

TAX RELIEF FOR THE ELDERLY AND DISABLED

The following is information about two kinds of tax relief available for persons in Virginia who are 65 or older, or are disabled. One kind of relief deals with real estate taxes on a home, and the other relates to income taxes.

I. REAL ESTATE TAXES

What is real property tax relief?

Persons who are 65 or older, or are permanently and totally disabled, may apply for exemption, reduction, or deferral of real estate taxes on their home. There are income limits and other conditions that must be met in order to qualify.

Is this available in all areas of the state?

No. Virginia law gives each county, city, and town the option of having a real property tax relief program. Each county, city, or town that does offer property tax relief has flexibility in setting its own conditions as to who is eligible and how much of the usual tax liability can be exempted or deferred.

Who is eligible for real property tax relief?

A person is eligible if:

- 65 or older, or permanently and totally disabled
- Own and live on the property that's being taxed, even if only a life estate
- Income does not exceed local limits (state law says it can't exceed \$50,000 per year, but local government can set lower limits; can't include income of live-in caregiver)

THIS INFORMATION IS NOT LEGAL ADVICE

Leslie Dodson,, Esq., 217 East Third Street, Farmville, VA 23901, is responsible for the contents of this publication.

• Property value and other conditions meet local requirements

How do I apply for real property tax relief?

You must apply each year for property tax relief in order to receive it. It is not automatically received every year just because you were approved in a prior year. The application is made to your local commissioner of revenue. State law says that applications may be made from January 1 until April 1, *but* the law also says the local office can accept applications later than that if they choose to. Most locations take applications until at least April 30 each year. Check with your local office for the necessary forms, dates, and other rules. The following is a list of the local commissioners of revenue in the VLAS service area. **NOTE: You will first need to ask if they have a tax relief program, as not all localities do.**

	(004) 544 0450	TT 0	(25.6) 62.4 460.0
Amelia	(804) 561-2158	Henry County	(276) 634-4690
Amherst	(434) 946-9310	Isle of Wight	(757) 365-6301
Appomattox	(434) 352-7450	Lunenburg	(434) 696-2516
Bedford City	(540) 587-6051	Lynchburg City	(434) 455-3870
Bedford County	(540) 586-7621	Martinsville City	(276) 634-4690
Brunswick	(434) 848-2313	Mecklenburg	(434) 738-6191
Buckingham	(434) 969-4972	Nottoway	(434) 645-9317
Campbell County	(434) 592-9518	Patrick	(276) 694-7131
Charlotte	(434) 542-5546	Pittsylvania	(434) 432-7940
Cumberland	(804) 492-4280	Prince Edward	(434) 352-7450
Danville City	(434) 799-5145	South Boston	(434) 575-4210
Emporia	(434) 634-5405	Southampton	(757) 653-3030
Franklin City	(757) 562-8547	Suffolk City	(757) 923-3800
Greensville	(434) 348-4227	Sussex	(434) 246-1025
Halifax	(434) 476-3314		

II. INCOME TAX EXEMPTIONS, DEDUCTIONS, AND CREDITS

Federal Income Tax:

Persons who are 65 or older, or who are blind, can claim an additional personal exemption on their federal income tax return. (Exemptions lower the amount of income on which you must pay taxes.) For example, for tax year 2008, the regular personal exemption was \$3,500 for each filer, spouse, and dependent. Those who were 65 or over, or blind, could claim an additional exemption of \$1,050 for each person 65 or over, or blind.

Persons who are 65 or older, or disabled, can also claim a tax credit on their federal income tax return. (A credit is a direct subtraction from the tax that is otherwise owed, and is different from an exemption, above.) For example, for tax year 2008, the elderly tax credit was a maximum of \$7,500 for those filing jointly, and \$5,000 for those filing single. For more information, you may contact the IRS at: **1-800-829-1040**, Monday – Friday from 7:00 a.m. – 10:00 p.m.

THIS INFORMATION IS NOT LEGAL ADVICE

Leslie Dodson,, Esq., 217 East Third Street, Farmville, VA 23901, is responsible for the contents of this publication.

Virginia Income Tax:

Similar to federal income tax, persons who file a Virginia state tax return can claim an additional personal exemption if 65 or older, or blind. For tax year 2008, the regular personal exemption was \$930 for each filer, spouse, and dependent. Those who were 65 or over, or blind, could claim an additional \$800 each.

In addition, persons 65 or older who file a Virginia state tax return can claim a deduction of up to \$12,000 (2008 tax year), depending on year of birth. (A deduction is similar to an exemption. It lowers the amount of income that's taxed, but is not a direct subtraction from the amount of tax owed.)

For more information about exemptions, deductions, legal residency, taxable income or the current tax rate, contact the Virginia Department of Taxation or visit their website:

Virginia Department of Taxation

Customer Service Phone: 804-367-8031 (sevicios disponible en espanol)

Customer Service Fax: 804-367-2537 Web Site: www.tax.virginia.gov

Walk-in customers should go to: 3600 West Broad Street, Richmond, VA 23230

Service Hours: M-F, 8:30 AM - 4:30 PM

THIS INFORMATION IS NOT LEGAL ADVICE. Legal advice is dependent upon the specific circumstances of each situation. Therefore, the information contained in this pamphlet cannot replace the advice of competent legal counsel.

Free Legal information by Web and Phone: www.vlas.org and 1-866-LeglAid (534-5243)