

# HOUSE BILL NO. 4534

March 18, 2021, Introduced by Rep. Slagh and referred to the Committee on Local Government and Municipal Finance.

A bill to amend 1893 PA 206, entitled  
"The general property tax act,"  
by amending sections 7cc and 53b (MCL 211.7cc and 211.53b), section  
7cc as amended by 2020 PA 96 and section 53b as amended by 2020 PA  
206.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

**1**       Sec. 7cc. (1) A principal residence is exempt from the tax  
**2**       levied by a local school district for school operating purposes to  
**3**       the extent provided under section 1211 of the revised school code,

1 1976 PA 451, MCL 380.1211, if an owner of that principal residence  
2 claims an exemption as provided in this section. Notwithstanding  
3 the tax day provided in section 2, the status of property as a  
4 principal residence shall be determined on the date an affidavit  
5 claiming an exemption is filed under subsection (2).

6 (2) Except as otherwise provided in subsection (5), an owner  
7 of property may claim 1 exemption under this section by filing an  
8 affidavit on or before May 1 for taxes levied before January 1,  
9 2012 or, for taxes levied after December 31, 2011, on or before  
10 June 1 for the immediately succeeding summer tax levy and all  
11 subsequent tax levies or on or before November 1 for the  
12 immediately succeeding winter tax levy and all subsequent tax  
13 levies with the local tax collecting unit in which the property is  
14 located. For the 2020 tax year only, an owner may claim 1 exemption  
15 under this section by filing an affidavit on or before June 30,  
16 2020 for the 2020 summer tax levy and all subsequent tax levies  
17 with the local tax collecting unit in which the property is  
18 located. The affidavit shall state that the property is owned and  
19 occupied as a principal residence by that owner of the property on  
20 the date that the affidavit is signed and shall state that the  
21 owner has not claimed a substantially similar exemption, deduction,  
22 or credit on property in another state. The affidavit shall be on a  
23 form prescribed by the department of treasury. One copy of the  
24 affidavit shall be retained by the owner and 1 copy shall be  
25 retained by the local tax collecting unit, together with all  
26 information submitted under subsection (28) for a cooperative  
27 housing corporation. The local tax collecting unit shall forward to  
28 the department of treasury a copy of the affidavit and any  
29 information submitted under subsection (28) upon a request from the

1 department of treasury. The affidavit shall require the owner  
2 claiming the exemption to indicate if that owner or that owner's  
3 spouse has claimed another exemption on property in this state that  
4 is not rescinded or a substantially similar exemption, deduction,  
5 or credit on property in another state that is not rescinded. If  
6 the affidavit requires an owner to include a Social Security  
7 number, that owner's number is subject to the disclosure  
8 restrictions in 1941 PA 122, MCL 205.1 to 205.31. If an owner of  
9 property filed an affidavit for an exemption under this section  
10 before January 1, 2004, that affidavit shall be considered the  
11 affidavit required under this subsection for a principal residence  
12 exemption and that exemption shall remain in effect until rescinded  
13 as provided in this section.

14 (3) Except as otherwise provided in subsection (5), a married  
15 couple who are required to file or who do file a joint Michigan  
16 income tax return are entitled to not more than 1 exemption under  
17 this section. For taxes levied after December 31, 2002, a person is  
18 not entitled to an exemption under this section in any calendar  
19 year in which any of the following conditions occur:

20 (a) That person has claimed a substantially similar exemption,  
21 deduction, or credit, regardless of amount, on property in another  
22 state. Upon request by the department of treasury, the assessor of  
23 the local tax collecting unit, the county treasurer or his or her  
24 designee, or the county equalization director or his or her  
25 designee, a person who claims an exemption under this section  
26 shall, within 30 days, file an affidavit on a form prescribed by  
27 the department of treasury stating that the person has not claimed  
28 a substantially similar exemption, deduction, or credit on property  
29 in another state. A claim for a substantially similar exemption,

1 deduction, or credit in another state occurs at the time of the  
2 filing or granting of a substantially similar exemption, deduction,  
3 or credit in another state. If the assessor of the local tax  
4 collecting unit, the department of treasury, or the county denies  
5 an existing claim for exemption under this section, an owner of the  
6 property subject to that denial cannot rescind a substantially  
7 similar exemption, deduction, or credit claimed in another state in  
8 order to qualify for the exemption under this section for any of  
9 the years denied. If a person claims an exemption under this  
10 section and a substantially similar exemption, deduction, or credit  
11 in another state, that person is subject to a penalty of \$500.00.  
12 The penalty shall be distributed in the same manner as interest is  
13 distributed under subsection (25).

14 (b) Subject to subdivision (a), that person or his or her  
15 spouse owns property in a state other than this state for which  
16 that person or his or her spouse claims an exemption, deduction, or  
17 credit substantially similar to the exemption provided under this  
18 section, unless that person and his or her spouse file separate  
19 income tax returns.

20 (c) That person has filed a nonresident Michigan income tax  
21 return, except active duty military personnel stationed in this  
22 state with his or her principal residence in this state.

23 (d) That person has filed an income tax return in a state  
24 other than this state as a resident, except active duty military  
25 personnel stationed in this state with his or her principal  
26 residence in this state.

27 (e) That person has previously rescinded an exemption under  
28 this section for the same property for which an exemption is now  
29 claimed and there has not been a transfer of ownership of that

1 property after the previous exemption was rescinded, if either of  
2 the following conditions is satisfied:

3 (i) That person has claimed an exemption under this section for  
4 any other property for that tax year.

5 (ii) That person has rescinded an exemption under this section  
6 on other property, which exemption remains in effect for that tax  
7 year, and there has not been a transfer of ownership of that  
8 property.

9 (4) Upon receipt of an affidavit filed under subsection (2) **or**  
10 **subsection (19)**, and unless the claim is denied under this section,  
11 the assessor shall exempt the property from the collection of the  
12 tax levied by a local school district for school operating purposes  
13 to the extent provided under section 1211 of the revised school  
14 code, 1976 PA 451, MCL 380.1211, as provided in subsection (1)  
15 until December 31 of the year in which the property is transferred  
16 or, except as otherwise provided in subsections (5), (32), and  
17 (33), is no longer a principal residence as defined in section 7dd,  
18 or the owner is no longer entitled to an exemption as provided in  
19 subsection (3).

20 (5) Except as otherwise provided in this subsection and  
21 subsections (32) and (33), not more than 90 days after exempted  
22 property is no longer used as a principal residence by the owner  
23 claiming an exemption, that owner shall rescind the claim of  
24 exemption by filing with the local tax collecting unit a rescission  
25 form prescribed by the department of treasury. The local tax  
26 collecting unit shall retain the rescission form and shall forward  
27 a copy of it to the department of treasury upon a request from the  
28 department of treasury. If an owner is eligible for and claims an  
29 exemption for that owner's current principal residence, that owner

1 may retain an exemption for not more than 3 tax years on property  
2 previously exempt as his or her principal residence if that  
3 property is not occupied, is for sale, is not leased, and is not  
4 used for any business or commercial purpose by filing a conditional  
5 rescission form prescribed by the department of treasury with the  
6 local tax collecting unit within the time period prescribed in  
7 subsection (2). Beginning in the 2012 tax year, subject to the  
8 payment requirement set forth in this subsection, if a land  
9 contract vendor, bank, credit union, or other lending institution  
10 owns property as a result of a foreclosure or forfeiture of a  
11 recorded instrument under chapter 31, 32, or 57 of the revised  
12 judicature act of 1961, 1961 PA 236, MCL 600.3101 to 600.3285 and  
13 MCL 600.5701 to 600.5759, or through deed or conveyance in lieu of  
14 a foreclosure or forfeiture on that property and that property had  
15 been exempt under this section immediately preceding the  
16 foreclosure, that land contract vendor, bank, credit union, or  
17 other lending institution may retain an exemption on that property  
18 at the same percentage of exemption that the property previously  
19 had under this section if that property is not occupied other than  
20 by the person who claimed the exemption under this section  
21 immediately preceding the foreclosure or forfeiture, is for sale,  
22 is not leased to any person other than the person who claimed the  
23 exemption under this section immediately preceding the foreclosure,  
24 and is not used for any business or commercial purpose. A land  
25 contract vendor, bank, credit union, or other lending institution  
26 may claim an exemption under this subsection by filing a  
27 conditional rescission form prescribed by the department of  
28 treasury with the local tax collecting unit within the time period  
29 prescribed in subsection (2). Property is eligible for a

1 conditional rescission if that property is available for lease and  
2 all other conditions under this subsection are met. ~~A copy of a~~  
3 ~~conditional rescission form shall be forwarded to the department of~~  
4 ~~treasury according to a schedule prescribed by the department of~~  
5 ~~treasury.~~ **One copy of the conditional rescission shall be retained**  
6 **by the owner and 1 copy shall be retained by the local tax**  
7 **collecting unit. The local tax collecting unit shall forward to the**  
8 **department of treasury a copy of an affidavit upon a request by the**  
9 **department of treasury.** An owner or a land contract vendor, bank,  
10 credit union, or other lending institution that files a conditional  
11 rescission form shall annually verify to the assessor of the local  
12 tax collecting unit on or before December 31 that the property for  
13 which the principal residence exemption is retained is not occupied  
14 other than by the person who claimed the exemption under this  
15 section immediately preceding the foreclosure or forfeiture, is for  
16 sale, is not leased except as otherwise provided in this section,  
17 and is not used for any business or commercial purpose. The land  
18 contract vendor, bank, credit union, or other lending institution  
19 may retain the exemption authorized under this section for not more  
20 than 3 tax years. If an owner or a land contract vendor, bank,  
21 credit union, or other lending institution does not annually verify  
22 by December 31 that the property for which the principal residence  
23 exemption is retained is not occupied other than by the person who  
24 claimed the exemption under this section immediately preceding the  
25 foreclosure or forfeiture, is for sale, is not leased except as  
26 otherwise provided in this section, and is not used for any  
27 business or commercial purpose, the assessor of the local tax  
28 collecting unit shall deny the principal residence exemption on  
29 that property. Except as otherwise provided in this section, if

1 property subject to a conditional rescission is leased, the local  
2 tax collecting unit shall deny that conditional rescission and that  
3 denial is retroactive and is effective on December 31 of the year  
4 immediately preceding the year in which the property subject to the  
5 conditional rescission is leased. An owner who fails to file a  
6 rescission as required by this subsection is subject to a penalty  
7 of \$5.00 per day for each separate failure beginning after the 90  
8 days have elapsed, up to a maximum of \$200.00. This penalty shall  
9 be collected under 1941 PA 122, MCL 205.1 to 205.31, and shall be  
10 deposited in the state school aid fund established in section 11 of  
11 article IX of the state constitution of 1963. This penalty may be  
12 waived by the department of treasury. If a land contract vendor,  
13 bank, credit union, or other lending institution retains an  
14 exemption on property under this subsection, that land contract  
15 vendor, bank, credit union, or other lending institution shall pay  
16 an amount equal to the additional amount that land contract vendor,  
17 bank, credit union, or other lending institution would have paid  
18 under section 1211 of the revised school code, 1976 PA 451, MCL  
19 380.1211, if an exemption had not been retained on that property,  
20 together with an administration fee equal to the property tax  
21 administration fee imposed under section 44. The payment required  
22 under this subsection shall be collected by the local tax  
23 collecting unit at the same time and in the same manner as taxes  
24 collected under this act. The administration fee shall be retained  
25 by the local tax collecting unit. The amount collected that the  
26 land contract vendor, bank, credit union, or other lending  
27 institution would have paid under section 1211 of the revised  
28 school code, 1976 PA 451, MCL 380.1211, if an exemption had not  
29 been retained on that property is an amount that is not captured by



1 any authority as tax increment revenues and shall be distributed to  
2 the department of treasury monthly for deposit into the state  
3 school aid fund established in section 11 of article IX of the  
4 state constitution of 1963. If a land contract vendor, bank, credit  
5 union, or other lending institution transfers ownership of property  
6 for which an exemption is retained under this subsection, that land  
7 contract vendor, bank, credit union, or other lending institution  
8 shall rescind the exemption as provided in this section and shall  
9 notify the treasurer of the local tax collecting unit of that  
10 transfer of ownership. If a land contract vendor, bank, credit  
11 union, or other lending institution fails to make the payment  
12 required under this subsection for any property within the period  
13 for which property taxes are due and payable without penalty, the  
14 local tax collecting unit shall deny that conditional rescission  
15 and that denial is retroactive and is effective on December 31 of  
16 the immediately preceding year. If the local tax collecting unit  
17 denies a conditional rescission, the local tax collecting unit  
18 shall remove the exemption of the property and the amount due from  
19 the land contract vendor, bank, credit union, or other lending  
20 institution shall be a tax so that the additional taxes, penalties,  
21 and interest shall be collected as provided for in this section. If  
22 payment of the tax under this subsection is not made by the March 1  
23 following the levy of the tax, the tax shall be turned over to the  
24 county treasurer and collected in the same manner as delinquent  
25 taxes under this act. An owner of property who previously occupied  
26 that property as his or her principal residence but now resides in  
27 a nursing home, assisted living facility, or, if residing there  
28 solely for purposes of convalescence, any other location may retain  
29 an exemption on that property if the owner manifests an intent to

1 return to that property by satisfying all of the following  
2 conditions:

3 (a) The owner continues to own that property while residing in  
4 the nursing home, assisted living facility, or other location.

5 (b) The owner has not established a new principal residence.

6 (c) The owner maintains or provides for the maintenance of  
7 that property while residing in the nursing home, assisted living  
8 facility, or other location.

9 (d) That property is not leased and is not used for any  
10 business or commercial purpose.

11 (6) Except as otherwise provided in subsections (5), (32), and  
12 (33), if the assessor of the local tax collecting unit believes  
13 that the property for which an exemption is claimed is not the  
14 principal residence of the owner claiming the exemption, the  
15 assessor may deny a new or existing claim by notifying the owner  
16 and the ~~department of treasury~~ **county treasurer** in writing of the  
17 reason for the denial and advising the owner that the denial may be  
18 appealed to the residential and small claims division of the  
19 Michigan tax tribunal within 35 days after the date of the notice.  
20 The assessor may deny a claim for exemption for the current year  
21 and for the 3 immediately preceding calendar years. If the assessor  
22 denies an existing claim for exemption, the assessor shall remove  
23 the exemption of the property and, if the tax roll is in the local  
24 tax collecting unit's possession, amend the tax roll to reflect the  
25 denial and the local treasurer shall within 30 days of the date of  
26 the denial issue a corrected tax bill for any additional taxes with  
27 interest at the rate of 1.25% per month or fraction of a month and  
28 penalties computed from the date the taxes were last payable  
29 without interest or penalty. If the tax roll is in the county

1 treasurer's possession, the tax roll shall be amended to reflect  
2 the denial and the county treasurer shall within 30 days of the  
3 date of the denial prepare and submit a supplemental tax bill for  
4 any additional taxes, together with interest at the rate of 1.25%  
5 per month or fraction of a month and penalties computed from the  
6 date the taxes were last payable without interest or penalty.  
7 Interest on any tax set forth in a corrected or supplemental tax  
8 bill shall again begin to accrue 60 days after the date the  
9 corrected or supplemental tax bill is issued at the rate of 1.25%  
10 per month or fraction of a month. Taxes levied in a corrected or  
11 supplemental tax bill shall be returned as delinquent on the March  
12 1 in the year immediately succeeding the year in which the  
13 corrected or supplemental tax bill is issued. If the assessor  
14 denies an existing claim for exemption, the interest due shall be  
15 distributed as provided in subsection (25). However, if the  
16 property has been transferred to a bona fide purchaser before  
17 additional taxes were billed to the seller as a result of the  
18 denial of a claim for exemption, the taxes, interest, and penalties  
19 shall not be a lien on the property and shall not be billed to the  
20 bona fide purchaser, and the local tax collecting unit if the local  
21 tax collecting unit has possession of the tax roll or the county  
22 treasurer if the county has possession of the tax roll shall notify  
23 the department of treasury of the amount of tax due, interest, and  
24 penalties through the date of that notification. The department of  
25 treasury shall then assess the owner who claimed the exemption  
26 under this section for the tax, interest, and penalties accruing as  
27 a result of the denial of the claim for exemption, if any, as for  
28 unpaid taxes provided under 1941 PA 122, MCL 205.1 to 205.31, and  
29 shall deposit any tax or penalty collected into the state school

1 aid fund and shall distribute any interest collected as provided in  
 2 subsection (25). The denial shall be made on a form prescribed by  
 3 the department of treasury. ~~If the property for which the assessor~~  
 4 ~~has denied a claim for exemption under this subsection is located~~  
 5 ~~in a county in which the county treasurer or the county~~  
 6 ~~equalization director have elected to audit exemptions under~~  
 7 ~~subsection (10), the assessor shall notify the county treasurer or~~  
 8 ~~the county equalization director of the denial under this~~  
 9 ~~subsection.~~ **The assessor shall forward to the department of treasury**  
 10 **a copy of a denial upon a request by the department of treasury.**

11 (7) If the assessor of the local tax collecting unit believes  
 12 that the property for which the exemption is claimed is not the  
 13 principal residence of the owner claiming the exemption and has not  
 14 denied the claim, the assessor shall include a recommendation for  
 15 denial with any affidavit that is forwarded to the department of  
 16 treasury or, for an existing claim, shall send a recommendation for  
 17 denial to the department of treasury, stating the reasons for the  
 18 recommendation.

19 (8) The department of treasury shall determine if the property  
 20 is the principal residence of the owner claiming the exemption.  
 21 Except as otherwise provided in subsection (21), the department of  
 22 treasury may review the validity of exemptions for the current  
 23 calendar year and for the 3 immediately preceding calendar years.  
 24 Except as otherwise provided in subsections (5), (32), and (33), if  
 25 the department of treasury determines that the property is not the  
 26 principal residence of the owner claiming the exemption, the  
 27 department shall send a notice of that determination to the local  
 28 tax collecting unit and to the owner of the property claiming the  
 29 exemption, indicating that the claim for exemption is denied,

1 stating the reason for the denial, and advising the owner claiming  
2 the exemption of the right to appeal the determination to the  
3 department of treasury and what those rights of appeal are. The  
4 department of treasury may issue a notice denying a claim if an  
5 owner fails to respond within 30 days of receipt of a request for  
6 information from that department. An owner may appeal the denial of  
7 a claim of exemption to the department of treasury within 35 days  
8 of receipt of the notice of denial. An appeal to the department of  
9 treasury shall be conducted according to the provisions for an  
10 informal conference in section 21 of 1941 PA 122, MCL 205.21.  
11 Within 10 days after acknowledging an appeal of a denial of a claim  
12 of exemption, the department of treasury shall notify the assessor  
13 and the treasurer for the county in which the property is located  
14 that an appeal has been filed. Upon receipt of a notice that the  
15 department of treasury has denied a claim for exemption, the  
16 assessor shall remove the exemption of the property and, if the tax  
17 roll is in the local tax collecting unit's possession, amend the  
18 tax roll to reflect the denial and the local treasurer shall within  
19 30 days of the date of the denial issue a corrected tax bill for  
20 any additional taxes with interest at the rate of 1.25% per month  
21 or fraction of a month and penalties computed from the date the  
22 taxes were last payable without interest and penalty. If the tax  
23 roll is in the county treasurer's possession, the tax roll shall be  
24 amended to reflect the denial and the county treasurer shall within  
25 30 days of the date of the denial prepare and submit a supplemental  
26 tax bill for any additional taxes, together with interest at the  
27 rate of 1.25% per month or fraction of a month and penalties  
28 computed from the date the taxes were last payable without interest  
29 or penalty. Interest on any tax set forth in a corrected or

1 supplemental tax bill shall again begin to accrue 60 days after the  
2 date the corrected or supplemental tax bill is issued at the rate  
3 of 1.25% per month or fraction of a month. The department of  
4 treasury may waive interest on any tax set forth in a corrected or  
5 supplemental tax bill for the current tax year and the immediately  
6 preceding 3 tax years if the assessor of the local tax collecting  
7 unit files with the department of treasury a sworn affidavit in a  
8 form prescribed by the department of treasury stating that the tax  
9 set forth in the corrected or supplemental tax bill is a result of  
10 the assessor's classification error or other error or the  
11 assessor's failure to rescind the exemption after the owner  
12 requested in writing that the exemption be rescinded. Taxes levied  
13 in a corrected or supplemental tax bill shall be returned as  
14 delinquent on the March 1 in the year immediately succeeding the  
15 year in which the corrected or supplemental tax bill is issued. If  
16 the department of treasury denies an existing claim for exemption,  
17 the interest due shall be distributed as provided in subsection  
18 (25). However, if the property has been transferred to a bona fide  
19 purchaser before additional taxes were billed to the seller as a  
20 result of the denial of a claim for exemption, the taxes, interest,  
21 and penalties shall not be a lien on the property and shall not be  
22 billed to the bona fide purchaser, and the local tax collecting  
23 unit if the local tax collecting unit has possession of the tax  
24 roll or the county treasurer if the county has possession of the  
25 tax roll shall notify the department of treasury of the amount of  
26 tax due and interest through the date of that notification. The  
27 department of treasury shall then assess the owner who claimed the  
28 exemption under this section for the tax and interest plus penalty  
29 accruing as a result of the denial of the claim for exemption, if

1 any, as for unpaid taxes provided under 1941 PA 122, MCL 205.1 to  
2 205.31, and shall deposit any tax or penalty collected into the  
3 state school aid fund and shall distribute any interest collected  
4 as provided in subsection (25).

5 (9) The department of treasury may enter into an agreement  
6 regarding the implementation or administration of subsection (8)  
7 with the assessor of any local tax collecting unit in a county that  
8 has not elected to audit exemptions claimed under this section as  
9 provided in subsection (10). The agreement may specify that for a  
10 period of time, not to exceed 120 days, the department of treasury  
11 will not deny an exemption identified by the department of treasury  
12 in the list provided under subsection (11).

13 (10) A county may elect to audit the exemptions claimed under  
14 this section in all local tax collecting units located in that  
15 county as provided in this subsection. The election to audit  
16 exemptions shall be made by the county treasurer, or by the county  
17 equalization director with the concurrence by resolution of the  
18 county board of commissioners. The initial election to audit  
19 exemptions shall require an audit period of 2 years. Before 2009,  
20 subsequent elections to audit exemptions shall be made every 2  
21 years and shall require 2 annual audit periods. Beginning in 2009,  
22 an election to audit exemptions shall be made every 5 years and  
23 shall require 5 annual audit periods. An election to audit  
24 exemptions shall be made by submitting an election to audit form to  
25 the assessor of each local tax collecting unit in that county and  
26 to the department of treasury not later than April 1 preceding the  
27 October 1 in the year in which an election to audit is made. The  
28 election to audit form required under this subsection shall be in a  
29 form prescribed by the department of treasury. If a county elects

1 to audit the exemptions claimed under this section, the department  
2 of treasury may continue to review the validity of exemptions as  
3 provided in subsection (8). If a county does not elect to audit the  
4 exemptions claimed under this section as provided in this  
5 subsection, the department of treasury shall conduct an audit of  
6 exemptions claimed under this section in the initial 2-year audit  
7 period for each local tax collecting unit in that county unless the  
8 department of treasury has entered into an agreement with the  
9 assessor for that local tax collecting unit under subsection (9).

10 (11) If a county elects to audit the exemptions claimed under  
11 this section as provided in subsection (10) and the county  
12 treasurer or his or her designee or the county equalization  
13 director or his or her designee believes that the property for  
14 which an exemption is claimed is not the principal residence of the  
15 owner claiming the exemption, the county treasurer or his or her  
16 designee or the county equalization director or his or her designee  
17 may, except as otherwise provided in subsections (5), (32), and  
18 (33), deny an existing claim by notifying the owner ~~and~~ the  
19 assessor of the local tax collecting unit ~~and the department of~~  
20 ~~treasury~~ in writing of the reason for the denial and advising the  
21 owner that the denial may be appealed to the residential and small  
22 claims division of the Michigan tax tribunal within 35 days after  
23 the date of the notice. The county treasurer or his or her designee  
24 or the county equalization director or his or her designee may deny  
25 a claim for exemption for the current year and for the 3  
26 immediately preceding calendar years. If the county treasurer or  
27 his or her designee or the county equalization director or his or  
28 her designee denies an existing claim for exemption, the county  
29 treasurer or his or her designee or the county equalization



1 director or his or her designee shall direct the assessor of the  
2 local tax collecting unit in which the property is located to  
3 remove the exemption of the property from the assessment roll and,  
4 if the tax roll is in the local tax collecting unit's possession,  
5 direct the assessor of the local tax collecting unit to amend the  
6 tax roll to reflect the denial and the treasurer of the local tax  
7 collecting unit shall within 30 days of the date of the denial  
8 issue a corrected tax bill for any additional taxes with interest  
9 at the rate of 1.25% per month or fraction of a month and penalties  
10 computed from the date the taxes were last payable without interest  
11 and penalty. If the tax roll is in the county treasurer's  
12 possession, the tax roll shall be amended to reflect the denial and  
13 the county treasurer shall within 30 days of the date of the denial  
14 prepare and submit a supplemental tax bill for any additional  
15 taxes, together with interest at the rate of 1.25% per month or  
16 fraction of a month and penalties computed from the date the taxes  
17 were last payable without interest or penalty. Interest on any tax  
18 set forth in a corrected or supplemental tax bill shall again begin  
19 to accrue 60 days after the date the corrected or supplemental tax  
20 bill is issued at the rate of 1.25% per month or fraction of a  
21 month. Taxes levied in a corrected or supplemental tax bill shall  
22 be returned as delinquent on the March 1 in the year immediately  
23 succeeding the year in which the corrected or supplemental tax bill  
24 is issued. If the county treasurer or his or her designee or the  
25 county equalization director or his or her designee denies an  
26 existing claim for exemption, the interest due shall be distributed  
27 as provided in subsection (25). However, if the property has been  
28 transferred to a bona fide purchaser before additional taxes were  
29 billed to the seller as a result of the denial of a claim for

1 exemption, the taxes, interest, and penalties shall not be a lien  
2 on the property and shall not be billed to the bona fide purchaser,  
3 and the local tax collecting unit if the local tax collecting unit  
4 has possession of the tax roll or the county treasurer if the  
5 county has possession of the tax roll shall notify the department  
6 of treasury of the amount of tax due and interest through the date  
7 of that notification. The department of treasury shall then assess  
8 the owner who claimed the exemption under this section for the tax  
9 and interest plus penalty accruing as a result of the denial of the  
10 claim for exemption, if any, as for unpaid taxes provided under  
11 1941 PA 122, MCL 205.1 to 205.31, and shall deposit any tax or  
12 penalty collected into the state school aid fund and shall  
13 distribute any interest collected as provided in subsection (25).  
14 **The denial shall be made on a form prescribed by the department of**  
15 **treasury. The county treasurer or his or her designee or the county**  
16 **equalization director or his or her designee shall forward to the**  
17 **department of treasury a copy of a denial upon a request by the**  
18 **department of treasury.** The department of treasury shall annually  
19 provide the county treasurer or his or her designee or the county  
20 equalization director or his or her designee a list of parcels of  
21 property located in that county for which an exemption may be  
22 erroneously claimed. The county treasurer or his or her designee or  
23 the county equalization director or his or her designee shall  
24 forward copies of the list provided by the department of treasury  
25 to each assessor in each local tax collecting unit in that county  
26 within 10 days of receiving the list.

27 (12) If a county elects to audit exemptions claimed under this  
28 section as provided in subsection (10), the county treasurer or the  
29 county equalization director may enter into an agreement with the

1 assessor of a local tax collecting unit in that county regarding  
2 the implementation or administration of this section. The agreement  
3 may specify that for a period of time, not to exceed 120 days, the  
4 county will not deny an exemption identified by the department of  
5 treasury in the list provided under subsection (11).

6 (13) An owner may appeal a denial by the assessor of the local  
7 tax collecting unit under subsection (6), a final decision of the  
8 department of treasury under subsection (8), or a denial by the  
9 county treasurer or his or her designee or the county equalization  
10 director or his or her designee under subsection (11) to the  
11 residential and small claims division of the Michigan tax tribunal  
12 within 35 days of that decision. An owner is not required to pay  
13 the amount of tax in dispute in order to appeal a denial of a claim  
14 of exemption to the department of treasury or to receive a final  
15 determination of the residential and small claims division of the  
16 Michigan tax tribunal. However, interest at the rate of 1.25% per  
17 month or fraction of a month and penalties shall accrue and be  
18 computed from the date the taxes were last payable without interest  
19 and penalty. If the residential and small claims division of the  
20 Michigan tax tribunal grants an owner's appeal of a denial and that  
21 owner has paid the interest due as a result of a denial under  
22 subsection (6), (8), or (11), the interest received after a  
23 distribution was made under subsection (25) shall be refunded.

24 (14) For taxes levied after December 31, 2005, for each county  
25 in which the county treasurer or the county equalization director  
26 does not elect to audit the exemptions claimed under this section  
27 as provided in subsection (10), the department of treasury shall  
28 conduct an annual audit of exemptions claimed under this section  
29 for the current calendar year.

1           (15) ~~Except as otherwise provided in subsection (5), an~~  
2 ~~affidavit filed by an owner for the exemption under this section~~  
3 ~~rescinds all previous exemptions filed by that owner for any other~~  
4 ~~property. The department of treasury shall notify the assessor of~~  
5 ~~the local tax collecting unit in which the property for which a~~  
6 ~~previous exemption was claimed is located if the previous exemption~~  
7 ~~is rescinded by the subsequent affidavit. When an exemption is~~  
8 rescinded as provided in subsection (5), the assessor of the local  
9 tax collecting unit shall remove the exemption effective December  
10 31 of the year in which the affidavit was filed that rescinded the  
11 exemption. For any year for which the rescinded exemption has not  
12 been removed from the tax roll, the exemption shall be denied as  
13 provided in this section. However, interest and penalty shall not  
14 be imposed for a year for which a rescission form has been timely  
15 filed under subsection (5).

16           (16) Except as otherwise provided in subsection (30), if the  
17 principal residence is part of a unit in a multiple-unit dwelling  
18 or a dwelling unit in a multiple-purpose structure, an owner shall  
19 claim an exemption for only that portion of the total taxable value  
20 of the property used as the principal residence of that owner in a  
21 manner prescribed by the department of treasury. If a portion of a  
22 parcel for which the owner claims an exemption is used for a  
23 purpose other than as a principal residence, the owner shall claim  
24 an exemption for only that portion of the taxable value of the  
25 property used as the principal residence of that owner in a manner  
26 prescribed by the department of treasury.

27           (17) When a county register of deeds records a transfer of  
28 ownership of a property, he or she shall notify the local tax  
29 collecting unit in which the property is located of the transfer.

1           (18) The department of treasury shall make available the  
2 affidavit forms and the forms to rescind an exemption, which may be  
3 on the same form, to all city and township assessors, county  
4 equalization officers, county registers of deeds, and closing  
5 agents. A person who prepares a closing statement for the sale of  
6 property shall provide affidavit and rescission forms to the buyer  
7 and seller at the closing and, if requested by the buyer or seller  
8 after execution by the buyer or seller, shall file the forms with  
9 the local tax collecting unit in which the property is located. If  
10 a closing statement preparer fails to provide exemption affidavit  
11 and rescission forms to the buyer and seller, or fails to file the  
12 affidavit and rescission forms with the local tax collecting unit  
13 if requested by the buyer or seller, the buyer may appeal to the  
14 department of treasury within 30 days of notice to the buyer that  
15 an exemption was not recorded. If the department of treasury  
16 determines that the buyer qualifies for the exemption, the  
17 department of treasury shall notify the assessor of the local tax  
18 collecting unit that the exemption is granted and the assessor of  
19 the local tax collecting unit or, if the tax roll is in the  
20 possession of the county treasurer, the county treasurer shall  
21 correct the tax roll to reflect the exemption. This subsection does  
22 not create a cause of action at law or in equity against a closing  
23 statement preparer who fails to provide exemption affidavit and  
24 rescission forms to a buyer and seller or who fails to file the  
25 affidavit and rescission forms with the local tax collecting unit  
26 when requested to do so by the buyer or seller.

27           ~~(19) An owner who owned and occupied a principal residence on~~  
28 ~~May 1 for taxes levied before January 1, 2012 for which the~~  
29 ~~exemption was not on the tax roll may file an appeal with the July~~

1 ~~board of review or December board of review in the year for which~~  
2 ~~the exemption was claimed or the immediately succeeding 3 years.~~  
3 ~~For taxes levied after December 31, 2011, an~~ **An** owner who owned and  
4 occupied a principal residence within the time period prescribed in  
5 subsection (2) for which the exemption was not on the tax roll, or  
6 an owner of property who previously occupied that property as his  
7 or her principal residence but did not occupy that property within  
8 the time period prescribed in subsection (2) while residing in a  
9 nursing home, assisted living facility, or other location under the  
10 circumstances described in subsection (5) (a) to (d), while absent  
11 on active duty as a member of any branch of the Armed Forces of the  
12 United States, including the Coast Guard, a reserve component of  
13 any branch of the Armed Forces of the United States, or the  
14 National Guard, under the circumstances described in subsection  
15 (32) (a) to (d), or while absent due to the damage or destruction of  
16 the principal residence under the circumstances described in  
17 subsection (33) (a) to (d), for which the exemption was not on the  
18 tax roll, may file an ~~appeal with the July board of review or~~  
19 ~~December board of review in the year for which the exemption was~~  
20 ~~claimed or the immediately succeeding 3 years. If an appeal of a~~  
21 ~~claim for exemption that was not on the tax roll is received not~~  
22 ~~later than 5 days before the date of the December board of review,~~  
23 ~~the local tax collecting unit shall convene a December board of~~  
24 ~~review and consider the appeal pursuant to this section and section~~  
25 ~~53b.~~ **affidavit with the local tax collecting unit claiming an**  
26 **exemption under this section for the current calendar year or the**  
27 **immediately preceding 3 calendar years. The affidavit for the**  
28 **exemption for the current calendar year or the immediately**  
29 **preceding 3 calendar years shall be on the form prescribed by the**

1 department of treasury in subsection (2). The affidavit shall be  
2 processed by the assessor in accordance with subsection (4). Upon  
3 request by the local tax collecting unit, the owner shall furnish  
4 proof within 30 days that the owner meets the requirements for the  
5 exemption for the current calendar year or the immediately  
6 preceding 3 calendar years. For the 2020 tax year only, an  
7 affidavit filed on or before June 30, 2020 shall be processed by  
8 the assessor in accordance with subsection (4), and if granting the  
9 exemption results in an overpayment, a rebate shall be made to the  
10 taxpayer in the manner prescribed in subsection (23).

11 (20) An owner who owned and occupied a principal residence  
12 within the time period prescribed in subsection (2) in any year  
13 before the 3 immediately preceding tax years for which the  
14 exemption was not on the tax roll as a result of a qualified error  
15 on the part of the local tax collecting unit may file a request for  
16 the exemption for those tax years with the department of treasury.  
17 The request for the exemption shall be in a form prescribed by the  
18 department of treasury and shall include all documentation the  
19 department of treasury considers necessary to consider the request  
20 and to correct any affected official records if a qualified error  
21 on the part of the local tax collecting unit is recognized and an  
22 exemption is granted. If the department of treasury denies a  
23 request for the exemption under this subsection, the owner is  
24 responsible for all costs related to the request as determined by  
25 the department of treasury. If the department of treasury grants a  
26 request for the exemption under this subsection and the exemption  
27 results in an overpayment of the tax in the years under  
28 consideration, the department of treasury shall notify the  
29 treasurer of the local tax collecting unit, the county treasurer,

1 and other affected officials of the error and the granting of the  
2 request for the exemption and all affected official records shall  
3 be corrected consistent with guidance provided by the department of  
4 treasury. If granting the request for the exemption results in an  
5 overpayment, a rebate, including any interest paid by the owner,  
6 shall be paid to the owner within 30 days of the receipt of the  
7 notice. A rebate shall be without interest. The treasurer in  
8 possession of the appropriate tax roll may deduct the rebate from  
9 the appropriate tax collecting unit's subsequent distribution of  
10 taxes. The treasurer in possession of the appropriate tax roll  
11 shall bill to the appropriate tax collecting unit the tax  
12 collecting unit's share of taxes rebated. A local tax collecting  
13 unit responsible for a qualified error under this subsection shall  
14 reimburse each county treasurer and other affected local official  
15 required to correct official records under this subsection for the  
16 costs incurred in complying with this subsection.

17 (21) If an owner of property received a principal residence  
18 exemption to which that owner was not entitled in any year before  
19 the 3 immediately preceding tax years, as a result of a qualified  
20 error on the part of the local tax collecting unit, the department  
21 of treasury may deny the principal residence exemption as provided  
22 in subsection (8). If the department of treasury denies an  
23 exemption under this subsection, the owner shall be issued a  
24 corrected or supplemental tax bill as provided in subsection (8),  
25 except interest shall not accrue until 60 days after the date the  
26 corrected or supplemental tax bill is issued. A local tax  
27 collecting unit responsible for a qualified error under this  
28 subsection shall reimburse each county treasurer and other affected  
29 local official required to correct official records under this



1 subsection for the costs incurred in complying with this  
2 subsection.

3 (22) If the assessor or treasurer of the local tax collecting  
4 unit believes that the department of treasury erroneously denied a  
5 claim for exemption, the assessor or treasurer may submit written  
6 information supporting the owner's claim for exemption to the  
7 department of treasury within 35 days of the owner's receipt of the  
8 notice denying the claim for exemption. If, after reviewing the  
9 information provided, the department of treasury determines that  
10 the claim for exemption was erroneously denied, the department of  
11 treasury shall grant the exemption and the tax roll shall be  
12 amended to reflect the exemption.

13 (23) If granting the exemption under this section results in  
14 an overpayment of the tax, a rebate, including any interest paid,  
15 shall be made to the taxpayer by the local tax collecting unit if  
16 the local tax collecting unit has possession of the tax roll or by  
17 the county treasurer if the county has possession of the tax roll  
18 within 30 days of the date the exemption is granted. The rebate  
19 shall be without interest. If an exemption for property classified  
20 as timber-cutover real property is granted under this section for  
21 the 2008 or 2009 tax year, the tax roll shall be corrected and any  
22 delinquent and unpaid penalty, interest, and tax resulting from  
23 that property not having been exempt under this section for the  
24 2008 or 2009 tax year shall be waived.

25 (24) If an exemption under this section is erroneously granted  
26 for an affidavit filed before October 1, 2003, an owner may request  
27 in writing that the department of treasury withdraw the exemption.  
28 The request to withdraw the exemption shall be received not later  
29 than November 1, 2003. If an owner requests that an exemption be

1 withdrawn, the department of treasury shall issue an order  
2 notifying the local assessor that the exemption issued under this  
3 section has been denied based on the owner's request. If an  
4 exemption is withdrawn, the property that had been subject to that  
5 exemption shall be immediately placed on the tax roll by the local  
6 tax collecting unit if the local tax collecting unit has possession  
7 of the tax roll or by the county treasurer if the county has  
8 possession of the tax roll as though the exemption had not been  
9 granted. A corrected tax bill shall be issued for the tax year  
10 being adjusted by the local tax collecting unit if the local tax  
11 collecting unit has possession of the tax roll or by the county  
12 treasurer if the county has possession of the tax roll. Unless a  
13 denial has been issued before July 1, 2003, if an owner requests  
14 that an exemption under this section be withdrawn and that owner  
15 pays the corrected tax bill issued under this subsection within 30  
16 days after the corrected tax bill is issued, that owner is not  
17 liable for any penalty or interest on the additional tax. An owner  
18 who pays a corrected tax bill issued under this subsection more  
19 than 30 days after the corrected tax bill is issued is liable for  
20 the penalties and interest that would have accrued if the exemption  
21 had not been granted from the date the taxes were originally  
22 levied.

23 (25) Subject to subsection (26), interest at the rate of 1.25%  
24 per month or fraction of a month collected under subsection (6),  
25 (8), or (11) shall be distributed as follows:

26 (a) If the assessor of the local tax collecting unit denies  
27 the exemption under this section, as follows:

28 (i) To the local tax collecting unit, 70%.

29 (ii) To the department of treasury, 10%.

1           (iii) To the county in which the property is located, 20%.

2           (b) If the department of treasury denies the exemption under  
3 this section, as follows:

4           (i) To the local tax collecting unit, 20%.

5           (ii) To the department of treasury, 70%.

6           (iii) To the county in which the property is located, 10%.

7           (c) If the county treasurer or his or her designee or the  
8 county equalization director or his or her designee denies the  
9 exemption under this section, as follows:

10          (i) To the local tax collecting unit, 20%.

11          (ii) To the department of treasury, 10%.

12          (iii) To the county in which the property is located, 70%.

13          (26) Interest distributed under subsection (25) is subject to  
14 the following conditions:

15           (a) Interest distributed to a county shall be deposited into a  
16 restricted fund to be used solely for the administration of  
17 exemptions under this section. Money in that restricted fund shall  
18 lapse to the county general fund on the December 31 in the year 3  
19 years after the first distribution of interest to the county under  
20 subsection (25) and on each succeeding December 31 thereafter.

21           (b) Interest distributed to the department of treasury shall  
22 be deposited into the principal residence property tax exemption  
23 audit fund, which is created within the state treasury. The state  
24 treasurer may receive money or other assets from any source for  
25 deposit into the fund. The state treasurer shall direct the  
26 investment of the fund. The state treasurer shall credit to the  
27 fund interest and earnings from fund investments. Money in the fund  
28 shall be considered a work project account and at the close of the  
29 fiscal year shall remain in the fund and shall not lapse to the

1 general fund. Money from the fund shall be expended, upon  
2 appropriation, only for the purpose of auditing exemption  
3 affidavits.

4 (27) Interest distributed under subsection (25) is in addition  
5 to and shall not affect the levy or collection of the county  
6 property tax administration fee established under this act.

7 (28) A cooperative housing corporation is entitled to a full  
8 or partial exemption under this section for the tax year in which  
9 the cooperative housing corporation files all of the following with  
10 the local tax collecting unit in which the cooperative housing  
11 corporation is located if filed within the time period prescribed  
12 in subsection (2):

13 (a) An affidavit form.

14 (b) A statement of the total number of units owned by the  
15 cooperative housing corporation and occupied as the principal  
16 residence of a tenant stockholder as of the date of the filing  
17 under this subsection.

18 (c) A list that includes the name, address, and Social  
19 Security number of each tenant stockholder of the cooperative  
20 housing corporation occupying a unit in the cooperative housing  
21 corporation as his or her principal residence as of the date of the  
22 filing under this subsection.

23 (d) A statement of the total number of units of the  
24 cooperative housing corporation on which an exemption under this  
25 section was claimed and that were transferred in the tax year  
26 immediately preceding the tax year in which the filing under this  
27 section was made.

28 (29) Before May 1, 2004 and before May 1, 2005, the treasurer  
29 of each county shall forward to the department of education a

1 statement of the taxable value of each school district and fraction  
2 of a school district within the county for the preceding 4 calendar  
3 years. This requirement is in addition to the requirement set forth  
4 in section 151 of the state school aid act of 1979, 1979 PA 94, MCL  
5 388.1751.

6 (30) For a parcel of property open and available for use as a  
7 bed and breakfast, the portion of the taxable value of the property  
8 used as a principal residence under subsection (16) shall be  
9 calculated in the following manner:

10 (a) Add all of the following:

11 (i) The square footage of the property used exclusively as that  
12 owner's principal residence.

13 (ii) 50% of the square footage of the property's common area.

14 (iii) If the property was not open and available for use as a  
15 bed and breakfast for 90 or more consecutive days in the  
16 immediately preceding 12-month period, the result of the following  
17 calculation:

18 (A) Add the square footage of the property that is open and  
19 available regularly and exclusively as a bed and breakfast, and 50%  
20 of the square footage of the property's common area.

21 (B) Multiply the result of the calculation in sub-subparagraph

22 (A) by a fraction, the numerator of which is the number of  
23 consecutive days in the immediately preceding 12-month period that  
24 the property was not open and available for use as a bed and  
25 breakfast and the denominator of which is 365.

26 (b) Divide the result of the calculation in subdivision (a) by  
27 the total square footage of the property.

28 (31) The owner claiming an exemption under this section for  
29 property open and available as a bed and breakfast shall file an

1 affidavit claiming the exemption within the time period prescribed  
2 in subsection (2) with the local tax collecting unit in which the  
3 property is located. The affidavit shall be in a form prescribed by  
4 the department of treasury.

5 (32) An owner of property who previously occupied that  
6 property as his or her principal residence but now is absent while  
7 on active duty as a member of any branch of the Armed Forces of the  
8 United States, including the Coast Guard, a reserve component of  
9 any branch of the Armed Forces of the United States, or the  
10 National Guard, may retain an exemption on that property if the  
11 owner manifests an intent to return to that property by satisfying  
12 all of the following conditions:

13 (a) The owner continues to own that property while absent on  
14 active duty as a member of any branch of the Armed Forces of the  
15 United States, including the Coast Guard, a reserve component of  
16 any branch of the Armed Forces of the United States, or the  
17 National Guard.

18 (b) The owner has not established a new principal residence.

19 (c) The owner maintains or provides for the maintenance of  
20 that property while absent on active duty as a member of any branch  
21 of the Armed Forces of the United States, including the Coast  
22 Guard, a reserve component of any branch of the Armed Forces of the  
23 United States, or the National Guard.

24 (d) That property is not used for any business or commercial  
25 purpose except as provided in section 7dd(c).

26 (33) If an owner of property who previously claimed and  
27 occupied the property as his or her principal residence has vacated  
28 because the principal residence was damaged or destroyed by an  
29 accident, act of God, or act of another person without the owner's

1 consent, including, but not limited to, a fire caused by accident,  
2 act of God, or act of another person without the owner's consent,  
3 that owner may retain an exemption on that property for not longer  
4 than the tax year during which the damage or destruction occurred  
5 and the immediately succeeding 2 tax years if the owner manifests  
6 an intent to return to that property by satisfying all of the  
7 following conditions:

8 (a) The owner continues to own that property while absent  
9 because of the damage or destruction of the principal residence.

10 (b) The owner has not established a new principal residence.

11 (c) The owner provides for the reconstruction of the principal  
12 residence for purposes of occupying it upon its completion as his  
13 or her principal residence.

14 (d) The property is not occupied, is not leased, and is not  
15 used for any business or commercial purpose.

16 (34) As used in this section:

17 (a) "Bed and breakfast" means property classified as  
18 residential real property under section 34c that meets all of the  
19 following criteria:

20 (i) Has 10 or fewer sleeping rooms, including sleeping rooms  
21 occupied by the owner of the property, 1 or more of which are  
22 available for rent to transient tenants.

23 (ii) Serves meals at no extra cost to its transient tenants.

24 (iii) Has a smoke detector in proper working order in each  
25 sleeping room and a fire extinguisher in proper working order on  
26 each floor.

27 (b) "Business or commercial purpose" means commercial purpose  
28 as that term is defined in section 27a.

29 (c) "Common area" includes, but is not limited to, a kitchen,

1 dining room, living room, fitness room, porch, hallway, laundry  
2 room, or bathroom that is available for use by guests of a bed and  
3 breakfast or, unless guests are specifically prohibited from access  
4 to the area, an area that is used to provide a service to guests of  
5 a bed and breakfast.

6 (d) "Qualified error" means that term as defined in section  
7 53b.

8 Sec. 53b. (1) If there has been a qualified error, the  
9 qualified error must be verified by the local assessing officer and  
10 approved by the board of review. Except as otherwise provided in  
11 subsection ~~(7)~~, **(5)**, the board of review shall meet for the  
12 purposes of this section on Tuesday following the second Monday in  
13 December and on Tuesday following the third Monday in July. If  
14 approved, the board of review shall file an affidavit within 30  
15 days relative to the qualified error with the proper officials and  
16 all affected official records must be corrected. If the qualified  
17 error results in an overpayment or underpayment, the rebate,  
18 including any interest paid, must be made to the taxpayer or the  
19 taxpayer must be notified and payment made within 30 days of the  
20 notice. A rebate must be without interest. The treasurer in  
21 possession of the appropriate tax roll may deduct the rebate from  
22 the appropriate tax collecting unit's subsequent distribution of  
23 taxes. The treasurer in possession of the appropriate tax roll  
24 shall bill to the appropriate tax collecting unit the tax  
25 collecting unit's share of taxes rebated. Except as otherwise  
26 provided in ~~subsection (6) and section 27a(4)~~, a correction under  
27 this subsection may be made for the current year and the  
28 immediately preceding year only.

29 (2) Action pursuant to subsection (1) may be initiated by the



1 taxpayer or the assessing officer.

2 (3) The board of review meeting in July and December shall  
 3 meet only for the purpose described in subsection (1) and to hear  
 4 appeals provided for in sections 7u, ~~7ee, 7ee,~~ and 7jj. If an  
 5 exemption under section 7u is approved, the board of review shall  
 6 file an affidavit with the proper officials involved in the  
 7 assessment and collection of taxes and all affected official  
 8 records must be corrected. If an appeal under section ~~7ee, 7ee~~ ~~,~~ or  
 9 7jj results in a determination that an overpayment has been made,  
 10 the board of review shall file an affidavit and a rebate must be  
 11 made at the times and in the manner provided in subsection (1).  
 12 Except as otherwise provided in sections ~~7ee, 7ee~~ ~~,~~ and 7jj, a  
 13 correction under this subsection must be made for the year in which  
 14 the appeal is made only. If the board of review approves an  
 15 exemption or provides a rebate for property under section ~~7ee, 7ee~~  
 16 ~~,~~ or 7jj as provided in this subsection, the board of review shall  
 17 require the owner to execute the affidavit provided for in section  
 18 ~~7ee, 7ee~~ ~~,~~ or 7jj. ~~and shall forward a copy of any section 7ee~~  
 19 ~~affidavits to the department of treasury.~~

20 ~~(4) If an exemption under section 7ee is approved by the board~~  
 21 ~~of review under this section, the provisions of section 7ee apply.~~  
 22 ~~If an exemption under section 7ee is not approved by the board of~~  
 23 ~~review under this section, the owner may appeal that decision in~~  
 24 ~~writing to the department of treasury within 35 days of the board~~  
 25 ~~of review's denial and the appeal must be conducted as provided in~~  
 26 ~~section 7ee(8).~~

27 (4) ~~(5)~~ An owner or assessor may appeal a decision of the  
 28 board of review under this section regarding an exemption under  
 29 section 7ee or 7jj to the residential and small claims division of

1 the Michigan tax tribunal. An owner is not required to pay the  
2 amount of tax in dispute in order to receive a final determination  
3 of the residential and small claims division of the Michigan tax  
4 tribunal. However, interest and penalties, if any, will accrue and  
5 be computed based on interest and penalties that would have accrued  
6 from the date the taxes were originally levied as if there had not  
7 been an exemption.

8 ~~(6) A correction under this section that approves a principal~~  
9 ~~residence exemption under section 7cc may be made for the year in~~  
10 ~~which the appeal was filed and the 3 immediately preceding tax~~  
11 ~~years.~~

12 **(5)** ~~(7)~~—The governing body of the city or township may  
13 authorize, by adoption of an ordinance or resolution, 1 or more of  
14 the following alternative meeting dates for the purposes of this  
15 section:

16 (a) An alternative meeting date during the week of the second  
17 Monday in December.

18 (b) An alternative meeting date during the week of the third  
19 Monday in July.

20 **(6)** ~~(8)~~—As used in this section, "qualified error" means 1 or  
21 more of the following:

22 (a) A clerical error relative to the correct assessment  
23 figures, the rate of taxation, or the mathematical computation  
24 relating to the assessing of taxes.

25 (b) A mutual mistake of fact.

26 (c) An adjustment under section 27a(4) or an exemption under  
27 section 7hh(3) (b).

28 (d) An error of measurement or calculation of the physical  
29 dimensions or components of the real property being assessed.

1           (e) An error of omission or inclusion of a part of the real  
2 property being assessed.

3           (f) An error regarding the correct taxable status of the real  
4 property being assessed.

5           (g) An error made by the taxpayer in preparing the statement  
6 of assessable personal property under section 19.

7           (h) An error made in the denial of a claim of exemption for  
8 personal property under section 9o.

9           (i) An issue beyond the control of a disabled veteran or his  
10 or her unremarried surviving spouse that causes a denial of an  
11 exemption under section 7b. An issue beyond the control of a  
12 disabled veteran or his or her unremarried surviving spouse means  
13 an error made by the local tax collecting unit in the processing of  
14 a timely filed exemption affidavit or a delay in the determination  
15 by the United States Department of Veterans Affairs that a veteran  
16 is permanently and totally disabled as a result of military service  
17 and entitled to veterans' benefits at the 100% rate.