

Marilyn E. Wood
Revenue Commissioner
Mobile County
P.O. Drawer 1169
Mobile, Alabama 36633-1169

October 18, 2011

Dear Taxpayer:

RE: Homebuilders Application for Reclassification

For your information, the following are the requirements for application for reclassification:

1. Valid current license from the Home Builders Licensure Board or authorization from the Board to construct single-family homes not to exceed time period of 24 months from September 1, 2011.
2. Documentary evidence of the date construction begins or the date the lot is fully developed pursuant to the Rules of the Alabama Department of Revenue, and may be classified as Class III rather than Class II, as authorized by the Amendatory Act. **Fully developed lot is defined as a lot or parcel located within a platted and recorded subdivision as of September 1, 2011, and having all available utilities in place, fully complying with the subdivision regulations applying to the subdivision (if applicable), owned by the person or firm originally platting the subdivision or a person or firm authorized by the Alabama Homebuilders Licensure board to construct single-family homes, and ready for construction of a single-family dwelling.**
3. Subdivision regulations (if applicable) – Applications for reclassification: For single-family dwellings and the fully developed underlying lot, the maximum reclassification period shall not exceed a period of 24 months from the October 1 lien date following the date of application if application is made prior to the October 1 lien date, unless terminated earlier. If application is made after the October 1 lien date but on or before December 31, the maximum reclassification period shall begin on the October 1 lien date preceding application.
4. Applications for Reclassification – Fully Developed Lot: For fully-developed lots, the maximum reclassification period shall be limited to the Tax Years 2012 (lien date October 1, 2011) and 2013 (lien date October 1, 2012), unless terminated earlier. In order for the reclassification to apply to Tax Year 2013, the application must be made on or before December 31, 2012. **LOTS THAT ARE FULLY DEVELOPED AFTER THE EFFECTIVE DATE OF THIS ACT, SEPTEMBER 1, 2011, DO NOT QUALIFY FOR RECLASSIFICATION.**
5. Residential Property – Real Property: Real property, used by the owner thereof exclusively as the owner's single-family dwelling.
 - a. This includes an owner who resides on the property and remains in possession of the property

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- b. Residential property shall include single-family dwellings and the fully-developed underlying lot owned by a home builder holding a valid and current license from the Home Builders Licensure Board, or who is otherwise authorized by the board to construct single-family homes until sold or used for a purpose other than as a single-family dwelling; provided that this classification shall not exceed a period of 24 months from the date the owner home builder applies for the classification as provided herein, but no later than the 2013 tax year (10/1/12 to 09/30/13).
- c. The property shall be reclassified as Class II property until approved documentation is properly filed with the tax assessing official pursuant to the rules of the Department of Revenue.
- d. The reclassification of property authorized shall be terminated when one of the following occurs:
 - 1. The classification has been in place for 24 months.
 - 2. The owner no longer holds a valid license or authorization from the Home Builders Licensure Board.
 - 3. The sale, transfer, or any other action or inaction resulting in the single-family dwelling or the fully-developed underlying lot no longer being held by the person, firm, or corporation first seeking the reclassification.
- e. Notwithstanding the foregoing, in order to qualify for the reclassification, the owner shall properly file with the tax assessing official documentation required pursuant to the rules of the Alabama Department of Revenue.
- f. Wherever any statute provides for, limits, or measures the power of authority of any county, municipality, or other taxing authority to levy taxes, borrow money, or incur indebtedness in relation to the assessment of property therein for state taxes or for state and county taxes, such provision shall mean as assessed for county or municipal taxes.
- g. All property now exempt by law shall continue to be exempt from taxation until changed by law.

In the event an owner's single-family dwelling is destroyed or damaged to the extent that the dwelling is uninhabitable, the property shall retain its classification as residential property while the dwelling is being rebuilt or restored to an inhabitable state for a period of not to exceed 24 months from the date of the destruction or damage. If the destroyed or damaged dwelling is rebuilt or restored to an inhabitable state as the owner's single-family dwelling within 24 months from the date of the destruction or damage or the property is converted at any time to a use other than as the owner's single-family dwelling, the property shall lose its classification as residential property.

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The owner may request an extension not to exceed an additional 24 months upon submission of proof that the work necessary to rebuild or restore the destruction or damage could not be contracted, or if contracted could not be completed within 24 months from the date of the destruction or damage, this extension may be granted by the Assessing Official.

The part of the Amendatory Act that covers fully-developed lots is for existing inventory. **Only fully-developed lots as of September 1, 2011 qualify.** These are the vacant subdivision lots that were in the developer or homebuilder's inventory as of the effective date of the Act, which is September 1, 2011. **Any lots developed after September 1, 2011 do not qualify.** If a developer(s) or homebuilder(s) have lots that qualify, and fail to file an application this year, they could file for next year, and get 1 year of homeowner's reclassification.

If you have any questions, you may call Glen Ford, Administrator at: (251) 574-5527

Sincerely,

MOBILE COUNTY REVENUE COMMISSION

Glen A. Ford, Administrator

cc: Marilyn E. Wood, Revenue Commissioner

MEW/GAF/bcs

Homeowners and Storm Victims Protection Act of 2011

Application for Reclassification

Single-Family Dwelling and Underlying Lot

Owner's Name: _____

Mailing Address: _____

Homebuilders License Number: _____ Expiration Date: _____

Parcel ID: _____

Subdivision: _____

Date Construction Began: _____

Documentary Evidence: (A copy of all documentary evidence must be submitted with this application)

- | | |
|---|---|
| <input type="checkbox"/> Building Permit or | <input type="checkbox"/> Temporary Power Permit |
| <input type="checkbox"/> On-site Sewage Disposal Permit | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Certificate of Occupancy | |

Date Application Filed and Approved: _____

Date Reclassification applied: October 1, _____

For single-family dwellings and the fully-developed underlying lot the maximum reclassification period shall not exceed a period of 24 months from the October 1 lien date following the date of application if application is made prior to the October 1 lien date, unless terminated earlier. If application is made after the October 1 lien date but on or before December 31, the maximum reclassification period shall begin on the October 1 lien date preceding application.

I hereby affirm that to the best of my knowledge and belief this information including any accompanying statements, permits, and other information is true and complete and I am eligible for the for the reclassification requested herein.

Signature

Date

Homeowners and Storm Victims Protection Act of 2011

Application for Reclassification

Fully-Developed Lot

Owner's Name: _____

Mailing Address: _____

Homebuilder's License Number: _____ Expiration Date _____

Parcel ID: _____

(Multiple parcels may be listed on Page 2 of the Application)

Subdivision: _____

Documentary Evidence: (A copy of all documentary evidence must be submitted with this application)

Book and Page Number of Recorded Subdivision Plat

Proof of compliance with subdivision regulations.

Date Application Filed and Approved: _____

Date Reclassification applied: October 1, _____

For fully-developed lots the maximum reclassification period shall be limited to the Tax Years 2012 (lien date October 1, 2011) and 2013 (lien date October 1, 2012), unless terminated earlier. In order for the reclassification to apply to Tax Year 2012 the application must be made on or before December 31, 2011. In order for the reclassification to apply to Tax Year 2013 the application must be made on or before December 31, 2012. Lots that are fully-developed after the effective date of this Act, September 1, 2011, do not qualify for reclassification.

I hereby affirm that to the best of my knowledge and belief this information including any accompanying statements, permits, and other information is true and complete and I am eligible for the reclassification requested herein.

Signature

Date

