



CORPORATION OF THE TOWN OF ESPANOLA

BY-LAW NO. 2466/12

**Being a By-Law to Provide Tax Interest Relief
for the Purposes of Relieving Financial Hardship**

WHEREAS the Corporation of the Town of Espanola (the "Municipality") is required to have a tax relief program of deferrals or cancellation or other relief to relieve financial hardship in respect of property that is in the residential property class for property owners who are, or whose spouses are, low income seniors or low-income persons with disabilities, pursuant to s.319 of the *Municipal Act, 2001*, S.O. 2001, as amended (hereinafter referred to as the "Act");

NOW THEREFORE the Council of the Corporation of the Town of Espanola enacts as follows:

1. In this By-Law:

"eligible person" means:

- i) a low-income person with disabilities who owns eligible property as defined in this By-Law;
- ii) a low-income senior who owns eligible property as defined in this By-Law;
- iii) the spouse of either i) or ii) who owns eligible property as defined in this By-Law;

"eligible property" means residential property in the Town of Espanola including condominiums that is the principal residence of the owner as defined in the *Income Tax Act (Canada)* but does not include condominium units forming part of or associated with a tourist commercial establishment;

"low-income person with disabilities" means a person who is in receipt of assistance paid under the *Ontario Disability Support Program Act, 1997*, as amended;

“low-income seniors” means a person who is at least 65 years of age and who is in receipt of payments under the Guaranteed Income Supplement (GIS), as established under Part II of the *Old Age Security Act (Canada)*, as amended;

“Municipality” means the Corporation of the Town of Espanola;

“Treasurer” means the treasurer of a lower-tier municipality or a person delegated the treasurer’s powers and duties under s.286(5) of the *Act*;

General Administration

2. Applications made under this By-Law shall be made to the Treasurer of the municipality in which the eligible property is located.
3. Applications shall include supporting documentation to establish the eligibility of the person seeking the deferral.
4. Applications shall include an authorization signed by the applicant authorizing third parties to release to the Treasurer all information the Treasurer may require to verify the accuracy of the information submitted by the applicant.

Application for Tax Interest Relief

5. An eligible person may make application to the Treasurer during a taxation year for the deferral of a property tax increase in the taxation year on eligible property.
6. An application to determine eligibility for a tax relief shall be in a form as set out in Schedule “A” hereto and forming part of this By-Law.

Evaluation of Application for Tax Interest Relief

7. The Treasurer shall review each application for deferral and determine if the applicant and the property are eligible for a tax increase deferral under this By-Law.
8. The Treasurer may, at any time, request the applicant provide such additional information and documentation as the Treasurer may require in order to evaluate the application.

9. An application for tax interest relief will not be processed if any required information is not provided.
10. The determination of the Treasurer as to the eligibility of the applicant and the eligibility of the property shall be final.

Grant of Tax Interest Relief

11. Where the Treasurer has determined that an applicant and the property meet the requirements of this By-Law then tax relief in the form of a current interest relief in respect of the property shall be granted.
12. Where an applicant, or the applicant's spouse, each own what would otherwise be eligible properties pursuant to this By-Law, the tax interest relief granted under this By-Law shall be limited to one of the otherwise eligible properties. The applicant, or the applicant's spouse shall elect which of their otherwise eligible properties shall receive the tax interest relief and such election shall not be changed without the consent of the Treasurer.
13. If, at any time, a person eligible for relief under this By-Law that has been granted a relief under this By-Law, ceases to be an eligible person, all tax relief ceases and all interest amounts become a debt payable to the Municipality in which the eligible property is located.
14. Tax relief granted pursuant to this By-Law for any taxation year shall be limited to one (1) single family dwelling per owner.

Integrity Provisions

15. Every person who, pursuant to this By-Law:
 - a) files a fraudulent application; or
 - b) fails to fully disclose their financial circumstances in support of an application; or
 - c) fails to notify the Treasurer of a change in financial circumstances as required herein;

is guilty of an offence and is liable to prosecution and on summary conviction is liable to a fine not exceeding \$5,000.

General

16.By-Law 1049/94 is hereby repealed.

FINALLY PASSED this 26th day of June 2012.



Mike Lehoux
Mayor



Cynthia Townsend
Clerk Treasurer/Administrator

Schedule "A"



PROPERTY TAX INTEREST RELIEF

Low Income Seniors and Low Income
Persons with Disabilities
Residential Property Owners

Established under Town of Espanola Bylaw 2466/12

Who Qualifies?

To qualify for relief for current interest relief, you or your spouse must:

- 1) Be receiving the Guaranteed Income supplement (GIS) or the Ontario Disability Support Program (ODSP)
- 2) Be a resident of the Town of Espanola
- 3) Be assessed as the owner of residential Property for the entire year
- 4) Occupy a single family dwelling in the Town of Espanola on which municipal taxes have been levied.

Statement to be filled out and signed by the applicant

1. **Roll Number:** Located on the top right of your tax bill

2. Name of Owner: _____ Date of Birth: _____
Social Insurance Number: _____

Name of Spouse: _____ Date of Birth: _____
Social Insurance Number: _____

3. Address of Property Occupied by Owner and/or spouse as personal residence: _____ Mailing Address (if different from left): _____

4. Statement to Be Signed By Applicant and Spouse

I, or my spouse, have attained the age of 65 years on before the 31st day of December of this year.

I, or my spouse, receive the Guaranteed Income Supplement under Part II of the Old Age Security Act (Canada) and hereby consent to the release of information to the Corporation of the Town of Espanola that will verify receipt of the same.

Date:

I, or my spouse reside at the above property in the Municipality of Espanola and have been assessed as an owner of residential real property in the municipality of Espanola for at least one year immediately preceding the date of this application.

Applicant's Signature:

or, alternatively

I am the surviving spouse of a former eligible recipient of the credit and I meet the criteria for eligibility.

Spouse's Signature:

Telephone:

Personal Information on this form is collected under the authority of the Municipal Act, 2001, and is used to assess eligibility for low income seniors or low income persons with disabilities tax assistance.

For Office Use Only

In receipt of G.I.S.

Owner

Spouse

Application Approved:

Yes

No

In receipt of ODSP

Owner

Spouse

Comments:

Comments:

Signed:

Signed:
