

Department of Tax Assessor
CLAIM FOR REAL PROPERTY TAX DEDUCTION ON DWELLING HOUSE OF
QUALIFIED NEW JERSEY RESIDENT SENIOR CITIZEN, DISABLED PERSON, OR
SURVIVING SPOUSE

(N.J.S.A.54:4-8.40 et seq.; L1963 c.172 as amended)

GENERAL INSTRUCTIONS (Form PTD)

1. APPLICATION FILING PERIOD - File this form with the municipal tax assessor from October 1 through December 31 of the pretax year, i.e., the year prior to the calendar tax year or with the municipal tax collector from January 1 through December 31 of the calendar tax year. For example, for a property tax deduction claimed for calendar tax year 1997, the pretax year filing period would be October 1- December 31, 1996 with the assessor and the tax year filing period would be January 1- December 31, 1997 with the collector.

2. ELIGIBILITY DATES - Eligibility for the property tax deduction is established prior to the calendar tax year for which the deduction is claimed as follows:

New Jersey Citizenship as of October 1 pretax year
Property Ownership as of October 1 pretax year
Residence in New Jersey and in Dwelling House as of October 1 pretax year and
Residence in New Jersey for 1 year immediately prior to October 1 pretax year
Senior Citizen Age 65 or more as of December 31 pretax year
Permanent and Total Disability as of December 31 pretax year
Surviving Spouse Age 55 or more as of December 31 pretax year and at the time of spouse's death

3. CITIZEN & RESIDENT DEFINED - United States Citizenship is not required. Resident for purposes of this deduction means a claimant who was legally domiciled in New Jersey for one year immediately prior to October 1 of the pretax year. Domicile is the place you regard as your permanent home - the place you intend to return to after a period of absence. You may have only one legal domicile even though you may have more than one residence. Seasonal or temporary residence in this State, of whatever duration, does not constitute domicile. Absence from the State for a 12 month period is prima facie evidence of abandonment of domicile.

4. RESIDENCE IN DWELLING HOUSE DEFINED - Residence in the dwelling house means the dwelling where a claimant makes his principal or permanent home. Vacation, summer or second homes do not qualify. Only one deduction may be received per principal residence regardless of the number of qualified claimants residing on the premises.

5. TENANCY BY ENTIRETY DEFINED - Tenancy by Entirety means ownership of real property by both husband and wife, as a single ownership, in joint title acquired after marriage.

6. INCOME DEFINED & LIMITED

a.) The income period is the same tax year as the tax year for which a deduction is claimed.

b.), A claimant must reasonably anticipate that income received during the tax year, including income of the claimant's spouse, will not exceed \$10,000. Income of claimant's family members, other than spouse, should not be included as annual income.

c.) Income means all income received from whatever source derived including, but not limited to, salaries, wages, bonuses, commissions, tips, and other compensations before payroll deductions, all dividends, interest, realized capital gains, royalties, income from rents, business income, and in their entirety, pension, annuity and retirement benefits. Realized capital gains, except for capital gain from the sale or exchange of real property owned and used by the claimant as his principal residence, dividends, interest, pensions, annuities and retirement benefits must be included in full without deductions even though they may be wholly or partially exempt for Federal income tax purposes.

EXCLUDABLE INCOME**Income can be excluded under ONE of the following three categories:

Social Security Benefits **or** Federal Government Retirement/Disability Pension including Federal Railroad Retirement Benefits **or** State, County, Municipal Government and their political subdivisions and agencies Retirement/Disability Pension,

7. DOCUMENTARY PROOFS REQUIRED - Each assessor and collector may require such proofs necessary to establish claimant's deduction entitlement and photocopies of any documents should be attached to this form as part of application record. For example: **AGE** may be verified by birth certificate, baptismal record, family Bible, census record, marriage certificate, court record, Social Security record, military record or discharge, immigration document, insurance policy, **DISABILITY** may be verified by physician's certificate, Social Security document, New Jersey Commission for Blind certificate. **SURVIVING SPOUSE** by death et, certificate of decedent. **OWNERSHIP** by deed, executory contract for property purchase, last will and testament. **RESIDENCY** by New Jersey driver's license, motor vehicle registration, voter's registration.

8. ANNUAL POST-TAX YEAR INCOME STATEMENT REQUIRED - On or before March 1 of the year immediately following the tax year for which deduction was claimed or received, a claimant must file a Post-Tax Year Income Statement, Form PD5, confirming that annual income for the tax year did not exceed the \$10,000 limit and that anticipated annual income for the current year will not exceed that limit and that all other eligibility prerequisites continue to be met. For example, the Post-Tax Year Income

Statement filed by March 1, 1998 supports the claim for deduction for tax year 1997 by confirming 1997 income. Anticipated income would refer to income received in tax year 1998 for the 1998 deduction. IF THIS INCOME STATEMENT IS NOT TIMELY FILED, DEDUCTION WILL BE DISALLOWED AND CLAIMANT WILL BE BILLED FOR THE AMOUNT.

9. APPEALS - A claimant may appeal any unfavorable determination by the assessor or collector to the County Board of Taxation annually on or before April 1.

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