

Sayers, Margery

From: Doug Brooks <dmbrooks47@hotmail.com>
Sent: Sunday, March 28, 2021 10:31 AM
To: Jung, Deb
Cc: CouncilMail; Ball, Calvin; jerry carr
Subject: Age in Place Tax Credit and CB 23-2021

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Ms. Jung.

I have read Jerry Carr's letter to you and your response about the Age in Place Tax Credit and I too think the bill is arbitrary and discriminatory.

My wife and I have lived and paid taxes in the County for 46 years and can see no reason that we and others in our same category should be treated any differently for taxation purposes than someone who has lived in the same house.

I have read your response to Mr. Carr's thoughts and I think Jerry's ideas on the subject are fairer, more realistic, and equitable in addition to being correct.

Thank you for your attention to this matter,

Doug Brooks
7104 Waking Dream Knoll
Columbia, Md. 21044

Sayers, Margery

From: jcarr51@verizon.net
Sent: Tuesday, March 23, 2021 5:17 PM
To: Jung, Deb
Cc: CouncilMail; Ball, Calvin
Subject: Re: Age in Place Tax Credit and CB 23-2021

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Dear Councilmember Jung,

I will be happy to provide your email and my thoughts to the Hickory Crest Board for their further action.

There are a lot of words in your response, but frankly, not much substance. Seems more like a Hail Mary effort to somehow rationalize that which has no rationale.

- You now state that the purpose of the AIG credit is intended to maintain diversified neighborhoods. Somehow there is an expectation that the neighbors will provide support to the senior residents. Oh yes, and balance turnover of housing. Come on. I must give an "A" for creativity, but an "E" for reality. Seniors are not staying in there "same" residence thinking about neighborhood support, that they balance the turnover to younger families, or any related basis. As previously stated, decisions may be based on changes in health, finances, living arrangement such as loss of a spouse, inability to maintain the home, or other such circumstances.
- Your own words belie the reasoning you now assert. In the Council press release dated 2/18/2021, you state, "As co-introducer of this bill, I am pleased that we are able to provide this assistance to those who have helped support our County for many years as taxpaying residents. Through their financial contributions, these longtime residents have helped make Howard County one of the best places to live in the Country. This bill recognizes their commitment to our community."
- Councilmember Yungmann echoed your remarks, stating, "Through their decades of property tax payments and other contributions, thousands of long-time residents helped create much of what we enjoy in Howard County. I hope this expanded tax credit will help them remain a part of our community for years to come."
- Nothing in the statements provided by you or other councilmembers in the press release or in the hearing, make any mention of the inventive rationale you now want the public to believe. I assure you it will be a failed effort. Indeed, the statements of councilmembers further support that the AIG credit is deserved by ALL longtime senior homeowners. The reason for the credit is to give something back to longtime senior homeowners.
- Your statements attempting to provide an economic rationale also fall flat. This credit is plain and simple discriminatory. It is not an answer that the County cannot afford to provide the credit on a fair and equal basis to all seniors who have been longtime owners of residences in the County, aggregating years of ownership. Economics does not justify discrimination. Financial constraints simply mean that work must be done to meet those limitations.

- The job of the Council is to determine the necessary changes that will correct this injustice. To determine what the County can afford to give back to all longtime senior homeowners. The credit may have to be adjusted to meet financial realities. That is ok, even if substantial changes are required. I have already outlined a number of possible options to do this in my email below. Certainly the Council should not exacerbate the unfairness with the AIG credit by reducing the same residence requirement to 35 years. Your proposed action is a slap in the face to all longtime seniors in the County who have moved into active adult, 55 plus, communities. Most will never qualify for the credit. The same holds true for longtime seniors who have otherwise downsized. The credit clock, if you will, should not start over in such instances. And as I have pointed out in my testimony and email, it does not have to pursuant to underlying state law.
- It is also false as a mathematical fact that the credit does not increase taxes on other longtime senior owners of residences in the County. Of course it does. The County has a budget. It must take in sufficient revenue to meet that budget. If one group receives a tax credit which reduces the property taxes that group pays, it necessarily follows that other taxpayers, including other longtime senior homeowners, will pay more so that the necessary revenue is achieved. The fact that there are other credits available to different groups is irrelevant.

I am not seeking to reimagine the AIG credit. I am seeking fairness for all longtime senior homeowners. CB 23-2021 does just the opposite for reasons I have already stated. How does a 35 year same residence requirement begin to fix the problem. It certainly does not help any residents of 55 plus communities. Or other longtime residents who have downsized into other residences in the County.

I get that politically, it sounds like the Council is doing a great thing. It is very disappointing to see false narratives like this, that fake news in the new jargon, has found its way into local politics.

Before concluding, I note that you have not addressed the concern I raised that the public was given false information by the Council during the public session on March 15. How can the Council proceed without publicly correcting the record so all know the Council has authority to amend the credit to aggregate residence ownership, and then receiving additional public input. I would ask to testify in such session.

I again urge that CB 23-2021 not be enacted, and that the Council undertake a review to determine how to make a fair AIG credit that serves the goals and purposes you and Councilmember Youngmann have said in your press release of giving back to longtime senior homeowners.

In order to maintain transparency, I am also copying the other councilmembers and County Executive Ball.

Sincerely,

Jerome (Jerry) Carr

-----Original Message-----

From: Jung, Deb <djung@howardcountymd.gov>

To: Jerome Carr <jcarr51@verizon.net>

Sent: Mon, Mar 22, 2021 11:10 am

Subject: RE: Age in Place Tax Credit and CB 23-2021

Jerome – It was great to talk to you and explain the purpose of the credit and the fiscal constraints of your proposal to aggregate residences. Please share this response with the Hickory Crest residents that you represent.

The Aging in Place tax credit predates my time on the Council but my best understanding of the housing policy goals intended through the credit were to encourage seniors to stay in their long-time homes to ensure age-diversified neighborhoods. Such neighborhoods would provide social supports and community engagement to aging residents and help balance the turnover of established neighborhoods from older residents to young families with school-aged children. Your proposal to reimagine the credit to aggregate houses represents a huge shift away from the intended purpose of the credit. As we discussed, this would effectively result in a property tax reduction, not a property tax credit, that could potentially cost the County \$23 million in lost revenue.

It is my responsibility to balance the needs of all residents in the County and at present there is not a replacement revenue source that could balance your proposed aggregation. Furthermore since aggregating residences could have

such a significant fiscal impact, it could be interpreted as a substantive amendment, which introduces a specific legislative process beyond the normal amendment process.

Also the bill as currently written will not increase property taxes on non-qualifying seniors. I understand that you feel that expanding the tax credit to one group but not another represents an increase but this is an imprecise representation of tax credits of which there are many types for a variety of qualifying groups. Howard County is one of the most generous County's when it comes to age-qualifying tax credits in the region.

Your ideas for supporting seniors who chose to downsize but remain in Howard County does merit consideration through other avenues and in collaboration with the County Executive who determines the County's fiscal priorities and who is required to maintain a balanced budget through the County Charter. I'm happy to have continued conversations with the County Executive to consider such options. I also encourage concerned residents to contact the County Executive directly with such proposals.

Deb Jung

Councilmember, District 4
3430 Court House Drive
Ellicott City, MD 21043
410-313-2001

Sign up for my newsletter [here](#).



From: Jerome Carr <jcarr51@verizon.net>

Sent: Monday, March 22, 2021 9:57 AM

To: CouncilMail <CouncilMail@howardcountymd.gov>

Cc: Williams, China <ccwilliams@howardcountymd.gov>; Ball, Calvin <cball@howardcountymd.gov>

Subject: RE: Age in Place Tax Credit and CB 23-2021

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Dear Council Members:

I am now officially authorized to speak on behalf of the 88 unit owners of Hickory Crest Townhome Condominium Inc., an independent living community for 55 plus individuals located between Freetown Road and Owen Brown Road in the Village of Hickory Ridge, Columbia MD.

As representative of this large group, for the reasons stated in my written and oral testimony to the Council and as further outlined in my recent email to the Council, all included with this email for your convenience, we are opposed to CB 23-2021. In addition, we request that the Council promptly undertake review of the Age In Place Tax Credit (AIG Credit) and amend this credit in such manner that it puts on equal footing those long-time senior county residents who have lived in one dwelling for an extended period and those who have lived in multiple dwellings in the County for an extended period.

As specifically relates to owners in Hickory Crest, a development which is about 20 years old, even original residents would be many years away from eligibility for the AIG Credit as currently written or proposed in CB23-2021 with the 35/40 year SAME residence requirement. Even though many such owners have owned dwellings and paid property taxes in the County for 40, 50 or more years. This is patently unfair and establishes a discriminatory distinction without any rationale whatsoever. The examples cited in my email below underscore this, including one new resident to Hickory Crest who received the credit for one year at their prior dwelling and now lost it because of the move to Hickory Crest.

Finally, to restate from my earlier submissions and testimony, the current AIG Credit actually adversely impacts long-time seniors in the County, who ultimately have to pay more in property taxes to subsidize those who may happen to meet the same residence requirement.

You have the power and authority to correct this matter and truly give something back to the long-time senior residents of the County, as you have stated is your intent.

The court of public opinion awaits your actions.

Sincerely,

Jerome (Jerry) Carr

From: Jerome Carr [<mailto:jcarr51@verizon.net>]

Sent: Friday, March 19, 2021 10:32 AM

To: 'councilmail@howardcountymd.gov' <councilmail@howardcountymd.gov>

Cc: 'Williams, China' <ccwilliams@howardcountymd.gov>; 'cball@howardcountymd.gov' <cball@howardcountymd.gov>; 'Jerome Carr' <jcarr51@verizon.net>

Subject: Age in Place Tax Credit and CB 23-2021

Dear Council Members,

I logged off of the March 15 Council session and proceedings regarding CB 23-2021 more convinced than ever that the amendment offered to the Senior Age in Place Tax Credit ("AIP Credit") is a very bad idea and must **not** become law in Howard County. Any belief that CB 23-2021, or for that matter, the current AIP Credit, as written, is of benefit to the senior population of Howard County is misguided, out of touch and just plain untrue. **Taking a bad law, one that unnecessarily and unjustifiably limits the benefit of the credit to seniors (i.e., those age 65 or older) who have lived in the same residence for 40 years, and reduces that same residence requirement to 35 years, actually exacerbates the discriminatory and burdensome impact on the majority senior population and others in the County.**

I fully support providing property tax relief to long-time senior residents. But I support doing so in a manner that **includes all long-time senior homeowners regardless whether they have lived in a single residence for the required period of time, or multiple residences** over that same period. **I will explain.**

The March 15 Proceedings regarding CB23-2021 Must be Held Again

Unfortunately, the Council narrative established at the outset of the discussion of CB 23-2021 was mistaken and tainted the entire discussion. It was indicated that the proposed bill reflected the limits of the Council's authority, which did not extend to aggregating a resident's ownership of multiple dwellings within the County to reach any ownership time requirement. To the contrary, as I have been advised, the Office of Law determined that the underlying state law, Tax Property Article 9-258, permits the County to add a criteria such as the aggregation of time in multiple dwellings/residences as an "additional eligibility criteria." That critical error impacted the entire discussion, the views of citizens listening in or otherwise speaking on the topic. The official record must be corrected, and CB23-2021, if it proceeds, must be reset for public discussion and input.

The AIP Credit Must Provide For Aggregation of All Ownership of Residences

The intent of the AIP Credit is to provide some level of benefit to long-time resident owners of Howard County. The current period of ownership required is 40 years, and the amendment seeks to reduce that to 35 years. Eligibility requires that the individual have lived in the SAME residence for the established period of time, except in the case of retired military (or the surviving spouse of retired military). The exception for military retirees (or a surviving spouse) recognizes that military folks move from area to area based on orders so it is unlikely they could ever meet the same residence requirement. My experience and I am sure your experiences demonstrate that most residents in Howard County do not begin their ownership journey in a "forever home." This journey generally begins with a condo or townhouse, or maybe a small single family. The next move is often to a larger residence reflecting the need for more family space, increased financial wherewithal, or other factors. Downsizing may come next, perhaps into a senior living community or just a smaller residence, based upon reduced income, health conditions, changed need as children leave the nest, death of a life partner, or other circumstance.

There is absolutely no legitimate rationale to maintain any same residence requirement as a distinction in providing the AIP Credit. The rationale used for excluding the military individuals from this criteria is equally applicable, albeit based upon life's natural occurrences versus a commander's order. In fact, the non-military long-time senior resident may well have paid property taxes for many more years than the military individual.

Putting all long-time seniors on equal footing for purposes of the AIP Credit is not difficult. It requires reducing the state-required same residence requirement to a minimal level of say one (1) year, which is permitted, and combining that with the added eligibility criteria that the senior resident have owned/resided in dwellings in the County for at least 40 years (the number based on existing County law).

Who Wins and Who Loses from the AIP Credit

Presently, and as proposed, the winners are the minority of seniors who meet the **same residence** requirement. The benefit, a 20% reduction in the County property tax for 5 years based on assessed value not more than \$500,000. Using an average assessed value of \$445,000, the tax credit is about \$825, or about \$4,100 over 5 years. Someone has to pay for this lost revenue. From what I am told in a conversation with Council Member Jung, this group is about 4,000 residents. She advised that the total senior group is about 20,100. So in effect, the remaining 80% of seniors pay more in taxes than they would otherwise. And some portion of this senior group would qualify for the credit if it were provided fairly based on aggregating the years in all residences.

It's All About the Money

I am not naive. I recognize that it always comes down to money. The County needs a certain amount of revenue to operate. As told to me, if the Council were to use the aggregation of dwelling years in determining eligibility for the AIP Credit, there is a fear that the County simply could not afford to do so. Certainly not without increasing taxes on other property owners, which I suspect would not be a popular solution. But that does **not** relieve the Council of its obligation to treat all long-time senior homeowners equally and fairly for purposes of the AIP Credit. The Council knows these facts.

The average citizen does not. It is the obligation of the Council to be fully transparent and act in the interests of all its citizens put on a level playing field.

CB 23-2021 turns transparency and fairness on its head. It make it appear the Council is doing something favorable for seniors, without telling the full story. Indeed, it **makes it worse**. What possible good comes from lowering the eligibility minimum from 40 years to 35 years? So all the long-time senior residents who have moved/downsized remain shut out of the AIP Credit, and in fact they wind up **paying more in taxes** to make up for the lost revenue due to the reduced taxes paid by those meeting the proposed 35 year same residence standard.

Some of the comments submitted by email to the Council from senior residents are particularly instructive and are paraphrased below.

- We had the tax credit for 1 year at our... [prior] address and then we downsized practically in our back yard [to a 55 plus community] and we lost the tax credit. We will certainly not live here for 40 years!
- I moved into Allview Estates in this County in 1965 and lived in that home until 2001 when illness made it necessary to move to ... a 55 plus community. I have lived in Howard County for almost 56 years. That should mean more in tax revenue than 35/40 years in one house. Additional tax assistance would help me and others like me to remain in our homes as we age and continue to pay real estate taxes instead of moving to an assisted-living facility, probably outside of the County.
- I would like to advocate for aggregating time spent as a homeowner in Howard County toward the senior [AIP] tax credit. When a senior moves it is often with a heavy heart because the finances have changed; health is more limited; or, the loss of a spouse. Rarely would someone take on moving if it weren't an absolute necessity. Aging in place is a lovely concept but when a spouse has died, taking care of a home is beyond the abilities of most seniors. So the County is penalizing seniors who must move due to the conditions stated above. That is quite unfair when one considers that the senior has become disadvantaged because of their living conditions (finances, health or widowhood), and not their own choice.

The situation for my wife and I is similar. We have owned a home in the Howard County/Columbia area since 1978. Just not the same home. We moved to our current residence in the 55 plus community of Hickory Crest, in the Columbia Village of Hickory Crest, about 5 years ago. We downsized due to medical issues. So although we have owned a home in the County for 43 years, we do not meet the current criteria.

Indeed, for folks in 55 plus communities in the County, these communities are relatively new, and certainly not anywhere near meeting a 35-40 year same residence standard. The development where I live is about 20 years old, and this is one of the early senior communities in the area. So even original residents would be nowhere near qualifying although they may be long-time homeowners in the County. Does this seem right?

The Way Forward

Initially, the way forward is to discard CB 23-2021. That is the easy part. Admittedly, Council Members may feel an awkwardness in doing this after touting this bill, but it is the right thing to do. Ultimately residents will learn what this bill really does, who has been left out, and who pays. The better course is to note the need for further study, perhaps pointing to the Office of Law interpretation recognizing the ability to aggregate years in multiple residences. Indeed, it is a positive as the Council seeks a way to benefit more long-time senior homeowners.

The hard part is to figure out what the County can afford and then craft legislation that achieves the benefit sought for long-time senior homeowners. To me, the County affordability issue comes first. Then looking at the potential qualifying population, establish the law based on the economic reality. Possible areas that could be adjusted, if needed, include:

- Adjust the number of years owning a dwelling/residence in the County, currently 40.
- Adjust the qualifying assessed value limit, currently \$500,000
- Adjust the percentage of the credit, currently 20%
- Adjust the number of years during which the credit applies, currently 5.
- Maybe establish an income limit of the taxpayer, something new, though perhaps not popular.

People are tending to work longer, so maybe 40 years of total home ownership in the County should be increased. This is different than the state-mandated criteria related to "same dwelling" ownership, so that would fall under the category of "additional eligible criteria." Maybe the 20% credit is too high from a financial cost to the County, so it needs to be decreased to provide the AIP Credit fairly. Maybe 5 years is too long a period.

In terms of an income cap as a criteria, I recognize that the County already provides a separate 25% senior tax credit with an income and net worth cap. This credit is certainly appropriate and is not a part of the discussion. The AIP Credit was intended to serve a different purpose. But an income cap may need to be considered if necessary to achieve overall affordability to the County. After all, does a resident who earns a significant income (I would not dare to suggest a number here) really need to be given a property tax credit when there are so many unmet needs in the County? As for me, if this was established and we did not qualify, so be it. As long as things are done fairly for all.

What we cannot do is retain arbitrary and outdated criteria as is currently the case with the AIP Credit. Or make it worse in its discriminatory impact on residents. As noted in my original written testimony submitted to the Council (copy included), the right way forward is available and best serves the senior population and all other taxpayers of Howard County.

Thank you for the opportunity to provide this input on CB 23-2021 and the Age In Place Tax Credit.

Sincerely,

Jerome (Jerry) Carr

Sayers, Margery

From: Jerome Carr <jcarr51@verizon.net>
Sent: Monday, March 22, 2021 9:57 AM
To: CouncilMail
Cc: Williams, China; Ball, Calvin
Subject: RE: Age in Place Tax Credit and CB 23-2021
Attachments: Scan_20210312 (3) Testimony CB 23-2021 page 1.png; Scan_20210312 (2)CB 23-2021 Testimony page 2.png

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To: 'councilmail@howardcountymd.gov' <councilmail@howardcountymd.gov>

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- Adjust the number of years during which the credit applies, currently 5.
- Maybe establish an income limit of the taxpayer, something new, though perhaps not popular.

People are tending to work longer, so maybe 40 years of total home ownership in the County should be increased. This is different than the state-mandated criteria related to “same dwelling” ownership, so that would fall under the category of “additional eligible criteria.” Maybe the 20% credit is too high from a financial cost to the County, so it needs to be decreased to provide the AIP Credit fairly. Maybe 5 years is too long a period.

In terms of an income cap as a criteria, I recognize that the County already provides a separate 25% senior tax credit with an income and net worth cap. This credit is certainly appropriate and is not a part of the discussion. The AIP Credit was intended to serve a different purpose. But an income cap may need to be considered if necessary to achieve overall affordability to the County. After all, does a resident who earns a significant income (I would not dare to suggest a number here) really need to be given a property tax credit when there are so many unmet needs in the County? As for me, if this was established and we did not qualify, so be it. As long as things are done fairly for all.

What we cannot do is retain arbitrary and outdated criteria as is currently the case with the AIP Credit. Or make it worse in its discriminatory impact on residents. As noted in my original written testimony submitted to the Council (copy included), the right way forward is available and best serves the senior population and all other taxpayers of Howard County.

Thank you for the opportunity to provide this input on CB 23-2021 and the Age In Place Tax Credit.

Sincerely,

Jerome (Jerry) Carr

Testimony on Council Bill No. 23-2021

To the Honorable Members, Howard County Council:

My name is Jerome Carr. I currently reside with my wife at 10727 Autumn Splendor Drive, Columbia MD 21044. This is within a 55+ community known as Hickory Crest. We have lived in Howard County since 1976, and we have owned a residence in the County since 1978. I am 69 years old.

I am opposed to County Bill 23-2021, amending the eligibility requirements for the so-called senior property tax credit. I do so because this amendment is flawed as it overlooks those residents who have lived in the County for the past 35/40 years in multiple residences. The reduction in the number of qualifying years from 40 to 35, in the SAME residence, provides only **very limited relief** and continues to treat long-time older residents **differently** simply because they have moved residences. **Current state law allows the County to be creative and establish the credit more fairly and evenly for its long-time residents.**

The same residence language has its genesis in Section 9-258, Maryland Tax Property Article. It applies to non-military retirees or surviving spouses of military retirees. **The most recent amendment to the statute made two important changes.**

- One change, recognized in the Council proposal, allows flexibility in permitting the credit for a qualifying individual living in the same residence for a minimum number of years, not exceeding 40 years.
- The second important change allows the County to add additional eligibility criteria.

Taken together, these 2 changes would permit the crafting of fairer legislation to benefit long-time resident seniors within Howard County.

The County Council could amend the tax credit requirements for those non-military retirees at least age 65 as follows:

- Require the individual owner of a dwelling to have lived in the same dwelling in the County at least one (1) year
- Require that the individual have owned and lived in dwellings in the County for at least 35 years [or frankly 40 years if so desired to ensure the benefit only goes to truly long-time residents]

This revised proposal would then provide the sought-after relief for senior, long-time residents without the unfair, unnecessary limitation in the current proposal.

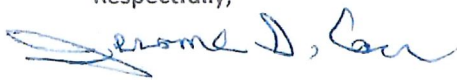
This change in the legislation is something that I have been seeking for several months now, as Council Chair Jung is aware from our numerous email communications. As per her suggestion, I have also communicated through our state legislative representatives, including Senator Lam's office. In response Senator Lam's office advised me that **the kind of change I am seeking is available within the context of the amended state law by virtue of the two changes I noted above**, and I have provided those email communications to Council Chair Jung.

As Council members are fully aware, Howard County has seen a significant increase in the number of so-called 55-Plus communities, where seniors can move into homes better designed for age in place living. Older residents should not be denied the senior tax credit because they have moved into a home with a friendlier first floor master bedroom, accessible bathroom facility, elevators or other improved design for first floor living.

Council Bill 23-2021 ignores the reality of what is a typical home ownership pathway. **People today do not live in one "forever home."** Younger residents may start off in an apartment for a bit and then move into a condominium, townhome or small detached single family residence. The next move may be to a larger residence as need and finances permit. Maybe another move after that. Then what may be called a down-size move. This move through a natural sequence should **not** deny the property tax credit. Actually, such movement is a **plus** for the County, as it opens up housing to others seeking more substantial homes for growing families.

In closing, I appreciate the focus by the Council in seeking to update the senior age in place tax credit. However, to **make it fairer and more equal for all similarly situated seniors** within the County, I would ask you to **defer approval** of the current proposal and instead seek an amendment that **provides the credit for those who have lived in multiple dwellings** in line with the changes I have noted.

Respectfully,

A handwritten signature in blue ink that reads "Jerome D Carr". The signature is written in a cursive style with a large, stylized "J" and "C".

Jerome D Carr

Sayers, Margery

From: Andy Finkel <finkelandy@gmail.com>
Sent: Saturday, March 20, 2021 3:51 PM
To: CouncilMail
Cc: Jerry Carr
Subject: Senior tax credit

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

We want to register our support for fairness in the Senior Tax Credit by changing it to permit aggregating the years a resident lives in different homes in Howard County.

Sally and Andy Finkel
10659 Quarterstaff Road
Columbia, MD 21044

Sayers, Margery

From: Jung, Deb
Sent: Friday, March 19, 2021 2:37 PM
To: Sayers, Margery
Subject: FW: press release on Aging In Place Tax Credit

Deb Jung

Councilmember, District 4
3430 Court House Drive
Ellicott City, MD 21043
410-313-2001

Sign up for my newsletter [here](#).



From: Jerome Carr <jcarr51@verizon.net>
Sent: Wednesday, March 17, 2021 3:10 PM
To: Jung, Deb <djung@howardcountymd.gov>
Cc: Williams, China <ccwilliams@howardcountymd.gov>
Subject: RE: press release on Aging In Place Tax Credit

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council Member Jung,

I appreciate your speaking with me today and your confirming that my interpretation of state law is correct. That is, that for purposes of establishing the age in place credit, the County has the authority to permit aggregation of residences to meet the in-County time qualifications as an additional eligibility criteria.

I would appreciate knowing how the record from the hearing the other night will be corrected to accurately state what the applicable state law permits. This is important to correct any misimpressions since citizens will assume what is being stated is accurate. While I heard your reasoning, it should have been done at the hearing, especially since as you said, all other members knew that what Dr. Jones said was inaccurate. That was a very important piece of information, and now the record is inaccurate. It gave a totally false impression and instead provided false support for the proposed amendment. We all make mistakes, and most important is to own up, and correct things.

I also appreciate the concern you expressed regarding the additional revenue costs. I believe you indicated that about 20,100 county residents meet the criteria as seniors and about 4,000, or 20%, meet the existing same resident standard. I did not have a way to record the figures you were giving me when we spoke, so if I am incorrect on what I have said, please send me a note with the correct data.

Having said that, as we discussed, I believe the County's financial inability to extend the credit based on aggregate years of residence is no reason to instead loosen the existing same residence rule by decreasing the number of years from 40

to 35. The Council is then merely making a bad law worse. Indeed, as I said in our call, the Council is in fact increasing the taxes on Seniors who have owned residences in the County for the qualifying number of years on an aggregate basis, in order to subsidize those who happen to be in the same residence but have lived in the County for the qualifying length of time. Of course, the County is also increasing the taxes on other residents as well, with no legitimate basis for the subsidy being granted.

The Council should defer action on this measure and undertake an appropriate review to determine what is best and fairest to meet what is meant as the objective of the age in place tax credit. If the objective is to help longtime residents, then the issue is what can the County afford that includes all qualifying seniors. Any change must include the aggregation of years in residences in the County. That put all on the same level. From there though, maybe the number of years needs to stay at 40, or maybe increase to reflect that people are working longer. Maybe the % of decrease needs to be reduced below 20%. Maybe the period of years of decrease maybe needs to be reduced below 5. Maybe there should be a reduction in the assessed value limit and maybe an income maximum.

I recognize that there is a separate senior tax credit offered by the county based on qualifying income and net worth. I believe that provides a 25% reduction. To me that is a very good thing, and maybe that is all there should be, and there should not be a credit solely based on longevity in owning residences in the County.

I simply feel that right now the provision is extremely unfair, and without any legitimate basis. I am okay with any result that puts all on equal footing.

We elect members of the council to do the right thing for ALL residents. The proposed change does NOT do this. It may make members feel good, and it may make some constituents feel good who happen to be the lucky recipients. But if explained properly with all the facts, I think the general citizenry would be pretty upset.

I spoke about acting in accordance with what we learned in kindergarten. Also faith based. The simple Golden Rule. And it is NOT he/she/it who has the gold sets whatever rules. We all know what it really is.

I hope you will do the right thing and not worsen an already bad situation. Instead make it better.

Sincerely,

Jerome (Jerry) Carr

From: Williams, China [<mailto:ccwilliams@howardcountymd.gov>]
Sent: Wednesday, March 17, 2021 9:46 AM
To: Jerome Carr <jcarr51@verizon.net>
Subject: RE: press release on Aging In Place Tax Credit

The Councilmember would like to call you directly today. Are you available at 11.30 today?

From: Jerome Carr <jcarr51@verizon.net>
Sent: Wednesday, March 17, 2021 9:17 AM
To: Jung, Deb <djung@howardcountymd.gov>
Cc: Williams, China <ccwilliams@howardcountymd.gov>
Subject: RE: press release on Aging In Place Tax Credit
Importance: High

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council Member Jung,

I would appreciate your advising me of the response from the Office of Law as per your prior email below.

It is important that I have this information as I continue to work for fairness and equal treatment of all long-time senior residents of Howard County with regard to application of the age in place tax credit.

Thank you.

Sincerely,

Jerome (Jerry) Carr

From: Jung, Deb [<mailto:djung@howardcountymd.gov>]

Sent: Monday, February 22, 2021 3:34 PM

To: Jerome Carr <jcarr51@verizon.net>

Subject: FW: press release on Aging In Place Tax Credit

I can forward this interpretation to the Office of Law because it has not been our interpretation. I'll let you know what I find out.

Deb Jung

Councilmember, District 4

3430 Court House Drive

Ellicott City, MD 21043

410-313-2001

Sign up for my newsletter [here](#).



From: Jerome Carr <jcarr51@verizon.net>

Sent: Monday, February 22, 2021 3:27 PM

To: Jung, Deb <djung@howardcountymd.gov>

Subject: RE: press release on Aging In Place Tax Credit

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

You are correct about my question. What I don't understand is that the state (per the emails I sent you) says that the county has the authority to permit aggregation of residences to meet the in-County time qualifications as an additional eligibility criteria. What does the County Law Office say on this?

I am not trying to undermine the spirit of the law. Indeed, I am trying to achieve the spirit of the law. The 1 year would combine with the other criteria of at least 35/40 years total in-County residences. It would mean that someone would need to be at least 65 years old, currently living in a County residence for at least 1 year, and living in one or more County residences for a total of at least 35/40 years.

Can someone please focus on the emails I sent to you from the state showing the county authority and respond to me on that. If the state is correct, then the County has the authority. If the County feels the state interpretation is incorrect, then I would like to know since the state thinks otherwise.

Thanks.

From: Jung, Deb [<mailto:djung@howardcountymd.gov>]
Sent: Monday, February 22, 2021 2:16 PM
To: Jerome Carr <jcarr51@verizon.net>
Subject: RE: press release on Aging In Place Tax Credit

Your initial question was asking for multiple residences to be aggregated in order to meet the in-County time qualifications. The Council does not have that authority to count multiple residences towards time in County. However, as you point out, the Council does have the authority to change the number of years in one residence.

The aging in place tax credit was initially designed to encourage longtime residents to remain County residents. Reducing the time in one residence to as little as one year does not recognize the spirit of the law and could create unintended consequences. The Council has limited tools to promote diverse neighborhoods and this bill is an improvement over existing requirements.

The public hearing is March 15 at 7pm. I encourage you to provide written or in-person testimony to advocate for your desired outcome. Let me know if you need more information about signing up to participate in this virtual hearing.

Deb Jung

Councilmember, District 4
3430 Court House Drive
Ellicott City, MD 21043
410-313-2001

Sign up for my newsletter [here](#).



From: Jerome Carr <jcarr51@verizon.net>
Sent: Monday, February 22, 2021 1:56 PM
To: Jung, Deb <djung@howardcountymd.gov>
Cc: 'Jerome Carr' <jcarr51@verizon.net>
Subject: RE: press release on Aging In Place Tax Credit
Importance: High

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council Chair Jung,

I wish to continue to be respectful, but I am very perplexed by your response. **Howard County DOES have the authority** to enact legislation that would cover me and the numerous other long residents and property owners in Howard County similarly situated. **Please see the exchange of numerous emails below with Senator Lam's office** (Scott is one of his aides and I will separately forward the email so you can confirm its authenticity). As noted in those emails and in the quoted and highlighted state legislation (**see red highlight permitting the County to add eligibility criteria**), Howard County could amend its rules to cover my situation and those of so many others by 2 changes:

- Requirement of being a current resident in the same residence for at least 1 year, and
- Requirement of having owned residences in Howard County for a total of at least 35 years [indeed it could have stayed at 40]

This would be in addition to the age requirement of 65 or older.

It may be that the exact language to make the amendment needs to be edited, but the substance and point are correct.

This would cover so many long term County residents who downsized to homes more in keeping with their physical and other needs, are now retired, and who remain in independent living arrangements.

The current proposal continues to discriminate against residents similarly situated by imposing an unnecessary SAME RESIDENCE rule. A resident for over 35/40 years gets no relief simply because they have moved different residences, while a resident for the same years who fortune allowed to stay in the same residence due to sits style, size, positioning of master bedroom, lack of need for structural accommodation or otherwise, gets the credit. Both have paid county taxes for the same period and both have been residents for the same period.

Indeed, the new proposal merely takes money from the county revenue without solving the problem that was first brought to your attention, and something I would certainly oppose since it provides no real benefit.

I know you say you have worked on this matter for several months. So have I, as I believe I was one to bring the matter to you. I also followed your questions and went to the state legislators as per your request to obtain guidance and direction since you did not think you had authority. **Please, if new legislation is to be adopted, let it be the right changes, meaningful changes, that fix the problem.**

I would ask that your office read through the exchange I have sent, where some parts were also copied to you at the time, and that I hear back as soon as possible.

Sincerely,

Jerome (Jerry) Carr

From Senator Clarence Lam's Office:

Hi Mr. Carr,

I did speak to staff for the sponsor of this bill. They also believe that your proposal is consistent with state law.

Hope that helps,
Scott

From: J CARR [<mailto:jcarr51@verizon.net>]

Sent: Tuesday, December 8, 2020 10:38 AM

To: Hill, Terri Delegate <Terri.Hill@house.state.md.us>

Cc: Lam, Clarence Senator <Clarence.Lam@senate.state.md.us>; Ebersole, Eric Delegate <Eric.Ebersole@house.state.md.us>; Feldmark, Jessica Delegate <Jessica.Feldmark@house.state.md.us>; Jung, Deb <djung@howardcountymd.gov>

Subject: Re: Maryland Tax-Property Article, Section 9-258

Thanks. Yes, I was aware of this. I am focused on the age in place credit and achieving fairness for all seniors who have been in dwellings for at least 49 years in HoCo. Current law creates a distinction without a difference.

I am hopeful Council Chair Jung will take the necessary actions to remedy the situation.

Sent from my iPhone

On Dec 7, 2020, at 3:40 PM, Hill, Terri Delegate <Terri.Hill@house.state.md.us> wrote:

Mr. Carr,

For clarification I requested information from the Legislative Services' Library on the issue for state, Howard, and Baltimore Counties. They offered the following response to your email on 12/4/20 at 2:55 PM

" Thank you for contacting the library; I received your question below. Your constituent references Aging in Place tax credits, which Howard County has instituted:

<https://www.howardcountymd.gov/News/ArticleID/1858/News021420b>

Howard County accepted application through May 1 of this year, and the eligibility requirements are the highest allowed by law (40 years in the same dwelling).

Howard County also has a Senior Tax Credit program, which does not have the 40-year requirement for living in the same dwelling, but does place income restrictions:

<https://www.howardcountymd.gov/Departments/Finance/Billing-and-Payments/Real-Property-Taxes/Tax-Credits/Senior-Tax-Credit>

Here is the application for that program:

<https://www.howardcountymd.gov/LinkClick.aspx?fileticket=BGQG5dhfnWc%3d&tabid=1905&portalid=0>

I checked with the Baltimore County tax office, and they do not offer either tax credit program. There are property tax credits based on income, but not a specific program for senior citizens."

Kind regards,

Amber

From: Jerome Carr <jcarr51@verizon.net>

Sent: Friday, December 4, 2020 7:48 PM

To: Lam, Clarence Senator; Hill, Terri Delegate; Ebersole, Eric Delegate; Feldmark, Jessica Delegate

Cc: 'Jung, Deb'

Subject: RE: Maryland Tax-Property Article, Section 9-258

Dear Mr. Tiffin,

Thank you for your note. I agree with your interpretation. I have heard from one other legislator with the same interpretation. I just wanted to make sure it would not be deemed inconsistent. I appreciate your follow up and will look forward to hearing from you after you hear from the bill's author.

I think this is a matter of importance to the seniors of Howard County who have been long time residents and I am hopeful that with this clarification there will be no impediments to swift amendment by the County to put all of us on equal footing.

Thanks again.

Sincerely,

Jerry Carr

From: Lam, Clarence Senator [<mailto:Clarence.Lam@senate.state.md.us>]

Sent: Friday, December 4, 2020 7:16 PM

To: 'Jerome Carr' <jcarr51@verizon.net>; Hill, Terri Delegate <Terri.Hill@house.state.md.us>; Ebersole, Eric Delegate <Eric.Ebersole@house.state.md.us>; Feldmark, Jessica Delegate <Jessica.Feldmark@house.state.md.us>

Cc: 'Jung, Deb' <djung@howardcountymd.gov>

Subject: RE: Maryland Tax-Property Article, Section 9-258

Hi Mr. Carr,

Thank you for your follow up. I just sent an email to find out who drafted the bill from 2019 so I can ask them about your question.

As you note, 9-258 includes some flexibility for the county. Specifically, 9-258(d) reads (attached is the full section):

(d) The Mayor and City Council of Baltimore City or the governing body of a county or municipal corporation may provide, by law, for:

(1) the maximum assessed value of a dwelling that is eligible for the tax credit under this section;

(2) the minimum number of years, not to exceed 40 years, that an eligible individual not described under subsection (a)(3)(ii), (iii), or (iv) of this section must have resided in the same dwelling;

(3) criteria that define a service-connected disability of an eligible individual described under subsection (a)(3)(iv) of this section;

(4) additional eligibility criteria for the tax credit under this section;

(5) regulations and procedures for the application and uniform processing of requests for the tax credit; and

(6) any other provision necessary to carry out the tax credit under this section.

The line highlighted in yellow is what the General Assembly added in 2019 when they got rid of the 40-year dwelling rule. However, the line highlighted in red was already in the law. I believe that the red line allows the county to add their own eligibility rules in addition to the state rules (as long as they aren't inconsistent with other law). So, this may allow the county to do what you are proposing. For example, the County could use their new authority under 9-258(d)(2) to limit the tax credit to people who have lived in the same dwelling for two years but also use their authority under 9-258(d)(4) to limit the credit just to people who have also paid Howard County property tax for 30+ years (state law still

limits credit to people 65+) Admittedly, I am not an expert on property taxes so I will try to get a complete answer for you next week.

Thank you for your interest in this important issue,

Scott

Scott Tiffin

Chief of Staff

Senator Clarence Lam, MD, MPH

Maryland State Senate

District 12 | Baltimore & Howard Counties

Cell: 443-478-3231

From: Jerome Carr [<mailto:jcarr51@verizon.net>]

Sent: Friday, December 4, 2020 2:55 PM

To: Hill, Terri Delegate <Terri.Hill@house.state.md.us>; Ebersole, Eric Delegate <Eric.Ebersole@house.state.md.us>; Feldmark, Jessica Delegate <Jessica.Feldmark@house.state.md.us>; Lam, Clarence Senator <Clarence.Lam@senate.state.md.us>

Cc: 'Jung, Deb' <djung@howardcountymd.gov>; jcarr51@verizon.net

Subject: Maryland Tax-Property Article, Section 9-258

Dear Legislative Leaders:

This is in follow up to my previous emails to you regarding the Age In Place Tax Credit and what appear to be flaws in the legislation that deserve prompt action to carry out what I believe is the intended effect. I think there may be some confusion regarding the issue I have with the existing law and needed changes.

While I recognize that the State thought it remedied issues with the tax credit's requirements last session (Senate Bill 654), the changes do not really hit at the heart of the matter. **That is, providing a credit to long term senior residents of a jurisdiction who remain in the jurisdiction within a "dwelling".**

Currently, Section 9-258 of the Maryland Tax-Property Article, provides the county with flexibility in setting the number of years, not to exceed 40 years, in which an eligible individual must have resided in the SAME dwelling within the jurisdiction. **The "same dwelling" requirement is overly restrictive and unrealistic.** As individuals go through life, it is common to change dwellings, whether due to economic circumstances, family size, changes in health or other factors. It should not matter as to the number of dwellings. **The point is to benefit long term senior residents who remain in a dwelling within the jurisdiction.** Residents who have paid property taxes to that same jurisdiction over many years, who remain in a "dwelling" in that same jurisdiction, and may now get a bit of a break on their property taxes for several years.

The situation for my wife and I is probably a typical example - 2 years in an apartment, that does not qualify, then 3 years in our first home, then 34 years in our second home as we raised our family, and now over 5 years in our current home in a 55 plus community as empty nesters, with hopefully many more years to come. Not only is this typical, it is advantageous to the jurisdiction as it allows some turnover of residences to the benefit of newer, probably younger, residents to move into the jurisdiction and establish themselves there.

The issue is **not** solved by simply having the local jurisdiction reduce the number of years in the "same dwelling". This would open the door to provide the tax credit to a potentially large group of "new" senior residents, those who have not been long-term property tax-paying individuals within the jurisdiction. I can see where a jurisdiction may have a problem with that.

My suggestion would be a two word change-"The minimum number of years, not to exceed 40 years, that an eligible individual...must have resided in **a dwelling**;"

Of course, if I am missing something and you feel the current provision allows a reading as I believe the provision should be-aggregating the years in all dwellings within a jurisdiction to meet any time requirement, please let me know.

I look forward to hearing from you and I would be happy to speak to you to clarify my thoughts as you may find helpful.

Sincerely,

Jerome (Jerry) Carr

10727 Autumn Splendor Drive

Columbia, MD 21044

From: Jung, Deb [<mailto:djung@howardcountymd.gov>]

Sent: Monday, February 22, 2021 10:37 AM

To: Jerome Carr <jcarr51@verizon.net>

Subject: RE: press release on Aging In Place Tax Credit

Thanks for your response. The County Council does not have the authority to combine residences to meet time requirements. The only changes we have authority to make is to change the time in one residence. This is dictated by State law. I'm sorry that this bill does not address your situation but I'm limited in what can be done. I worked on this bill for several months to determine how to best promote aging in place and protect County revenues.

Deb Jung

Councilmember, District 4

3430 Court House Drive

Ellicott City, MD 21043

410-313-2001

Sign up for my newsletter [here](#).



From: Jerome Carr <jcarr51@verizon.net>

Sent: Monday, February 22, 2021 7:24 AM

To: Jung, Deb <djung@howardcountymd.gov>

Cc: 'Jerome Carr' <jcarr51@verizon.net>

Subject: RE: press release on Aging In Place Tax Credit

Importance: High

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council Chair Jung,

I was not able to open the actual proposed legislation, but based on the description requiring the resident to live in the SAME HOME for 35 years, this will NOT help me and all of those constituents I have been describing to you.

The need is for legislation to provide the credit to individuals:

- Age 65 or older
- Who have lived in one or more residences in Howard County for at least 35 years, and
- Who continue to live in a residence in Howard County at the time of obtaining the tax credit

Again, the point is to cover long time Howard County individuals who have had residences in Howard County for at least 35 years (it could have been more if you wanted) and still have a residence in Howard County. This would cover those who go through a typical life cycle in ownership- perhaps a starter home or townhome, then another home to raise a family or otherwise for their main working life, and who then downsize to a senior style residence such as a 55 plus townhome or condo, or other smaller individual unit.

As proposed, the legislation misses the mark. Continuing to limit the credit to the SAME RESIDENCE throughout does not make the needed change that is otherwise permitted as I have previously indicated.

Please get back to me at your earliest opportunity as this is most upsetting and I am sure those I have remained in contact with regarding this matter will join me in despair after all this time. If I am misreading all of this I apologize, but as I sad, going through the links I could not see the specific legislation.

Thank you.

Sincerely,

Jerome (Jerry) Carr
jcarr51@verizon.net
443-257-9929 (c)
410-992-9618 (h)

From: Jung, Deb [<mailto:djung@howardcountymd.gov>]

Sent: Sunday, February 21, 2021 10:16 PM

To: Jerome Carr <jcarr51@verizon.net>

Subject: press release

Hi Jerome,

Wanted to forward the attached press release to you. Feel free to share. This will be a great benefit to our seniors, and has unanimous support in the Council!

My best to you,

Deb

Deb Jung
County Council
District 4

Sign up for my newsletter [here!](#)

Sayers, Margery

From: Jerome Carr <jcarr51@verizon.net>
Sent: Friday, March 19, 2021 10:32 AM
To: CouncilMail
Cc: Williams, China; Ball, Calvin; 'Jerome Carr'
Subject: Age in Place Tax Credit and CB 23-2021

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Dear Council Members,

I logged off of the March 15 Council session and proceedings regarding CB 23-2021 more convinced than ever that the amendment offered to the Senior Age in Place Tax Credit ("AIP Credit") is a very bad idea and must **not** become law in Howard County. Any belief that CB 23-2021, or for that matter, the current AIP Credit, as written, is of benefit to the senior population of Howard County is misguided, out of touch and just plain untrue. **Taking a bad law, one that unnecessarily and unjustifiably limits the benefit of the credit to seniors (i.e., those age 65 or older) who have lived in the same residence for 40 years, and reduces that same residence requirement to 35 years, actually exacerbates the discriminatory and burdensome impact on the majority senior population and others in the County.**

I fully support providing property tax relief to long-time senior residents. But I support doing so in a manner that **includes all long-time senior homeowners regardless whether they have lived in a single residence for the required period of time, or multiple residences over that same period. I will explain.**

The March 15 Proceedings regarding CB23-2021 Must be Held Again

Unfortunately, the Council narrative established at the outset of the discussion of CB 23-2021 was mistaken and tainted the entire discussion. It was indicated that the proposed bill reflected the limits of the Council's authority, which did not extend to aggregating a resident's ownership of multiple dwellings within the County to reach any ownership time requirement. To the contrary, as I have been advised, the Office of Law determined that the underlying state law, Tax Property Article 9-258, permits the County to add a criteria such as the aggregation of time in multiple dwellings/residences as an "additional eligibility criteria." That critical error impacted the entire discussion, the views of citizens listening in or otherwise speaking on the topic. The official record must be corrected, and CB23-2021, if it proceeds, must be reset for public discussion and input.

The AIP Credit Must Provide For Aggregation of All Ownership of Residences

The intent of the AIP Credit is to provide some level of benefit to long-time resident owners of Howard County. The current period of ownership required is 40 years, and the amendment seeks to reduce that to 35 years. Eligibility requires that the individual have lived in the SAME residence for the established period of time, except in the case of retired military (or the surviving spouse of retired military). The exception for military retirees (or a surviving spouse) recognizes that military folks move from area to area based on orders so it is unlikely they could ever meet the same residence requirement.

My experience and I am sure your experiences demonstrate that most residents in Howard County do not begin their ownership journey in a "forever home." This journey generally begins with a condo or townhouse, or maybe a small single family. The next move is often to a larger residence reflecting the need for more family space, increased financial wherewithal, or other factors. Downsizing may come next, perhaps into a senior living community or just a smaller residence, based upon reduced income, health conditions, changed need as children leave the nest, death of a life partner, or other circumstance.

There is absolutely no legitimate rationale to maintain any same residence requirement as a distinction in providing the AIP Credit. The rationale used for excluding the military individuals from this criteria is equally applicable, albeit based upon life's natural occurrences versus a commander's order. In fact, the non-military long-time senior resident may well have paid property taxes for many more years than the military individual.

Putting all long-time seniors on equal footing for purposes of the AIP Credit is not difficult. It requires reducing the state-required same residence requirement to a minimal level of say one (1) year, which is permitted, and combining that with the added eligibility criteria that the senior resident have owned/resided in dwellings in the County for at least 40 years (the number based on existing County law).

Who Wins and Who Loses from the AIP Credit

Presently, and as proposed, the winners are the minority of seniors who meet the **same residence** requirement. The benefit, a 20% reduction in the County property tax for 5 years based on assessed value not more than \$500,000. Using an average assessed value of \$445,000, the tax credit is about \$825, or about \$4,100 over 5 years. Someone has to pay for this lost revenue. From what I am told in a conversation with Council Member Jung, this group is about 4,000 residents. She advised that the total senior group is about 20,100. So in effect, the remaining 80% of seniors pay more in taxes than they would otherwise. And some portion of this senior group would qualify for the credit if it were provided fairly based on aggregating the years in all residences.

It's All About the Money

I am not naive. I recognize that it always comes down to money. The County needs a certain amount of revenue to operate. As told to me, if the Council were to use the aggregation of dwelling years in determining eligibility for the AIP Credit, there is a fear that the County simply could not afford to do so. Certainly not without increasing taxes on other property owners, which I suspect would not be a popular solution. But that does **not** relieve the Council of its obligation to treat all long-time senior homeowners equally and fairly for purposes of the AIP Credit. The Council knows these facts. The average citizen does not. It is the obligation of the Council to be fully transparent and act in the interests of all its citizens put on a level playing field.

CB 23-2021 turns transparency and fairness on its head. It make it appear the Council is doing something favorable for seniors, without telling the full story. Indeed, it **makes it worse**. What possible good comes from lowering the eligibility minimum from 40 years to 35 years? So all the long-time senior residents who have moved/downsized remain shut out of the AIP Credit, and in fact they wind up **paying more in taxes** to make up for the lost revenue due to the reduced taxes paid by those meeting the proposed 35 year same residence standard.

Some of the comments submitted by email to the Council from senior residents are particularly instructive and are paraphrased below.

- We had the tax credit for 1 year at our... [prior] address and then we downsized practically in our back yard [to a 55 plus community] and we lost the tax credit. We will certainly not live here for 40 years!
- I moved into Allview Estates in this County in 1965 and lived in that home until 2001 when illness made it necessary to move to ... a 55 plus community. I have lived in Howard County for almost 56 years. That should mean more in tax revenue than 35/40 years in one house. Additional tax assistance would help me and others like me to remain in our homes as we age and continue to pay real estate taxes instead of moving to an assisted-living facility, probably outside of the County.
- I would like to advocate for aggregating time spent as a homeowner in Howard County toward the senior [AIP] tax credit. When a senior moves it is often with a heavy heart because the finances have changed; health is more limited; or, the loss of a spouse. Rarely would someone take on moving if it weren't an absolute necessity. Aging in place is a lovely concept but when a spouse has died, taking care of a home is beyond the abilities of most seniors. So the County is penalizing seniors who must move due to the conditions stated above.

That is quite unfair when one considers that the senior has become disadvantaged because of their living conditions (finances, health or widowhood), and not their own choice.

The situation for my wife and I is similar. We have owned a home in the Howard County/Columbia area since 1978. Just not the same home. We moved to our current residence in the 55 plus community of Hickory Crest, in the Columbia Village of Hickory Crest, about 5 years ago. We downsized due to medical issues. So although we have owned a home in the County for 43 years, we do not meet the current criteria.

Indeed, for folks in 55 plus communities in the County, these communities are relatively new, and certainly not anywhere near meeting a 35-40 year same residence standard. The development where I live is about 20 years old, and this is one of the early senior communities in the area. So even original residents would be nowhere near qualifying although they may be long-time homeowners in the County. Does this seem right?

The Way Forward

Initially, the way forward is to discard CB 23-2021. That is the easy part. Admittedly, Council Members may feel an awkwardness in doing this after touting this bill, but it is the right thing to do. Ultimately residents will learn what this bill really does, who has been left out, and who pays. The better course is to note the need for further study, perhaps pointing to the Office of Law interpretation recognizing the ability to aggregate years in multiple residences. Indeed, it is a positive as the Council seeks a way to benefit more long-time senior homeowners.

The hard part is to figure out what the County can afford and then craft legislation that achieves the benefit sought for long-time senior homeowners. To me, the County affordability issue comes first. Then looking at the potential qualifying population, establish the law based on the economic reality. Possible areas that could be adjusted, if needed, include:

- Adjust the number of years owning a dwelling/residence in the County, currently 40.
- Adjust the qualifying assessed value limit, currently \$500,000
- Adjust the percentage of the credit, currently 20%
- Adjust the number of years during which the credit applies, currently 5.
- Maybe establish an income limit of the taxpayer, something new, though perhaps not popular.

People are tending to work longer, so maybe 40 years of total home ownership in the County should be increased. This is different than the state-mandated criteria related to "same dwelling" ownership, so that would fall under the category of "additional eligible criteria." Maybe the 20% credit is too high from a financial cost to the County, so it needs to be decreased to provide the AIP Credit fairly. Maybe 5 years is too long a period.

In terms of an income cap as a criteria, I recognize that the County already provides a separate 25% senior tax credit with an income and net worth cap. This credit is certainly appropriate and is not a part of the discussion. The AIP Credit was intended to serve a different purpose. But an income cap may need to be considered if necessary to achieve overall affordability to the County. After all, does a resident who earns a significant income (I would not dare to suggest a number here) really need to be given a property tax credit when there are so many unmet needs in the County? As for me, if this was established and we did not qualify, so be it. As long as things are done fairly for all.

What we cannot do is retain arbitrary and outdated criteria as is currently the case with the AIP Credit. Or make it worse in its discriminatory impact on residents. As noted in my original written testimony submitted to the Council (copy included), the right way forward is available and best serves the senior population and all other taxpayers of Howard County.

Thank you for the opportunity to provide this input on CB 23-2021 and the Age In Place Tax Credit.

Sincerely,

Sayers, Margery

From: Walsh, Elizabeth
Sent: Thursday, March 18, 2021 1:24 PM
To: CouncilMail
Cc: Royalty, Wendy; Little, Cristiana; Hightower, Rozonna
Subject: FW: CB 21 & 23

FYI:

From: Jeff Rasmussen <jeffrasmussen@verizon.net>
Sent: Wednesday, March 17, 2021 7:20 PM
To: Walsh, Elizabeth <ewalsh@howardcountymd.gov>
Subject: CB 21 & 23

[Note: This email originated from outside of the organization. Please only click on links or attachments if you know the sender.]

Hi Liz,

I listened to the speakers on Monday night and was very impressed and supportive up CB 21 and CB 23.

For CB 21 Kimberly's petition I am totally in favor of allowing this to happen. The more eating establishments and funky places we have up on the hill the better.

For CB23 I like the discussion about not having to be in the same house for 35 years. The speaker that suggested that the process in home ownership in Howard County moves from Condo to TownHouse to Single Family Home, in my opinion, nailed it.

Looking forward to this COVID thing being over and getting back to a new normal.

Take Care,

Regards,

Jeff