

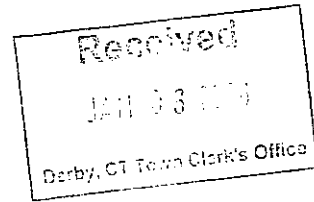
## 6.2.1

Received  
JAN 07 2026  
Derby, CT Town Clerk's Office

Received  
JAN 07 2026  
Derby, CT Town Clerk's Office



8.1



City of Derby  
Application for Vendor License

Type:



Annual License

~~\$200.00~~ except



One Day Permit

\$25.00



Special Event

Submit to:

Town/City Clerk

Police Department

Cultural Commission

Vending Date: \_\_\_\_\_

Event: \_\_\_\_\_

Veteran:

Yes No

Date of Submission: 1-6-26

Applicant Name

James Caprio

Business Name

Valley Jim's Soft Serve

Address of Business

388 North Main St. City Seymour State Ct Zip Code 06483

Home Phone: \_\_\_\_\_

Business Phone: \_\_\_\_\_

Cell Phone: 203-435-8168

Email:

Jamescaprio@comcast.net

Type of Stand/Cart: Automobile

Truck Cart

Solicitor

Merchandise to be sold:

soft serve ice cream, packaged ice cream

Location Requested: Derby, CT.

If location is on private property, a letter granting permission from the property owner must accompany this application.

Type of Insurance: liability

Policy #

PLF-194992-F283804

Insurance Carrier Name: Veracity

Address: 460 South 2500 West, Pleasant Grove UT 84062

Insurance Agent: FLIP

Telephone: 844-520-6992

Date Approved by Committee: \_\_\_\_\_

Date Approved by Board of Aldermen: \_\_\_\_\_

Date Approved by Chief of Police: \_\_\_\_\_

Date Approved by Cultural Commission: \_\_\_\_\_

Date Permit issued by Chief of Police: \_\_\_\_\_

Date Permit Issued by Town / Clerk: \_\_\_\_\_

Permit Number \_\_\_\_\_



# STATE OF CONNECTICUT

Department of Motor Vehicles  
60 State Street, Wethersfield, CT 06161  
On the Web at [ct.gov/dmv](http://ct.gov/dmv)

SAFETY  
SECURITY  
SERVICE

DMV

## Registration Credential

**IMPORTANT  
NOTICE TO YOU:**

Below is your new registration certificate.  
You must keep this document in your vehicle at all times.

KEEP IN VEHICLE				KEEP IN VEHICLE				KEEP IN VEHICLE							
<b>VALID ONLY AFTER RESOLVING ALL COMPLIANCE ISSUES</b>				<b>CONNECTICUT REGISTRATION CERTIFICATE</b>								<b>VALID ONLY AFTER PAYMENT RECEIVED BY DMV</b>			
				<b>KEEP THIS PORTION IN YOUR VEHICLE - DO NOT MAIL</b>											
				<b>INSURANCE SHALL BE MAINTAINED AS REQUIRED BY CT LAW</b>											
PLATE NUMBER 4474CR		PLATE CLASS COMBINATION		EXP. DATE 04/23/2027		VEHICLE IDENTIFICATION NUMBER 1GBHP32R8V3300388		YR 97		MAKE CHEVR		MODEL P30			
VEHICLE TYPE VAN		REGISTERED USAGE COMBINATION		LIGHT WT 4,000		GVWR 5,940		DECLARED WT 5,940		STAND SEAT		AXLES 2			
HAZ MAT? TITLE N Y		EMISSIONS DUE		TOTAL FEE \$0.00		PLATE TYPE COMBINATION		TOWN 124		TAX TOWN SEYMOUR		SALESFORCE ONLINE SERVICES 01/11/2024			
OWNER(S): CAPRIO, JAMES RICHARD										COMMISSIONER OF MOTOR VEHICLES					

CAPRIO, JAMES RICHARD  
388 N MAIN ST  
SEYMOUR, CT 06483-2927



DUPLICATE

*Antonio "Tony" Blazquez*

KEEP IN VEHICLE				KEEP IN VEHICLE				KEEP IN VEHICLE			
-----------------	--	--	--	-----------------	--	--	--	-----------------	--	--	--

Received  
JAN 18 2024  
Derby, CT Town Clerk's Office



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
01/06/2026

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Veracity Insurance Solutions, LLC. 260 South 2500 West, Suite 303 Pleasant Grove UT 84062	<b>CONTACT</b> NAME: FLIP Program Support PHONE (A/C, No, Ext): (844)-520-6992 FAX (A/C, No): EMAIL: info@flipprogram.com ADDRESS: <b>INSURER(S) AFFORDING COVERAGE</b> INSURER A: Great American Alliance Insurance Co. NAIC # 26832 INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:
<b>INSURED</b> James Caprio 388 North Main Street Seymour CT 06483	

**COVERAGES** **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADOL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY					EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY	<input checked="" type="checkbox"/>				DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000
	<input checked="" type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR		PLF194992-F283804	02/24/2025	02/24/2026	MED EXP (Any one person) \$ 5,000
						PERSONAL & ADV INJURY \$ 1,000,000
						GENERAL AGGREGATE \$ 2,000,000
	GENTL AGGREGATE LIMIT APPLIES PER					PRODUCTS - COMPIOP AGG \$ 2,000,000
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC					ANIMAL BAILIEE \$
	AUTOMOBILE LIABILITY					COMBINED SINGLE LIMIT (Ea accident) \$
	ANY AUTO					BODILY INJURY (Per person) \$
	ALL OWNED AUTOS	SCHEDULED AUTOS				BODILY INJURY (Per accident) \$
	HIRED AUTOS	NON-OWNED AUTOS				PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB	OCCUR				EACH OCCURRENCE \$
	EXCESS LIAB	CLAIMS-MADE				AGGREGATE \$
	DED RETENTION \$					\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY					WC STATUTORY LIMITS OTH-ER \$
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICEMEMBER EXCLUDED? (Mandatory in NH)	<input type="checkbox"/> Y/N <input checked="" type="checkbox"/> N/A				E L EACH ACCIDENT \$
	If yes, describe under DESCRIPTION OF OPERATIONS below					E L DISEASE - EA EMPLOYEE \$
						E L DISEASE - POLICY LIMIT \$

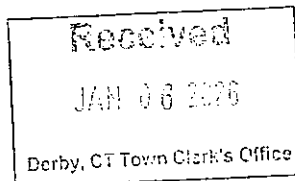
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)  
Certificate holder had been added as additional insured regarding the above mentioned policy per attached  
Additional Insured - Designated Person or Organization (CG 20 26 Ed. 04 13)

<b>CERTIFICATE HOLDER</b> City Of Derby 1 Elizabeth Street Derby, CT 06418	<b>CANCELLATION</b> SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE 
---	--

ACORD 25 (2014/01)  
INS025 (201401)

The ACORD name and logo are registered marks of ACORD

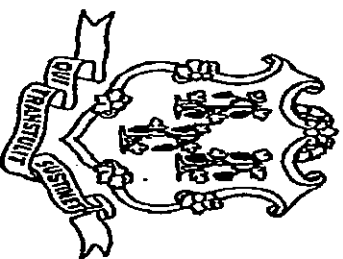
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**You may not assign or transfer this permit. Display this permit conspicuously for your customers to see.**

Department of Revenue Services  
State of Connecticut  
450 Columbus Blvd.  
Suite 1  
Hartford, CT 06103

**Sales & Use  
Tax Permit**

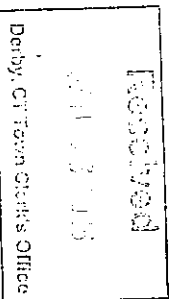


The person named below is licensed under the Sales & Use Tax Act.  
This permit is good **only** for the named permittee and at the location shown.  
If there is any change in ownership, the permit is null and void.

Date Issued	Expiration Date	Business Start Date	Connecticut Tax Registration Number
04/01/2024	05/31/2026	06/01/1993	004693818-000

JAMES CAPRIO  
CAPRIO JAMES R  
388 N MAIN ST  
SEYMOUR CT 06483-2927

Use only at this location:  
CAPRIO, JAMES  
CAPRIO JAMES R  
388 N MAIN ST  
SEYMOUR CT 06483-2927



**This license may not be transferred or assigned.**

*Mark D. Boughton*  
Mark D. Boughton  
Commissioner of Revenue Services

8.2

**Computer Tower Serial Number**

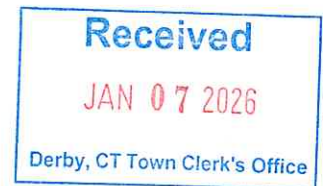
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35883876  
2UA1260DFL  
00196-167015580  
2UA1260DFO  
7BR1L02  
2962325522  
375051-001  
0035830098  
2UN10718TB  
130894  
MXL9491BTJ  
00043-403-229732  
4CE241012W  
7BT0L02  
7BT2L02  
T2PM3L84  
LBP2L02\  
4ZWBRD2  
F31DN22  
3LDN22  
2LNKL72  
7BS2L02  
SL 10R25056  
7BS1L02  
7BN5L02  
7BR5L02  
7BP5L02  
F745FB2  
DN12L02  
7BP0L02  
PF-1Y7GVC

**Typewriter Serial Number**

Adler Royal  
AE-800  
Oliverti  
EX-880

**Copy Machine Serial Number**

VNB3C09480  
CN290BWH09  
K2169000620  
EN0B0113FJ  
MY44MG1635  
AOPX011006462  
11694166  
Xerox



**Laptop**

Derby2002

**Calculator Serial Number**

6085702959

**Computer Monitor Serial Number**

CNC101DAUG  
4MS1C52  
CN-012MWY54180  
MW69543D1765BOHO9612  
MW676BON00648  
MW665BOH95584  
MG46570P-01558  
MRB5650W14526  
MRB5750H06218  
END7172421  
3CQ64140KH  
ETL86080248515  
CN012MY84180





8.3

# Homestead Exemption

Connecticut State Statute  
CGS §12-8100. Municipal option to  
provide exemption for percentage of  
assessed value of owner-occupied  
dwellings.

Public Act 24-151

8.3

8.3

## 2025 Real Property Revaluation

- ▶ A periodic update of assessed property values to reflect current market conditions
- ▶ Required by Connecticut state law every 5 years
- ▶ Ensures fairness and equity among all taxpayers
- ▶ All real property is assessed at 70% of its fair market value
- ▶ Based on recent sales activity, Derby's property values are increasing by ~60% compared to the last revaluation
- ▶ Mill Rate decrease to offset the higher assessed values will materially reduce grants from the state for the MV cap (\$1.2 million) and the taxes collected on Personal Property (~\$1 million)

2

8.3

8.3

## CGS § 12-8100 "Homestead Exemption"

Gives Connecticut municipalities the option (not a mandate) to adopt an ordinance that provides a property tax exemption for owner-occupied residential dwellings.

Each town or city decides: Whether to adopt the exemption.

- The percentage of assessed value to exempt.
  - Provide an exemption of not less than (5%) or more than (35%) of the assessed value.
- Any additional conditions or income limits.
- **Authorized starting July 1, 2024**
- It would apply to owner-occupied dwellings, including condominiums, and units in a common interest community
- The dwelling must be the primary residence of the owner.
- The dwelling must consist of not more than 2 units (i.e. 1 or 2 family)

8.3

## CGS § 12-8100 "Homestead Options"

Provide an exemption of not less than five (5) percent or more than thirty-five (35%) percent of the assessed value.

### 5% Option

Total Market Value = 428,500

70% Assessment Ratio X 70%  
=====

Total Assessed Value = 300,000

5% Exemption X 5%  
=====

Exemption Amount 15,000

Taxable Value = 300,000 - 15,000 = 285,000

### 35% Option

Total Market Value = 428,500

70% Assessment Ratio X 70%  
=====

Total Assessed Value = 300,000

35% Exemption X 35%  
=====

Exemption Amount 105,000

Taxable Value = 300,000 - 105,000 = 195,000

# Without Homestead Exemption Scenario

Without Homestead Act			
	25-26 Assessed Value	Taxable Value	Tax
Residential - Homestead	\$ 466,159,360	\$ 466,159,360	\$ 19,796,681
Other	\$ 226,561,633	\$ 226,561,633	\$ 9,621,534
Total	\$ 692,720,993	\$ 692,720,993	\$ 29,418,215
Mill Rate	0.043		

	26-27 Assessed Value	Taxable Value	Tax	% Change
Residential - Homestead	\$ 741,934,100	\$ 741,934,100	\$ 21,879,637	10.5%
Other	\$ 370,092,900	\$ 370,092,900	\$ 10,914,040	13.4%
Total	\$ 1,112,027,000	\$ 1,112,027,000	\$ 32,793,676	11.5%
Mill Rate	0.03			

## Additional Taxes Collected

Loss of State MV Cap Tax Funds

Lower Personal Property Taxes

Lower MV Taxes

Net Tax Dollars

\$	3,375,461
\$	(1,196,772)
\$	(1,253,430)
\$	(328,210)
\$	597,049

- Mill Rate drops from ~~.043 to~~ .03
- Lower Mill Rate causes elimination of Motor Vehicle Cap Tax Funds from the State
- Personal Property assumed to be flat from an assessed value - TBD
- Lower MV Taxes due to Mill Rate reduction below cap level of .0326 and 5% depreciation on assessed values
- \$597k of net tax dollars for other expense increases

8.3

8.3

8.3

# With Homestead Exemption Scenario

With Homestead Act - 17% Exemption				
	25-26 Assessed Value	Taxable Value	Tax	
Residential - Homestead	\$ 466,159,360	\$ 466,159,360	\$	19,796,681
Other	\$ 226,561,633	\$ 226,561,633	\$	9,621,534
Total	\$ 692,720,993	\$ 692,720,993	\$	29,418,215
Mill Rate	0.043			

	26-27 Assessed Value	Taxable Value	Tax	% Change
Residential - Homestead	\$ 741,934,100	\$ 615,805,303	\$ 20,483,372	3.5%
Other	\$ 370,092,900	\$ 370,092,900	\$ 12,310,304	27.9%
Total	\$ 1,112,027,000	\$ 985,898,203	\$ 32,793,676	11.5%
Mill Rate	0.034			

Additional Taxes Collected	\$ 3,375,461
Loss of State MV Cap Tax Funds	\$ (1,077,095)
Lower Personal Property Taxes	\$ (889,044)
Lower MV Taxes	\$ (130,483)
Net Tax Dollars	\$ 1,278,838

- Assumes a 17% Homestead Exemption Rate
- Mill Rate drops from .043 to .034
- Lower Mill Rate causes reduction of Motor Vehicle Cap Tax Funds from the State
- Personal Property assumed to be flat from an assessed value - TBD
- Lower MV Taxes due to assumed 5% depreciation impact to assessed values
- \$1.279 million of net tax dollars for other expense increases

8.3

# Homestead Ordinance

- ▶ CGS §12-81oo provides no framework for the administration of this exemption.
- ▶ Additional ~\$20k of costs for mailings and temporary staffing in the assessor's office
- ▶ Town Attorney is finalizing the town ordinance
  1. Application, application process, and March 31, 2026, deadline
  2. Permanent resident as of Grand List Date (October 1<sup>st</sup>)
  3. Factual determination of residency (Must provide 3 of 6 below items)
    - Valid CT driver's license or identification card
    - Issuance of CT motor vehicle registration
    - Voter registration
    - Address as listed on CT state income tax return
    - Proof of payment of utilities at the residence
    - Proof of Voter registration in Derby
  4. Prohibition against any owner receiving resident based property tax relief in another CT municipality or state (e.g. Homestead-Florida, STAR-New York State, Vermont-Homestead)
  5. Prohibition against renting the residence
  6. Legal Title and Ownership Changes (e.g. adding/removing a name, placing property in a trust, life estate)
  7. Penalty - fraudulent receipt of a homestead benefit





**Mail Homestead Application to:**

City of Derby  
Assessor's Office  
1 Elizabeth St.  
Derby, CT 06418

**Hand deliver Homestead Application to:**

City of Derby  
Assessor's Office  
1 Elizabeth St.  
Derby, CT 06418

Name 1  
Name 2  
Street 1  
Street 2  
City, St Zip

UNIQUE ID:

## The Homestead Exemption

The City of Derby Board of Aldermen & Alderwomen recently enacted a "Homestead" property assessment exemption ordinance pursuant to Connecticut General Statute (CGS) §12-81oo.

The exemption may apply to the primary residence of an owner, and the dwelling must not consist of more than two (2) units (i.e. 1-Family or 2-Family dwelling).

The intent of the homestead exemption is to reduce the taxable value of your residential property. The Town Council will establish a percentage exemption between 5% and 35% of your property's assessed value once the results of the 2025 revaluation are finalized in January 2026.

This exemption is applicable to the October 1, 2025 Grand List with tax billing to occur on or about July 1, 2026.

In the meantime, you may apply for a homestead exemption if you are a permanent City of Derby resident.

You must be the owner of the property on or before October 1, 2025 and submit an application by March 31, 2026.

Per the City of Derby ordinance, failure to file for the homestead exemption on or before March 31<sup>st</sup>, 2026 constitutes a waiver of the exemption for that year.

### Qualifications:

On or before October 1, 2025 you must:

- Be a permanent resident of the State of Connecticut and the City of Derby
- Hold title to the property
- Make the property your permanent residence.
  - If you rent your property and do not reside there, it does not qualify as a homestead.
- Have no other permanent, resident based property benefits in another state or Connecticut town (e.g. Florida homestead, STAR, Enhanced Star, abatement).

### How to Apply:

1. Visit the Assessor's Office to file in person with a completed application form
2. Complete the application form and mail it to the Assessor's Office

### Renewal:

Once you qualify your homestead exemption will be renewed annually as long as you continue to qualify for the exemption.

- **Moving:**  
If you move within the City of Derby, please note that the homestead exemption does not apply to your new residence. You must file a new application.

### Change of Ownership

- If you change the ownership of the property (e.g. recording a deed that adds or removes a name to the property, placing the property in a trust or life estate) you must file a new application.

# Instructions for Completing the Homestead Application

8.3

(Use additional form(s) for more than two applicants)

You must own and establish your permanent residence on the property on or before  
**October 1, 2025.**

- The UNIQUE ID is provided on the cover page of this application.
- All owners applying must provide information in the applicant and co-applicant columns (if applicable) using additional forms as necessary.
- Provide your Connecticut driver's license number or, if you do not drive, a Connecticut identification card number.
- Provide the Connecticut motor vehicle plate number for the vehicle you primarily drive. Your DMV tax town must be the City of Derby.
- If married and both spouses own the property, but one **spouse is not filing** for homestead, the non-filing spouse must provide co-applicant information as follows:

Name

Phone number

Date of birth

Marital Status

Mailing address if not residing on property

Note: Upon review of your application, you will receive a Notice of Assessment in May 2026 informing you of either the approval of your homestead application or denial.

If the Assessor determines that more information is needed to make a determination concerning your application, you will receive a form requesting specific information.

**Direct questions concerning the Homestead Application to the Assessor's Office at:**

**Phone:** (203) 736-1455

**Deadline to file: Tuesday, March 31, 2026**

# ORIGINAL APPLICATION FOR HOMESTEAD EXEMPTION

Permanent Derby residency required on or before **October 1, 2025**.

Application due to assessor **by March 31, 2026**.

Complete pages 1 through 2

If more than two owners complete additional applications as necessary.

8.3

City of Derby	Grand List Year <b>2025</b>	UNIQUE ID:
I am applying for homestead exemption <input type="checkbox"/> New or <input type="checkbox"/> Change		
<b>Property Information</b>		
Homestead address	Mailing address, if different	
Is the property in a trust? <input type="checkbox"/> Yes <input type="checkbox"/> No Name of trust on the property deed _____		

Applicant / Co-applicant Information		
	Applicant	Co-applicant/Spouse
Name		
Phone number		
Date of birth		
Date homestead was established		
Name and address of any owners not residing on the property		
Marital status of Applicant <input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed <input type="checkbox"/> Other, Explain _____		
Marital status of Co-applicant <input type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed <input type="checkbox"/> Other, Explain _____		
Co-applicant relationship to Applicant (Example: Spouse, parent, sibling)		
Do you currently claim residency or homestead in another Connecticut town or state? Applicant? <input type="checkbox"/> Yes <input type="checkbox"/> No Co-applicant? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Email Address:		
Please provide as much information as possible. Your assessor will make the final determination.		
Proof of Residence	Applicant	Co-applicant/Spouse
Previous residency outside New Milford and date terminated	date	date
CT driver license or ID card number		
CT vehicle registration (plate)		
Are you registered to vote in Derby	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Address on your last CT Income Tax Return		
Bank statement & checking account mailed to homestead address?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Utilities (cell phone, cable, electric etc.) billed & mailed to the homestead address?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No



## **Homestead Property Tax Exemption**

### **§ 19-57. Enactment. [Ord. 2025]**

Pursuant to Connecticut General (CGS) Statute § 12-8100, the City of Derby hereby enacts a real property assessment exemption applicable to a percentage of the assessed value of owner occupied dwellings.

The Board of Alders will determine an exemption of not less than five (5%) percent or more than thirty (35%) percent of the assessed value.

There is established, for the assessment year commencing October 1, 2025, and each assessment year thereafter, an exemption based upon the terms and conditions provided herein.

### **§ 19-58. Definitions**

1. "Permanent resident" means a person who has established a permanent residence as defined in subsection (2).
2. "Permanent residence" means a place where a person has his or her true, fixed, and permanent home and principal establishment to which, whenever absent, he or she has the intention of returning. A person may have only one permanent residence at a time; and, once a permanent residence is established in a foreign state or country, it is presumed to continue until the person shows that a change has occurred.
3. "Dwelling" means a building designed exclusively for residential occupancy.

### **§ 19-59. Property Type - Dwelling**

The following property type, consisting of not more than two (2) units, is eligible for a percentage exemption:

1. Owner occupied dwellings, including mobile homes as defined in CGS 12-63a, condominiums as defined in CGS §47-68a, and units in a common interest community as defined in CGS §47-202.
2. The exemption is applicable to the assessed value of the dwelling and the contiguous land.
3. Mobile Homes. If the owner of a mobile home does not own the land, he or she may apply for the exemption pursuant to this ordinance only upon the assessment attributable to the mobile home.

**§ 19-60. Permanent residency; factual determination by the assessor**

Intention to establish a permanent residence in the City of Derby is a factual determination to be made, in the first instance, by the assessor. The residents will be required to produce any combination of three of the six items below to qualify for the homestead exemption in Derby:

1. A valid Connecticut driver's license issued under Chapter 246, Title 14 of the CGS or a valid Connecticut non-driver identification card issued under CGS §1-1h.
2. A valid Connecticut vehicle registration on any motor vehicle owned by the applicant.
3. The address listed on the most recent Connecticut state income tax return filed by the applicant.
4. The location where the applicant's bank statements and checking accounts are registered.
5. Proof of payment of utilities at the property for which permanent residency is being claimed.
6. Proof of voter registration in Derby.

**§ 19-61. Eligibility for Exemption**

1. Any person who is the owner of real property who, on October 1, has the legal title or beneficial title in equity to real property in Derby and who resides thereon and in good faith makes the same his or her permanent residence is entitled to an exemption from taxation as stipulated in §19-57 of this ordinance on the residence and contiguous real property. Such title may be held by the entireties, jointly, or in common with others. Such title may also be held in trust provided such owner or such owner and such owner's spouse are the grantor and beneficiary of such trust.
2. Any person who, on October 1, is a life tenant in the City of Derby and is liable for payment of taxes thereon pursuant to CGS §12-48 and who occupies said real property as his or her permanent residence shall be entitled to an exemption from all taxation as stipulated in §19-57
3. The following types of ownership are not eligible:
  - a. Limited Liability Company (LLC)
  - b. Partnership or Limited Partnership
  - c. S-Corporation or C-Corporation

**§ 19-62. Exemption of Dwelling**

1. The exemption provided in this section applies only to those parcels classified and assessed as owner-occupied residential property or only to the portion of property so classified and assessed.
2. A person who is receiving or claiming the benefit of an ad valorem tax exemption or a tax credit in another Connecticut municipality or another state where permanent residency is required as a basis for the granting of that ad valorem tax exemption or tax credit is not entitled to the homestead exemption provided by this section.
3. When homestead property is damaged or destroyed by misfortune or calamity and the property is uninhabitable on October 1 after the damage or destruction occurs, the homestead exemption may be granted if the property is otherwise qualified and if the property owner notifies the assessor that he or she intends to repair or rebuild the property and live in the property as his or her primary residence after the property is repaired or rebuilt and does not claim a homestead exemption on any other property or otherwise violate this section. Failure by the property owner to commence the repair or rebuilding of the homestead property within 3 years after October 1 following the property's damage or destruction constitutes abandonment of the property as a homestead.
4. Unless the homestead property is totally exempt from ad valorem taxation, the exemptions provided herein shall be applied before other exemptions, which shall then be applied in the order that results in the lowest taxable value.
5. If the homestead property is receiving an exemption pursuant to Connecticut General Statute (CGS)§12-81(83)(A)(i) (Veterans 100% Permanent & Total Disability), the homestead exemption shall be calculated based upon the assessment of the contiguous land, and before other exemptions are applied.

**§ 19-63. Rental of homestead to constitute abandonment.**—As of October 1, the rental of all or substantially all of a dwelling previously claimed to be a homestead for tax purposes shall constitute the abandonment of such dwelling as a homestead, and the abandonment shall continue until such dwelling is physically occupied by the owner.

**§ 19-64. Notice Requirement.**

1. With respect to the October 1, 2025 Grand List, the Town shall notify each person owning residential real property of the provisions of this ordinance.
2. The notice shall be in the following form: “Owner occupied residential real property consisting of not more than two (2) units may qualify for a partial exemption from town taxes under the City of Derby’s Homestead Property Tax Exemption. For further information please contact the assessor’s office.”

3. With respect to subsequent Grand List year's beyond October 1, 2025, the town shall mail a notice to a person upon the sale or transfer of the property. Also, the town shall mail a notice to a person if the property type changes to a dwelling pursuant to § 19-59 above
4. Notice not mailed or received. Failure to mail a notice required by this section, or the failure of a person to receive same, shall not affect the validity of the levy, collection, or enforcement of taxes on property owned by such person.

**§ 19-65. Application.**

1. All owners of the property who primarily reside thereon as of the October 1<sup>st</sup> Grand List Date may file an application.
2. In order to be entitled to the homestead exemption provided for herein, an application must be filed with the assessor on or before March 31<sup>st</sup> immediately following the October 1<sup>st</sup> Grand List Year in which such owner or owners becomes eligible for benefits pursuant to the requirements of § 19-60 above.
3. Such application may be filed by mail if it is enclosed in a postpaid envelope properly addressed to the assessor, deposited in a post office or official depository under the exclusive care of the United States postal service, and postmarked by the United States postal service on or before the December 31<sup>st</sup> of the October 1 Grand List Year in which such owner or owners becomes eligible for benefits pursuant to the requirements of § 19-60 above. Each such application shall be made on a form prescribed by the assessor, which shall require the applicant or applicants to agree to notify the assessor if their primary residence changes while their property is receiving the exemption. The three proof of residency items detailed in § 19-60 must be submitted with the application.



4. If the assessor determines that the applicant or applicants are entitled to an exemption pursuant to this section, he or she shall approve the application and such real property shall thereafter be exempt from taxation as provided herein. If the assessor determines that the applicant or applicants are not entitled to an exemption pursuant to this section, he or she shall, not later than ten days prior to the date for hearing complaints in relation to assessments, mail to each applicant not entitled to the exemption a notice of denial of that application for the exemption herein for that Grand List year. The notice of denial shall specify each reason for such denial and shall be sent on a form prescribed by the assessor. Failure to mail any such notice of denial or the failure of any person to receive such notice shall not prevent the levy, collection and enforcement of the taxes on property owned by such person.
5. Any person aggrieved at the action of the assessor or board of assessors, may appeal, within the time prescribed by law for such appeals, to the board of assessment appeals. Any person aggrieved by the action of the board of assessment appeals may, within two months from the time of such action, make application in the nature of an appeal therefrom to the superior court for the judicial district in which such property is situated.
6. Reapplication for such benefits is not required unless ownership of the homestead property changes in any manner. Specific examples include but are not limited to the following:
  - Recording a deed adding a name to the property
  - Recording a deed removing a name from the property
  - Recording a deed placing the property into a trust
  - Recording a deed placing the property into a life estate

#### **§ 19-66. Grant of relief.**

1. Upon approval by the Assessor of an application or a reapplication for a homestead exemption, the Tax Assessor shall grant such homestead exemption.

#### **§ 19-67. Special Situations**

1. Married couples with two or more separate residences. A husband and wife may receive an exemption on no more than one residence unless living apart due to legal separation.
2. Parcels with two or more separate residences thereon. When a parcel includes two or more separate residences, an exemption may be granted to the residence which serves as the primary residence of at least one of the owners of the parcel and the contiguous land up to one acre in size.

- 8.3
3. When two or more individuals own a homestead property, only the owner or owners who make it their permanent residence may claim exemption, and then only to the extent of their ownership interest.
  4. Absence from residence. An exemption may be granted pursuant to this subdivision notwithstanding the fact that an owner is absent from the residence while receiving health-related care as an inpatient of a residential health care facility(Military Deployment/Service), provided that during such confinement such property is not occupied by anyone other than the spouse or co-owner of such owner.

#### **§ 19-68 Compliance Review**

1. The assessor may review the continued compliance of recipients of the homestead exemption with the applicable ownership and residency requirements.
2. Proof of residency. From time to time, the assessor may request proof of residency from the owner or owners of any property which is exempt pursuant to this ordinance.
3. Timing. A request for proof of residency shall be mailed at least sixty days prior to the ensuing Grand List date. The owner or owners shall submit proof of their residency to the assessor on or before the ensuing Grand List date.

#### **§ 19-69 Penalty Reimbursement & Material Misstatements.**

In the event any person who received a homestead exemption under the provisions of this article obtains such benefit as a result of filing an application that contains false eligibility information, the Assessor shall, upon proof of ineligibility, revoke the exemption granted as a result of the false information, calculate the additional tax due had relief not been provided and notify the Tax Collector of such revocation and additional delinquent tax. The Assessor shall also notify the applicable state and local jurisdictions of the filing of the false application. The Collector shall then add the interest authorized by Connecticut General Statutes Section 12-145 on all unpaid, delinquent taxes retroactive to the date that the tax became due had relief not been provided and forthwith send a bill for the unpaid taxes and interest to such person. The Collector shall place a notice of lien encumbering such person's property on the land records for all delinquent additional taxes and interest. Should such person neglect or refuse to pay the additional tax and interest within 30 days of the Collector's mailing of such bill, the City of Derby may, in addition to and without limiting any and all other remedies that may exist, sue such person for the delinquent additional taxes and interest due as a result of the false application together with costs of suit, including a reasonable attorney's fee.