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As a licensed Assessor (CMA #814) for 16+ years, and providing assessing services for six (6) municipalities (currently) and over 11 municipalities in my career thus far, it is my opinion that the Homestead Exemption applies to ONLY property owners (as individuals) who own property in which they attest to being their "primary residence".

A property owned by a "Trust" and more importantly, an "irrevocable" Trust, is NOT owned by an individual, but rather an "entity" identified as a Trust.

This is the same premise as property owned by an "LLC". An LLC is NOT an individual, but rather an entity. An entity specifically designed to differentiate itself from being (or connected) to an individual, for a multitude of reasons.

A "revocable" trust has been accepted as qualifying for the Homestead Exemption is that the property owner or person occupying the home as their primary residence is (most often) the Trustee of the revocable trust and which is controlled by that Trustee OR controlled by others (if not the occupant) in which the status of the Trust itself as it pertains to that property can be changed at anytime in the future. Because of this "non-binding" changeable status, it has been accepted as qualifying for the Homestead Exemption.

Much like a property owned by someone, BUT has a deeded "Life Estate", tying the occupancy and responsibility of maintenance and paying real estate taxes, insurance etc on the "life tenant", which would include qualifying for the Homestead Exemption. The life tenant doesn't technically "own" the property, but they have the legal and deeded right to occupy it.

This is the same as a revocable trust ownership. The Trust technically owns it but has given someone permission to occupy the property as their primary residence who is part of the decision making within the Trust.

With an "irrevocable trust" any occupant, whoever this is, has NO SAY in the ownership or potential ownership of that property and therefore is essentially more of a "tenant" in a property owned by another entity, much like a renter of an apartment, which does not qualify for Homestead Exemption.

Only a person, an individual, not an entity, should qualify for a Homestead Exemption. Otherwise, individuals who happen to own multiple properties, some of which are owned by an LLC or owned through an irrevocable trust, could all apply for Homestead Exemptions, perhaps be granted, and none would be the wiser?

Approving this legislation would only cloud the "who" for which the Homestead Exemption is for and provide a significant loophole for which some property owners of multiple properties could exploit.

An property owned by an irrevocable trust is a property NOT owned or controlled by an individual and therefore should not qualify for the Homestead Exemption, which is to benefit owners (not entities) of properties attested to be their primary residence.

Thank you for listening.