ORDINANCE NO. 25-15()

AN ORDINANCE TO AMEND CHAPTER 15, TAXATION, ARTICLE 7, REAL PROPERTY TAX, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA

BE IT ORDAINED By the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 15, Taxation, Article 7, Real Property Tax, is hereby amended as follows:

By Amending:

Sec. 15-709 Real property eligible for an exemption.

Sec. 15-710 Amount of exemption.

Chapter 15. Taxation

Article 7. Real Property Tax

Sec. 15-709 Real property eligible for an exemption.

Real property that satisfies all of the following requirements is eligible for the exemption established in County Code § 15-708:

- A. Age or disability. The eligible owners shall have either:
 - Age. Reached the age of 65 years prior to the taxable year for which the exemption is claimed; or
 - 2. *Disability.* Become permanently and totally disabled prior to the taxable year for which the exemption is claimed.
- B. Ownership. The eligible owners shall have title or partial title in the dwelling. Any interest under a leasehold or for term of years is neither title nor partial title. The eligible owners claiming the exemption shall own title or partial title to the real estate for which the exemption is claimed on January 1 of the taxable year.
- C. *Joint ownership*. Jointly owned dwellings are eligible for the exemption in the following circumstances, provided that any other requirements for the exemption are satisfied:
 - 1. Joint ownership with spouse. A dwelling jointly owned by a husband and wife may qualify if either spouse is 65 years of age or older or is permanently and totally disabled.
 - 2. Joint ownership with person other than spouse. A dwelling jointly owned by two or more persons, all of whom are either 65 years of age or older or are permanently and total disabled.
- D. Occupancy of the dwelling. The eligible owners shall occupy the dwelling as that owner's sole dwelling.
 - Business uses limited. The dwelling may not be used in a business that is required to pay a County business license tax or fee.
 - 2. Residing in medical or mental care facilities for extended periods does not disqualify. An eligible owner's residence in a hospital, nursing home, convalescent home, or other facility for physical or mental care for extended periods of time for extended periods does not disqualify the real estate from the exemption. The dwelling continues to be the sole dwelling of the eligible owner during these extended periods in a facility, provided that the real estate is not used or leased to others for consideration.
- E. Manufactured homes. A manufactured home is real estate eligible for the exemption if the eligible owner demonstrates to the satisfaction of the Director of Finance that the manufactured home is permanently affixed. Either of the following is evidence that the manufactured home is permanently affixed:

Draft: October 10, 2025

- Ownership and connection to water and sewage lines or facilities. The eligible owner owns
 title or partial title to the manufactured home and the land on which the manufactured home
 is located, and the manufactured home is connected to permanent water and sewage lines
 or facilities; or
- Permanent foundation or connected rooms or additions. The manufactured home rests on a
 permanent foundation and consists of two or more units which are connected in such a
 manner that they cannot be towed together on a highway, or consists of a unit and other
 connected rooms or additions which must be removed before the manufactured home can
 be towed on a highway.
- F. Maximum annual income allowed. The total combined income shall not exceed \$97,650 US

 Department of Housing & Urban Development Area Median Income (AMI) Limits, using the value for eighty (80%) percent AMI for a family of four in Albemarle County for the calendar year immediately preceding the taxable year.
- G. Maximum net combined financial worth allowed. The net combined financial worth shall not exceed \$312,000 the inflation adjusted value of \$200,000 in January 2007 and rounded to the nearest \$1,000 for the calendar year immediately preceding the taxable year. This inflation adjustment will use the published Consumer Price Index for All Urban Consumers, US City Average, or similar published inflation data for the calendar year immediately preceding the taxable year.

(2-15-73; 3-20-75; 11-9-77; 8-13-80; 6-12-85; 5-13-87; Ord of 12-19-90; Ord. of 4-7-93; Ord. 96-8(2), 12-11-96; Code 1988, § 8-26; 9-9-81; Ord.12-19-90; Code 1988, § 8-26.1; § 15-704, Ord. 98-A(1), 8-5-98; Ord. 00-15(2), 9-20-00; Ord. 03-15(2), 11-5-03; Ord. 04-15(2), 12-1-04, effective 1-1-05; Ord. 06-15(3), 11-1-06, effective 1-1-07; Ord. 07-15(1), 10-3-07, effective 1-1-08; Ord. 14-15(3), 9-3-14; § 15-709, Ord. 19-15(1), 4-17-19; Ord. 22-15(1), 4-20-22, effective 1-1-22); Ord. 23-15(1), 4-19-23, effective 1-1-23; Ord. 24-15(1) 4-17-24, effective 1-1-24); Ord. 25-15(3) 11-20-24, effective 1-1-25); Ord. 25-15() 11-5-24, effective 1-1-26

State law reference(s)—Va. Code §§ 58.1-3210 —58.1-3215.

Sec. 15-710 Amount of exemption.

The exemption established by this article shall apply only to the real property taxes for the qualifying dwelling and the land, not exceeding ten acres, upon which it is situated. The amount of the exemption for any taxable year is as follows:

Percentage of Real Estate Tax Exempted				
		-Net Combined Financial Worth		
		\$0-<u>\$312,000</u>		
Total	\$0 to <u>\$48,825</u>	100.00%		
Combined	\$48,826 to \$73,238	75.00%		
Income	\$73,239 to \$97,650	50.00%		

1. An approved applicant whose combined household income is no more than fifty (50%) percent of the maximum annual income allowed shall receive an exemption equivalent to one hundred (100%) percent of the real estate tax assessed for the taxable year on the property for which an exemption is claimed.

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- 2. An approved applicant whose combined household income is greater than fifty (50%) percent, but no more than seventy-five (75%) percent of the maximum annual income allowed shall receive an exemption equivalent to seventy-five (75%) percent of the real estate tax assessed for the taxable year on the property for which an exemption is claimed.
- 3. An approved applicant whose combined household income is greater than seventy-five (75%) percent, but no more than one hundred (100%) percent of the maximum annual income allowed shall receive an exemption equivalent to fifty (50%) percent of the real estate tax assessed for the taxable year on the property for which an exemption is claimed

(2-15-73; 11-9-77; 8-13-80; Ord. of 12-19-90; Ord. of 4-7-93; Code 1988, § 8-27; § 15-705, Ord. 98-A(1), 8-5-98; Ord. 00-15(2), 9-20-00; Ord. 04-15(2), 12-1-04; Ord. 06-15(3),11-1-06, effective 1-1-07; Ord. 07-15(1), 10-3-07, effective 1-1-08; Ord. 11-15(1), 5-11-11; § 15-710, Ord. 19-15(1), 4-17-19; Ord. 22-15(1), 4-20-22, effective 1-1-22; Ord. 23-15(1), 4-19-23, effective 1-1-23; Ord. 24-15(1) 4-17-24, effective 1-1-24; Ord. 25-15(3) 11-20-24, effective 1-1-25); Ord. 25-15() 11-5-25, effective 1-1-26

State law reference(s)—Va. Code § 58.1-3212.

This ordinance is effective on and after tax year 2026 that begins on January 1, 2026.

an Ordinance duly a	persen, do hereby certify that the foregoing writing is a true, correct copy of adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote as recorded below, at a regular meeting held on		
			Clerk, Board of County Supervisors
	<u>Aye</u>	<u>Nay</u>	
Mr. Andrews			
Mr. Gallaway Ms. LaPisto-Kirtley			
Ms. Mallek			
Ms. McKeel			
Mr. Pruitt			