

REAL PROPERTY TAX EXEMPTION APPLICATION INFORMATION & GUIDELINES

Alaska Statutes dictate what mandatory exemptions from property tax are:

AS. 29.45.030. Required exemptions. (a) The following property is exempt from general taxation:

(a) (3) property used **exclusively** for nonprofit religious, charitable, cemetery, hospital, or educational purposes;

(b) In (a) of this section, "property used exclusively for religious purposes" includes the following property owned by a religious organization:

(1) the residence of an educator in a private religious or parochial school or a bishop, pastor, priest, rabbi, minister, or religious order of a recognized religious organization; for purposes of this paragraph, "minister" means an individual who is

(A) ordained, commissioned, or licensed as a minister according to standards of the religious organization for its ministers; and

(B) employed by the religious organization to carry out a ministry of that religious organization;

(2) a structure, its furniture, and its fixtures used solely for public worship, charitable purposes, religious administrative offices, religious education, or a nonprofit hospital;

(3) lots required by local ordinance for parking near a structure defined in (2) of this subsection.

(c) Property described in (a)(3) or (4) of this section from which income is derived is exempt only if that income is solely from use of the property by nonprofit religious, charitable, hospital, or educational groups. If used by nonprofit educational groups, the property is exempt only if used exclusively for classroom space.

(d) Laws exempting certain property from execution under [AS 09](#) (Code of Civil Procedure) do not exempt the property from taxes levied and collected by municipalities.

The Alaska State Supreme Court has made many decisions concerning property tax exemptions and two important findings of the court that are often repeated in property tax cases are:

1. A taxpayer claiming a tax exemption has the burden of showing that the property is eligible for the exemption. (Greater Anchorage Area Borough vs Sisters of Charity, Sup. Ct. No 1299)
2. "Exemptions are strictly construed against the taxpayer and in favor of the taxing authority." (Sisters of Providence in Washington, Inc. v. Municipality of Anchorage)

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The following information is necessary to process an exemption request

- A copy of the organization's Articles of Incorporation. A church should give their national affiliate, if any, and if local, list when they were organized. Charter information should be included with the exemption request.
- A copy of the most up to date constitution and by-laws.
- A copy of your federal tax-exempt status (IRS 501(c)(3)).
- State of Alaska business license if applicable.
- A detailed statement regarding the nature of the organization and current use of the property including a floor plan with details of use by room or area.
- An operating statement showing income and operating expenses.
 - Income should be broken down into categories such as
 - Charitable donations
 - Federal monies designated for particular purposes
 - Corporate contributions
- State whether or not any income will be received as a result of the use of the property.
- Include the date on which the property will commence to be used for an exempt purpose, if the date is different from the purchase date.
- In order to qualify for an Educational exemption, there must be:
 - Delineated classroom space
 - A developed curriculum
 - Systematic instruction must be in place
- Documentation supporting/describing the activities of the organization.
 - Brochures, pamphlets and web pages are acceptable forms of documentation.

**PROPERTY TAX EXEMPTION APPLICATION
KODIAK ISLAND BOROUGH
710 MILL BAY ROAD, KODIAK, ALASKA 99615**

PROPERTY INFORMATION

LEGAL DESCRIPTION:

PROPERTY ID:

ADDRESS:

CURRENT USE:

PROPOSED USE:

AQUISITION DATE:

ACQUISITION COST:

FINANCING:

OWNER INFORMATION

CURRENT OWNER:

MAILING ADDRESS:

PHONE:

E-MAIL:

FAX:

CONTACT NAME:

POSITION:

ORGANIZATION NAME:

EXEMPTION INFORMATION

TYPE OF EXEMPTION REQUESTED:

RELIGIOUS _____ CHARITABLE _____ EDUCATIONAL _____ HOSPITAL _____ CEMETERY _____ COMMUNITY PURPOSE _____

DOES YOUR ORGANIZATION CURRENTLY RECEIVE TAX EXEMPT STATUS UNDER IRS CODE 501.C?

IS THE PROPERTY TO BE USED EXCLUSIVELY FOR NON-PROFIT OR COMMUNITY PURPOSES?

IF NOT, WHAT PORTION IS TO BE USED FOR NON-PROFIT OR COMMUNITY PURPOSES?

DOES/WILL THE PROPERTY RECEIVE RENTS FROM OTHER ENTITIES?

DESCRIBE THE NATURE AND USE OF THE PROPERTY AS IT RELATES TO THE PURPOSE OF THE ORGANIZATION.

PROVIDE DOCUMENTATION THAT DESCRIBES THE EXEMPT ACTIVITIES SUCH AS BROCHURES, PAMPHLETS, WEBSITES, ETC.

INCOME INFORMATION

LIST THE AMOUNT AND SOURCE OF ALL RENTS OR OTHER INCOMES CURRENTLY OR ANTICIPATED TO BE RECEIVED ANNUALLY FROM THE PARCEL TO INCLUDE FUNDING SOURCES TO SUPPORT THE PROPERTY AND USE(S):

CERTIFICATION

I HEREBY APPLY FOR EXEMPTION ON THE ABOVE DESCRIBED PROPERTY AS PROVIDED IN AS 2945.030(3). I FURTHER CERTIFY THAT THE ANSWERS GIVEN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND I AM AN AUTHORIZED SIGNER FOR THE ORGANIZATION. I UNDERSTAND THAT WILLFUL MISSTATEMENT IS PUNISHABLE BY FINE OR IMPRISONMENT UNDER AS 11.56.210.

SIGNATURE

DATE

PRINTED NAME

POSITION:

EMAIL:

PHONE NO.

PLEASE READ THE ATTACHED INFORMATION CAREFULLY BEFORE COMPLETING THIS APPLICATION.