



ROUTT COUNTY BOARD OF COUNTY COMMISSIONERS
AGENDA COMMUNICATION FORM

ITEM DATE: 2/11/2020	ITEM TIME: 10:55

FROM:	Gary Peterson, Elected Assessor
TODAY'S DATE:	2/4/2020
AGENDA TITLE:	Senior Exemption

CHECK ONE THAT APPLIES TO YOUR ITEM:
<input checked="" type="checkbox"/> ★ ACTION ITEM
<input type="checkbox"/> DIRECTION
<input type="checkbox"/> INFORMATION

I. DESCRIBE THE REQUEST OR ISSUE:

Two separate issues:

1. From Individual to Trust (3 accounts) – R6826808; R7715780 and R484263.
 In 2019, 3 owners who previously had the senior exemption in their names as individuals, transferred by deed their ownerships to trusts. The exemption long form for ownerships in trust was entered into each account in July 2019. When the September 2019 senior exemption report was provided to the state, these three exemption accounts were not included due to a software issue but this error was not caught by our office until January 2020 while processing the 2019 tax roll. At that time the final 2019 report was provided to the state and included these 3 accounts, which had been added to correct the error during tax roll processing. The reports from September and January must match and the State of Colorado informed us that they would not reimburse these 3 accounts for 2019 because they had not been on the September report. They notified us of this January 17, 2020, after tax roll was delivered to the Treasurer. The tax notices reflect the exemption adjustment.

2. Name Change (1 account) – R3825032
 An owner who had received the senior exemption in the past under a version of his name, Ronald Cless, recorded a deed in 2018 changing his name to Harold R. Cless. Unaware that this was a name change configuration only (still the same individual), our office removed the exemption from this account as of January 1, 2019 as being transferred to a new owner, per statute. When Harold R. Cless received his 2019 tax bill he called to ask why he didn't get his exemption. Based on research and speaking to Mr. Cless, our office realized the name change issue and restored the exemption for the future. Because this account was not on the September or January reports to the state, the state will not reimburse the taxes on this account.



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II. RECOMMENDED ACTION (motion):

- Based on conversations with the Division of Property Tax, they recommend ‘doing the right thing’; that funds from the General Fund be used to compensate the Treasurer for the exemption amounts not being reimbursed by the State of Colorado.
- It is also recommended that through legislation, the counties try to get the State of Colorado to lessen their restrictions for correcting errors to avoid these issues.

III. DESCRIBE FISCAL IMPACTS (VARIATION TO BUDGET):

PROPOSED REVENUE (if applicable):

CURRENT BUDGETED AMOUNT: \$0.00

PROPOSED EXPENDITURE: \$2,418.60

Account: Amount of Exemption:

R6826808 \$808.68

R7715780 \$378.24

R4842631 \$666.76

R3825032 \$564.92

FUNDING SOURCE: General Fund

SUPPLEMENTAL BUDGET NEEDED: YES NO

Unknown

IV. IMPACTS OF A REGIONAL NATURE OR ON OTHER JURISDICTIONS (IDENTIFY ANY COMMUNICATIONS ON THIS ITEM):

None

V. BACKGROUND INFORMATION:

The State of Colorado is inflexible to reimburse or correct these types of issues behind the scenes. In the past, prior to 2018, the State of Colorado would be able to correct the final files provided if there was a good reason (i.e. clerical error, software issue), but currently both the September and January files are reviewed by the Colorado Department of Revenue and any errors made by Assessors cannot be corrected after the files are submitted.

VI. LEGAL ISSUES:

- Possible legal suit filed by affected tax payers.
- Possible legal issues/litigation filed by former Treasurer, Brita Horn, due to using funds from General Fund for this purpose. Already in litigation for something similar, however by Abatement process rather than BCC Action Item.

VII. CONFLICTS OR ENVIRONMENTAL ISSUES:

None



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VIII. SUMMARY AND OTHER OPTIONS:

The Division of Property Taxation and other counties have added a budget item to fund such issues as these where the State of Colorado is rigid in their process with no means to correct a difference in the reports. These senior citizens filed appropriately and shouldn't be penalized. The issue is clerical, software and rigid restrictions in correcting errors.

IX. LIST OF ATTACHMENTS:

Issue No. 1 Attachments:

- 2019 Tax Notices for accounts R6826808, R7715780 and R4842631 showing the Senior Exemption adjustment.

Issue No. 2 Attachments:

- 2019 Tax Notice for account R3825032 showing no Senior Exemption adjustment.
- 2020 Tyler Assessor screen print of Senior Exemption adjustment.