

Massachusetts Department of Revenue Division of Local Services

Navjeet K. Bai, Commissioner Robert G. Nunes, Deputy Commissioner & Director of Municipal Affairs



August 24, 2009

Jane B. Piccerelli
Board of Assessors
Town Hall
81 Main Street
Swansea, MA 02777

Re: Clause 17D
Our File No. 2009-1069

Dear Ms. Piccerelli:

You inquired whether a taxpayer with a reverse mortgage could receive a Clause 17D surviving spouse exemption.

Under the provisions of this statute, the taxpayer must own and occupy the house as a domicile as of July first of the fiscal year. Although there is no income test, the applicant's whole estate cannot exceed \$40,000. Any amounts received by the taxpayer from the mortgage company which are unexpended as of July first are not to be included in the whole estate since the payments reflect the equity of the taxpayer. Consequently, the taxpayer might be eligible for this exemption provided he satisfies the whole estate test.

If you have further questions, please do not hesitate to contact me again.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kathleen Colleary".

Kathleen Colleary, Chief
Bureau of Municipal Finance Law

KC: JFC