



Response to Questions on the 2016 LOBs

Request By: Supervisor Foust

Relevant LOB(s): N/A

Question: 3-LOBs: What are the prevailing state requirements, current County limits and options with respect to Real Estate Tax Relief?

Response:

A referendum passed in November 2010 amending the Virginia Constitution to permit localities to establish their own income and financial net worth limitations for real property tax relief for the elderly and disabled. Sections 58.1-3210 through 58.1-3218 of the Code of Virginia codified state requirements for local real estate tax relief programs. The applicant for tax relief must be either disabled or at least 65 years of age and must be the owner of the property for which relief is sought. Tax relief may be provided for dwellings that are jointly owned by individuals, not all of whom are over 65 or totally disabled. The state allows tax exemption of the qualifying dwelling and the land, not to exceed ten acres upon which the dwelling is situated.

Beginning in FY 2012, veterans who have a 100 percent service-connected permanent and total disability are eligible for real estate tax exemption on their principal residence regardless of income or assets. In addition, beginning in FY 2015, the primary residence of a surviving spouse of a member of the U.S. armed forces who was killed in action is exempt from the Real Estate Tax.

The income and asset limits of Fairfax County's Real Estate Tax Relief Program are shown in the table below. For each relative (other than the spouse) residing in the dwelling, the first \$6,500 of income is excluded. Disabled applicants may exclude the first \$7,500 of income. Fairfax County exempts up to one acre of land upon which the dwelling is located.

FY 2016			
Real Estate Tax Relief for the Elderly and Disabled			
	Income Limit	Asset Limit	Percent Relief
Elderly and Disabled	Up to \$52,000	\$340,000	100%
	Over \$52,000 to \$62,000		50%
	Over \$62,000 to \$72,000		25%
100% Disabled Veterans or Surviving Spouse	No Limit	No Limit	100%