SENIOR CITIZENS REAL PROPERTY TAX DEFERRAL INFORMATION AND  
APPLICATION INSTRUCTIONS**

**NOTE: INCOMPLETE APPLICATIONS WILL BE RETURNED AND  
MUST BE COMPLETED AND RE-SUBMITTED**

The Annotated Code of Maryland, Tax-Property Article Section 10-204 authorized Montgomery County to enact a law that allows eligible taxpayers to defer payment of an increase in County Property Tax. The deferral is to be granted upon application, for residential Real Property occupied as the principal residence of the owner.

**INFORMATION**

This application is filed in accordance with Section 52-18(F) of the Montgomery County Code. This section provides for a deferral of county residential Real Property tax. The application must be received with requested documentation by September 1 of the current taxable year and meet required guidelines to qualify.

**Eligible Property Owners**

The combined gross income of all individuals who actually reside in the dwelling, except for a dependent of the homeowner or any individual residing in the home who pays a reasonable amount for rent or room and board must not exceed \$80,000. Gross income for this purpose is defined in 9-104 of the Property Tax Article of the Annotated Code of Maryland (see Income Defined Section)

In addition, one or more of the homeowners of the residential property must:

1. have resided in the dwelling as their principal residence for five consecutive years, and continues to occupy the property as their principal residence; AND
2. be at least 65 years of age (please provide a copy of your birth certificate, drivers license or other proof of age)

**Eligible Property**

The amount of the property eligible for a deferral is limited to the real property on which the residence is located and the curtilage, as determined by the Supervisor of Assessments, and any adjacent unimproved land on the same lot or parcel that is not assessed on the basis of agricultural use.

**Amount of Payment Deferral**

The amount deferred is determined by the County's current year Property Taxes due which exceeds the amount of County's Property Tax in the preceding year.

**Interest on Deferred Amount**

There is no interest charged on the deferred amount.

**Notice of Lien**

A lien shall attach to the property in the amount of deferred tax and interest (if any) and shall remain until the deferred tax is paid. The lien shall be recorded in the land records of Montgomery County and all costs of

recording the document will be paid by the applicant. Any mortgagee or beneficiary under a deed of trust will be notified of the deferral and the amount of tax being deferred.

### **Real Property Tax Bills**

All County Real Property Tax not deferred is due and payable, subject to the same interest rate and penalty as all other County Property Taxes. The annual tax bill shall show the cumulative amount of the deferral and accrued interest as of the date of the billing.

### **Termination of the Payment Deferral**

The total amount of County Property Tax deferred is due and payable when any one of the following occurs:

1. The eligible homeowner ceases to own the property. This could occur when a property is sold but could also occur when the eligible homeowner dies and the surviving joint owner is not eligible.
2. The eligible homeowner ceases to occupy the property as the principal place of residence.
3. The property becomes subject to Tax Sale.
4. The use of the property changes.

A homeowner may end a deferral at any time by giving written notice to the Director of Finance and paying the deferred tax.

## **INSTRUCTIONS**

### **Income Defined**

For purposes of the tax deferral program, it is emphasized that the applicant must report total income which means the combined gross household income before any deductions are taken. Income information must be reported for the applicant, spouse or co-owner and all other occupants of the dwelling unless such other occupants were claimed as dependents on the applicant's federal income tax return or unless they are paying reasonable fixed charges, such as rent or room and board. Payment of household expenses by other occupants should be reported as room and board. If other occupants are not dependents and are not being charged rent or room and board, you must include their total gross income. Your spouse and all owners on the deed who reside in the dwelling must report their gross income.

"Gross Income" means the total income from all sources for the calendar year that immediately precedes the taxable year, whether or not the income is included in the definition of gross income for federal and state tax purposes.

"Gross income" includes all of the following:

1. Any benefit under the Social Security Act or the Railroad Retirement Act.
2. The aggregate of gifts over \$300.
3. Alimony.
4. Support money.
5. Any nontaxable strike benefit.
6. Public assistance received in a cash grant.
7. A pension.
8. An annuity.
9. Any unemployment insurance benefit.

10. Any workers' compensation benefit.
11. The net income received from a business, rental, or other endeavor.
12. Any withdrawal, payment, or distribution from an individual retirement account.
13. Any withdrawal, payment, or distribution from any qualified retirement savings plan.
14. Any rent on the dwelling, including rent from a room or apartment.

“Gross Income” does not include:

1. Any income tax refund received from the state or federal government.
2. Any loss from business, rental or other endeavor.

### **Copy of Federal Tax Return**

If you file a federal income tax return, you must furnish a photocopy of your completed federal return, including all accompanying schedules and other forms with this application. If income was derived from a partnership or corporation, a copy of the partnership return (form 1065 including schedule K-1) and/or a copy of the corporate return (Form 1120 or 1120S, including Schedule K-1) must also be included. If separate returns were filed by married spouses, then a copy of each must be included.

### **Time and Place for Filing**

The deadline for filing this application is September 1<sup>st</sup>. For the property tax year beginning July 1st please pay the full 1<sup>st</sup> installment in a timely manner to avoid interest charges. Once approved, your deferral will be applied toward your 2<sup>nd</sup> installment or refunded if your bill has been paid in full.

Please mail your completed application along with proof of age, a copy of your federal income tax return, the completed Tax Deferral and Lien Agreement and any schedules, items or documentation as required in the Application to:

**MONTGOMERY COUNTY MARYLAND  
DEPARTMENT OF FINANCE  
DIVISION OF TREASURY  
ATTN: TAX DEFERRAL  
255 ROCKVILLE PIKE, SUITE L-15  
ROCKVILLE, MD 20850**

### **Income Verification**

In certain individual cases only, a secondary request may be made to submit additional documentation or other items of evidence in an effort to verify income as a means to substantiate information provided on application submitted. Please be advised, an application is always subject to an audit at any time.

### **INFORMATION AND ASSISTANCE**

For information and assistance, call 240-777-0311 between the hours of 8am and 5pm Monday – Friday.

#### **PRIVACY NOTICE**

The principal purpose for which this information is sought is to determine your eligibility for a tax deferral. Pursuant to state law, information about your finances, including your assets, income, liabilities, or net worth, cannot be disclosed by county officials, unless required by court order. In addition, tax information required in a federal return that is included in a state return may not be disclosed by any county employee unless that employee by reason of office has a right to tax information or unless required by court or legislative order.