

November 27, 2007

**LIMITATION ON INCREASE IN VALUE FOR SINGLE-FAMILY DWELLINGS
OCCUPIED BY LOW INCOME OWNERS SIXTY-FIVE YEARS OF AGE OR
OLDER OR DISABLED FOR TAX YEAR 2008**


Pursuant to HB 73, NMSA § 7-36-21.3 (2003), the State of New Mexico, Taxation and Revenue Department, Property Tax Division, hereby informs Assessors that:

- A. For the 2008 tax year, the valuation for property taxation purposes of a single family dwelling owned and occupied by a person who is sixty-five years of age or older and whose modified gross income, as defined in the Income Tax Act [7-2-1 NMSA 1978], for the prior taxable year did not exceed twenty-one thousand six hundred dollars (\$21,600), shall not be greater than the valuation of the property in the:
- (1) 2001 tax year;
 - (2) Year in which the owner has his sixty-fifth birthday, if that is after 2001; or
 - (3) Tax year following the tax year in which an owner who turns sixty-five or is sixty-five years of age or older first owns and occupies the property, if that is after 2001.
- B. For the 2008 tax year, the valuation for property taxation purposes of a single family dwelling owned and occupied by a person who is disabled and whose modified gross income, as defined in the Income Tax Act [7-2-1 NMSA 1978], for the prior taxable year did not exceed twenty-one thousand six hundred dollars (\$21,600), shall not be greater than the valuation of the property in the:
- (1) 2003 tax year;
 - (2) Year in which the owner is determined to be disabled, if that is after 2003; or
 - (3) Tax year following the tax year in which an owner who is disabled or who is determined to be disabled first owns and occupies the property, if that is after 2003.

For the 2008 tax year and each subsequent tax year, the maximum amount of modified gross income shall be adjusted for inflation by the Department and will be published annually.

“Disabled” is defined as a person who has been determined to be blind or permanently disabled with medical improvements not expected pursuant to 42 USCA 421 for purposes of the federal Social Security Act [42 USC § 301 et seq.] or is determined to have a permanent total disability pursuant to the Workers Compensation Act [52-1-1 NMSA 1978].

Done this 27th day of November 2007.



Rick Silva, Director
Property Tax Division

