

**RESOLUTION # 08082022-01 TO WAIVE PENALTY ASSOCIATED WITH NOT FILED PROPERTY
TRANSFER AFFIDAVITS (PTA) – FORM 2766**

WHEREAS, the Michigan General Property Tax Act, Act 206 of 1893 established in MCL 211.27b a requirement for local unit compliance regarding the levy of a penalty for failure to file a PTA – Form 2766, commonly known as a transfer affidavit, or the adoption of a resolution waiving the penalty; and

WHEREAS, MCL 211.27b requires the levy of a penalty upon the buyers of property if a PTA – Form 2766 is not filed within 45 days of all transfers or ownership; and

WHEREAS, enforcing the MCL 211.27b required levy of \$5.00 per day up to \$200 for residential property and \$20.00 per day up to a maximum of \$1000.00 for industrial and commercial property is cost prohibitive for the Township of Homestead because of the cost of tracking and collecting penalties is certain to be greater than penalty revenue; and

WHEREAS, the Township of Homestead has a strong compliance rate of transferees filing Property Transfer Affidavits;

WHEREAS, MCL 211.27b allows for the governing body of a local tax collecting unit to waive, by resolution, the penalty;

THEREFORE, BE IT RESOLVED that the Homestead Township Board waives the penalty for failure to file PTAs - Form 2766 as required by MCL 211.27b.

THEREFORE, BE IT FURTHER RESOLVED THAT this resolution supersedes any previous Township Board resolutions concerning this topic.

Township Board Member _____ and supported by

Township Board Member _____

Upon roll call vote, the following voted:

“Aye”: _____

“Nay”: _____

The Township Clerk declared the resolution _____.