

APPLICATION FOR REAL AND PERSONAL PROPERTY TAX EXEMPTION

For Lease or Lease-Purchase Property Owned by a Taxable Owner and
Leased to an Exempt Public Body, Institution, or Organization
[Oregon Revised Statute (ORS) 307.112]

- The lessee* of the property must file this form with the county assessor on or before April 1.
- See ORS 307.112 and OAR 150-307.112 on the back of this form.
- This form is available online on the Department of Revenue's website at:
www.oregon.gov/DOR/PTD/docs/310.087.pdf

FOR ASSESSOR'S USE ONLY		
Date Received		Account No.
<input type="checkbox"/> Approved <input type="checkbox"/> Denied By _____		Late Filing Fee \$
Exemption begins in tax year 20 ____ - ____		Lease Expiration Date

Name of Organization		
Mailing Address	Telephone Number ()	
City	State	ZIP Code

A property tax exemption is requested under the following Oregon Revised Statute (mark **one** box):

<input type="checkbox"/> 307.090 Public body (other than state of Oregon and the U.S. government)	<input type="checkbox"/> 307.140 Religious organizations**
<input type="checkbox"/> 307.130 Literary, benevolent, charitable, scientific institutions, volunteer fire departments**	<input type="checkbox"/> 307.145 Child care facilities, schools, student housing**
<input type="checkbox"/> 307.136 Fraternal organizations**	<input type="checkbox"/> 307.147 Senior services centers**
	<input type="checkbox"/> 307.580 Industry apprenticeship or training trust**

****Please attach CURRENT copies of your organization's Articles of Incorporation, 501(c)(3) letter, and By-Laws.**

PROPERTY DESCRIPTION	
Account Number (as shown on owner's property tax statement)	Name of Property Owner
Physical Address (street address, city)	
List all real and personal property for which an exemption is claimed. Attach copy of lease and a list of personal property. Include description, cost, and purchase date.	

LEASE	
*ORS 307.112 does not allow an exemption for property subleased to an exempt entity. Exemption is allowed only for leases between a taxable owner and a qualified exempt entity.	
Commencement date of lease: _____	Expiration date of lease: _____
Is property under: <input type="checkbox"/> Lease <input type="checkbox"/> Lease-purchase	Please attach a CURRENT signed copy of your lease.

PROPERTY USE	
The purpose of this organization is: _____	
The property is used for the following purpose: _____ Example: church services, offices, classrooms, student housing, etc.	
Does the property include a parking area? <input type="checkbox"/> Yes <input type="checkbox"/> No	
What is the fee for using the parking area? _____	
Is any portion of the property you lease used by others? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, explain and identify the area that is used by others. Include the square footage of the area used by others. _____	

LATE FEE	
If this form is filed after April 1, the late filing fee must accompany the form. The late filing fee is one-tenth of one percent of the real market value, or \$200.00, whichever is greater . A late fee is attached: <input type="checkbox"/> Yes <input type="checkbox"/> No	

DECLARATION	
I declare under the penalties for false swearing [ORS 305.990(4)] that I have examined this document (and attachments) and to the best of my knowledge they are true, correct, and complete.	

MUST BE SIGNED BY THE PRESIDENT, PROPER OFFICER, HEAD OFFICIAL, OR AUTHORIZED DELEGATE OF THE ORGANIZATION

Name (please print or type)	Title	Signature	Date
		X	

OREGON REVISED STATUTE AND ADMINISTRATIVE RULE

ORS 307.112 Property held under lease or lease-purchase by institution, organization or public body other than state.

(1) Real or personal property of a taxable owner held under lease or lease-purchase agreement by an institution, organization or public body, other than the State of Oregon, granted exemption or the right to claim exemption for any of its property under ORS 307.090, 307.130, 307.136, 307.140, 307.145 or 307.147, is exempt from taxation if:

(a) The property is used by the lessee in the manner, if any, required by law for the exemption of property owned or being purchased by it; and

(b) It is expressly agreed within the lease or lease-purchase agreement that the rent payable by the institution, organization or public body has been established to reflect the savings below market rent resulting from the exemption from taxation.

(2) The lessee shall file a claim for exemption with the county assessor, verified by the oath or affirmation of the president or other proper officer of the institution or organization, or head official of the public body or legally authorized delegate, showing:

(a) A complete description of the property for which exemption is claimed.

(b) If applicable, all facts relating to the use of the property by the lessee.

(c) A true copy of the lease or lease-purchase agreement covering the property for which exemption is claimed.

(d) Any other information required by the claim form.

(3) If the assessor is not satisfied that the rent stated in the lease or lease-purchase agreement has been established to reflect the savings below market rent resulting from the tax exemption, before the exemption may be granted the lessor shall provide documentary proof, as specified by rule of the Department of Revenue, that the rent has been established to reflect the savings below market rent resulting from the tax exemption.

(4)(a) The claim shall be filed on or before April 1, except as follows:

(A) If the lease or lease-purchase agreement is entered into after March 1 but not later than June 30, the claim shall be filed within 30 days after the date the lease or lease-purchase agreement is entered into if exemption is claimed for that year; or

(B) Notwithstanding that no hardship grounds exist, if a late filing fee is determined, paid and distributed in the manner provided in ORS 307.162 (2), the claim shall be filed on or before December 31 of the tax year for which exemption is first claimed.

(b) The exemption first shall apply for the tax year beginning July 1 of the year for which the claim is filed. The exemption shall continue so long as the use of the property remains unchanged and during the period of the lease or lease-purchase agreement. If the use changes, a new application shall be filed as provided

in this section. If the lease or lease-purchase agreement expires before July 1 of any year, the exemption shall terminate as of January 1 of the same calendar year.

OAR 150-307.112 Property Held Under Lease

(1) A new claim shall be filed with the county assessor, as required under ORS 307.112(4), when a new lease, new lease-purchase agreement, extension of current lease, extension of current lease-purchase agreement or any modification to the existing lease or lease-purchase agreement is made.

(2) The new claim shall meet all the requirements of ORS 307.112.

(3) Late filing as provided in ORS 307.162(2) is permitted.

(4) The State of Oregon and the United States government are not permitted to file a claim for exemption under ORS 307.112.

(5) The assessor must be satisfied that the amount of rent charged is below market rent. "Market rent" is defined as the rental income a property would most probably command in the open market and includes an element for property taxes.

(6) To reflect the savings below market rent, the actual rent must be less than market rent in an amount that is at least equal to what the property tax would be if the property were taxable.

(7) Sufficient documentary proof must be submitted at the time of application.

(8) Acceptable documentary proof to show the property tax savings is passed on to the lessee may include but is not limited to the following comparisons:

(a) Current rental rate for any portion of that property occupied by nonexempt tenants;

(b) Historic rental rate data of that property;

(c) Rental rate used in a real market value appraisal for that property;

(d) Rent study of comparable or similar properties.

(9) The savings must be clearly evident. Insufficient proof or failure to show the rent is below market rent as described above is grounds for denial of the exemption.

(10) A statement that the "lessee is responsible for the taxes" is not sufficient proof of a tax savings.

(11) When used in reference to real property or tangible personal property, a lease is a contract of at least one year by which the owner of a property grants the rights of possession, use, and enjoyment of the property to another for a specified period of time in exchange for payment.

(12) Month-to-month tenancy or a general rental agreement is not considered the same as a lease for purposes of an exemption under this statute and will not qualify in an exemption claim.