

normal tax status. The amount of tax money the applicant has saved through the benefits provided in this subdivision will be billed to the applicant at eight percent interest. The imposition of this penalty shall not bar the applicant from receiving these benefits in the future upon proper application.

(Code 1986, § 18-51)

Secs. 70-71—70-85. Reserved.

*Subdivision III. Over 65 Years of Age Tax Deferral**

Sec. 70-86. Application; conditions prerequisite.

Citizens of the town over the age of 65 years or, in the case of husband and wife, if either is over the age of 65 years with the property held jointly in both names, who are otherwise eligible and who own and reside in dwellings on real estate, excluding mobile homes and house trailers, which are not income producing properties may apply annually for one deferment per unit, for the deferral of the real estate taxes owing to the town assessed for each year, and such deferral, subject to the approval of the tax assessor, will be granted under the following conditions:

- (1) The applicant must have been a resident of the town and must have occupied the subject property for five years prior to his application.
- (2) The applicant must have reached his 65th birthday, or, in the case of husband and wife, one of them, on or before the assessment date of the tax for which application deferral is made, and must apply during the month of December prior to assessment day for each year in which a tax deferral is applied for with the exception of an application for taxes assessed December 31, 1981.
- (3) Deferrals will be considered only on applications for single-family real estate dwellings which are not income producing, and which are occupied by the applicant as a permanent residency.
- (4) The applicant may defer a maximum of 75 percent of the annual tax.
- (5) The deferred tax shall become a lien upon the property, and the applicant may remove the lien at any time by paying the amount due in full plus interest. The lien shall be recorded by the town clerk and shall continue until discharged by full payment of all deferred taxes and all interest thereon.
- (6) Interest on deferred taxes shall accrue at the rate of prime rate plus two percent.
- (7) Deferments of taxes will be granted, if the application shall be approved, only up to the amount of the equity owned by the applicant in the specific unit applied for.

***State law reference—Tax exemptions in the Town of Narragansett, G.L. 1956, § 44-3-23.**

- (8) A sufficient amount of fire insurance obtained by the applicant as shall be required by the tax assessor for the protection of the town's lien and the town shall be named in the policy of insurance as a lienor, and a certificate of the policy shall be filed with the tax assessor.
- (9) The applicant must reapply annually for each year's deferment on the unit in which he resides. He must submit information with his annual application of his prior year's gross income as well as his wife's gross income from all sources, as shall be required by the tax assessor.
- (10) No corporation or partnership or other form of business title holder shall be eligible for a tax deferment nor any holder of life estate or remainder interest. Title ownership eligibility shall be limited to owners in fee simple, joint tenants in common and tenants by the entirety. In the case of joint tenants or tenants in common other than husband and wife, all such tenants must be over 65 years of age and join in the application.
(Code 1986, § 18-66; ch. 825, § 1, 11-18-2002; Ch. 854, § 1, 1-18-2005)

Sec. 70-87. Taxes due upon transfer of title; exception; priority lien of town.

(a) Upon any change in the manner of holding title to the property, any transfer or mortgaging of the premises which are the subject of deferred taxes, other than the taking in fee simple of a husband or wife through survivorship of a joint tenancy or tenancy by the entireties, the entire amount of deferred taxes with accrued interest thereon at the prescribed rate must be paid to the tax collector and the town's lien shall be discharged upon such full payment, plus interest.

(b) The town's lien shall take priority to and shall be the subject of demand for immediate payment in full of all taxes deferred plus interest thereon if any form of insolvency proceeding is filed with, by or against the applicant, petitioning the court to creditors arrangement, bankruptcy, partnership, receivership or any other form of insolvency proceeding, immediately upon the filing of such petition.

(c) Upon the death of an owner in fee simple applicant or in the case of husband and wife, upon the death of the surviving husband or wife, the accrued deferments shall be payable in full plus the prescribed interest before this lien shall be discharged, and such lien shall rank as a priority claim against the assets and the estate of the applicant or survivor, and as a priority lien against the real estate for which such deferred taxes were granted.
(Code 1986, § 18-67)

Sec. 70-88. Enforcement; collection of tax lien.

All taxes for which deferral is granted as provided in this subdivision shall, together with interest as provided in this subdivision, be and remain a lien upon the real estate against which assessed, and such lien shall be enforceable and collectible in the same manner as real estate taxes generally.
(Code 1986, § 18-68)

Sec. 70-89. Confidentiality.

All information and files compiled by the town in connection with applications for tax deferments and actions taken with respect to such applications shall remain confidential.
(Code 1986, § 18-69)

Secs. 70-90—70-105. Reserved.

TOWN OF NARRAGANSETT
Town Hall, 25 Fifth Avenue
Narragansett, RI 02882

**APPLICATION FOR DEFERRAL OF REAL ESTATE TAXES
FOR PERSONS 65 OR MORE YEARS OF AGE**

Application for deferral of Real Estate tax payments under an ordinance in amendment of Chapter 70 of the Code of Ordinances of the Town of Narragansett, Rhode Island, entitled "Taxation and Finance", passed at the January 18, 2005, meeting of the Narragansett Town Council.

Date _____

Name _____

Residence Address _____

Location of Property: Assessor's Plat _____ Lot No. _____

Date Property Acquired _____ Book _____ Page _____

Property on which deferral is requested is owned:

(a.) Solely by me _____

(b.) Jointly with _____ Relation _____

I hereby swear under penalty of perjury that I have actually resided at the address for which deferral is requested for a period of at least five consecutive years and own and live at this address on a permanent basis, and that the dwelling is used exclusively by me (us) and that the property is NOT used in connection with a business, combination of business and residential, or for income producing purposes (such as rentals). It is further understood that where any deferral is granted on the basis of incorrect information furnished by applicant, the deferral shall be rescinded and the applicant shall be liable for the full tax plus interest retroactive to the date on which the taxes were due. The applicant will also be liable for any criminal penalties which may be applicable for the furnishing of false information.

I swear that all the foregoing information is true and correct to the best of my knowledge.

Signature _____

Tax Assessor _____

(2)

I certify that the following declaration constitutes any and all mortgages and liens against the property and any recent appraisals.

This ordinance requires that the applicant maintain sufficient fire insurance and name the Town of Narragansett as an additional insured.

Please provide this information with application.

Please be advised that the deferred tax will become a lien on the property which will have to be repaid with interest at the rate of prime plus 2%/