

ORDINANCE NO. 4444

AN ORDINANCE to amend and reordain Section 3-2-173 (GRANT B ELIGIBILITY, RESTRICTIONS GENERALLY), Section 3-2-176 ((SAME B AMOUNT LIMITATION) and Section 3-2-179 (SUNSET DATE), of Division 2 (AFFORDABLE HOMEOWNERSHIP PRESERVATION PROGRAM), Article L (REAL ESTATE TAX RELIEF), Chapter 2 (TAXATION), Title 3 (FINANCE, TAXATION AND PROCUREMENT) of the Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Sections 3-2-173, 3-2-176, and 3-2-179 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby are, amended and reordained to read follows:

Sec. 3-2-173 Same--eligibility, restrictions generally.

A grant under this division in any taxable year shall be subject to the following restrictions and conditions:

- (1) The household income of the applicant shall not exceed \$100,000.
- (2) The assessed value of the real estate owned by the applicant shall not exceed \$527,000.
- (3) The net combined financial worth of an applicant shall not exceed \$50,000.
- (4) The applicant and/or the applicant's spouse shall own at least 50 percent interest in the real estate.
- (5) As of January 1 of the taxable year, the applicant must occupy the real estate for which the grant is sought as his or her sole residence and must be expected to so occupy the real estate throughout the year; provided, that an applicant who is residing in a hospital, nursing home, convalescent home or other facility for physical or mental care shall be deemed to meet this condition so long as the real estate is not being used by or leased to another for consideration.
- (6) An applicant shall file the affidavit or written statement required by section 3-2-175 no later than September 1 of the taxable year.
- (7) An applicant for a grant provided under this division shall not participate in the real estate tax exemption or deferral program for the elderly or permanently and totally disabled provided under division 1 of this article, and no grant shall be applied to real estate taxes on property subject to such exemption or deferral program.
- (8) An applicant for a grant provided under this division shall not be delinquent on

any portion of the real estate taxes to which the grant is to be applied.

Sec. 3-2-176 Same--amount; limitation, one member household.

For a household of one member:

(a) The amount of each grant under this division shall be \$1,200, for an applicant with household income which does not exceed \$40,000.

(b) The amount of each grant under this division shall be \$875, for an applicant with household income of more than \$40,000, but which does not exceed \$55,000.

(c) The amount of each grant under this division shall be \$375, for an applicant with household income of more than \$55,000, but which does not exceed \$72,000.

(d) Only one grant under this division shall be made per household, and in no event shall the amount of the grant exceed the taxes owed for the year.

Sec. 3-2-176.1 SameBamount; limitation; two member household.

For a household of two members:

(a) The amount of each grant under this division shall be \$1,200 for an applicant with household income which does not exceed \$40,000.

(b) The amount of each grant under this division shall be \$875, for an applicant with household income of more than \$40,000, but which does not exceed \$55,000.

(c) The amount of each grant under this division shall be \$375, for an applicant with household income of more than \$55,000, but which does not exceed \$72,000.

(d) The amount of each grant under this division shall be \$200, for an applicant with household income of more than \$72,000, but which does not exceed \$87,000.

(e) Only one grant under this division shall be made per household, and in no event shall the amount of the grant exceed the taxes owed for the year.

Sec. 3-2-176.2 SameBamount, limitation, three or more household.

For a household of three or more members:

(a) The amount of each grant under this division shall be \$1,200, for an applicant with household income which does not exceed \$40,000.

(b) The amount of each grant under this division shall be \$875 for an applicant with household income of more than \$40,000, but which does not exceed \$55,000.

(c) The amount of each grant under this division shall be \$375, for an applicant with household income of more than \$55,000 but which does not exceed \$72,000.

(d) The amount of each grant under this division shall be \$200, for an applicant with household income of more than \$72,000, but which does not exceed \$100,000.

(e) Only one grant under this division shall be made per household, and in no event shall the amount of the grant exceed the taxes owed for the year.

Sec. 3-2-179 Sunset date.

No grant pursuant to section 3-2-172 shall be permitted in any taxable year which commences after December 31, 2006.

Section 2. That section 3-2-171 of the Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, amended by adding thereto a new definition to read as follows:

(9) Household member. The applicant, the applicant=s spouse, any relative of the applicant who resides in the dwelling, and any other person who is an owner of and resides in the applicant=s dwelling.

Section 3. That this ordinance shall become effective January 1, 2006, *nunc pro tunc*.

WILLIAM D. EUILLE  
Mayor

Final Passage: April 25, 2006