

Application Postponement of Rates

Section 87 of the Local Government (Rating) Act 2002



Use this application form when applying for rates remission under policy:

Remission of Rates - Extreme Financial Circumstances/Hardship

Policy objective: To assist ratepayers experiencing extreme financial circumstances which directly affect their ability to pay rates.

NOTE: Rates postponement for reasons other than Extreme Financial Hardship will be considered under the Rates - Optional Rates Postponement Policy.

Please read the full Rating Remission, Postponement and Penalty Policies on our website.

1. Applicant(s) detail

Name:

Surname

First Name(s)

Date of birth:

Name:

Surname

First Name(s)

Date of birth:

Address:

No.

Street/Road

Suburb

Town/City

Postcode

Phone:

Day

Mobile:

Email:

2. Property details

Situation of Property:

Valuation Number:

Name and Address of Mortgagee (if Applicable):

3. Objective

To assist ratepayers experiencing extreme financial circumstances which directly affect their ability to pay rates.

I/we hereby apply for a postponement of the rates due to the Gisborne District Council.

To qualify for a postponement, the following criteria must be met. Please carefully read each point and tick your acknowledgement.

YES NO

You must be the current owner of, and have owned for not less than 5 years, the rating unit which is subject of the application.

Is the rating unit solely used for residential purposes?

Insurance cover must be held for the property's full value and evidence of this must be produced annually.

That you do not have sufficient funds left over, after payment of rates, for normal healthcare, proper provision for maintenance of your home and chattels in an adequate standard as well as making provision for normal day to day living expenses.

You must not own any other rating units for investment purposes.

Have you received budget advice from an approved budget advisory service, and have you made the budget advisers findings available to Council Revenue Team Staff. (Please Note: Failure to attend the budget advisory meetings or failure to make the budget advice available to Council, will automatically result in the application being declined).

Do you own or have a significant interest in a business? If so, then a current Balance Sheet and a Cash Flow Statement for the following 12 months must accompany the application.

Have you made written application to the Council on the prescribed Application Form, which includes a Statement of Assets and Liabilities and a Weekly Budget Sheet, declaration signed/ witnessed.

IMPORTANT ISSUES TO NOTE:

- Even if rates are postponed, as a general rule the ratepayer will be required to pay the first \$500 of the rate account. The Council Credit Officer may relax this requirement in specific circumstances.
- As the ratepayer, you must make acceptable arrangements for payment of future rates eg, by setting up a system for regular payments.
- The Council will add interest to any outstanding amount of postponed rates for the period between the due date and the date they are paid.
- In the case of postponement until the death of the ratepayer, Council will always charge interest on the amount outstanding. The annual interest rate shall equate to that charged or could be charged to the Council by its banker as at the commencement of the financial year. The interest rate to be charged will be set annually by resolution of Council.
- The interest rate used on postponed rates will not exceed a rate which covers the Council's administration and financial cost, and will be set by resolution of Council each year. Interest is charged on a compounding basis on all outstanding rates and postponement fees.
- The policy will apply from the beginning of the rating year in which the application is made although the Council may consider backdating past the rating year in which the application is made depending on the circumstances.

Any postponed rates will be postponed until:

1. A date specified by the Council; or
2. The death of the ratepayer(s); or
3. The ratepayer(s) ceases to be the owner or occupier of the rating unit; or
4. The ratepayer(s) ceases to use the property as his/her residence.

as determined by the Council in any particular case.

The postponed rates or any part thereof may be paid at any time. The applicants may elect to postpone the payment of a lesser sum than that which they would be entitled to have postponed pursuant to this policy.

Postponed rates will be registered as a statutory land charge, by registering a Notice of Land Charges, on the rating unit title.

The Financial Accountant will be delegated authority to consider applications for rates postponement and if appropriate approve or decline them.

Signature of Applicant(s)

Date

4. Statement of assets and liabilities

Ratepayer name:

Ratepayer name:

(include both partners assets)

Liabilities

Bank Overdraft \$

Mortgage on House \$

Other (Loans/HP etc)

1. \$

2. \$

3. \$

4. \$

Other Money Owed by You \$

Total Liabilities \$

Assets

Cash & Bank \$

Investments \$

Motorcar \$

House & Other Property \$

Furniture \$

Other Assets

- Money Owing to You \$

- Other (Boat/Caravan) \$

Total Assets \$

Signature of Applicant(s):

Date:

5. Weekly budget sheet

(Required to be completed by Ratepayer)

Ratepayer name:

Ratepayer name:

Address:

Occupation:

Ages of children you are financially dependant for:

Total family outgoings

Housekeeping:

Groceries \$

Meat \$

Total A \$

Other spending/personal:

Transport/Fares/Petrol \$

Subscriptions (clubs, mags) \$

Donations \$

Doctor \$

Clothing \$

Holidays \$

Gifts \$

Personal cash \$

Other \$

Total D \$

Regular commitments:

Electricity/Gas \$

Telephone \$

Rates \$

Rent/Mortgage \$

House insurance \$

Contents insurance \$

Car insurance \$

Medical insurance \$

Life insurance \$

Car maintenance \$

Home maintenance \$

Total B \$

Outstanding Accounts:

To whom:

Repayment date

Weekly Payment

\$

\$

\$

\$

\$

Total C

\$

Loans/Hire Purchase/Bank Cards/Payments:**To whom:**

HP/Car

H/P Other

Bankcards

Other loans

Repayment date**Weekly Payment**

\$

\$

\$

\$

Total E**\$****Total Outgoings (i)****A, B, C, D, E****\$****Total Family Income (ii):**

Wages/Salary

\$

Unemployment benefit

\$

Domestic purpose benefit

\$

Interest/Rent

\$

Board

\$

Other

\$

Total**\$**

Signed

Summary:

Total income (ii)

\$

Less

Total outgoings (i)

\$

Balance weekly

\$

Surplus/deficit

\$

Date

6. Details of rates outstanding

Financial year

\$

\$

\$

\$

\$

Total outstanding**\$**

Would you like to say anything in support of your application?

7. Declaration

I/We do solemnly and sincerely declare that the particulars supplied are correct in every detail and I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

Declared at _____ this _____ day of _____ 20____

Before me:

Solicitor or Justice of the Peace or Minister of Religion or other person authorised to take a Statutory Declaration

Signature of Applicants

8. Rates Postponement Policy

Extreme financial circumstances/hardship

Objective of the Policy

1. To assist ratepayers experiencing extreme financial circumstances which directly affect their ability to pay rates.
2. NOTE: Rates Postponement for reasons other than Extreme Financial Hardship will be considered under the "RATES: Optional Rates Postponement Policy".

Conditions and Criteria

1. Only rating units used solely for residential purposes (as defined by Council's valuer) will be eligible for consideration for rates remission or postponement for extreme financial circumstances.
2. Only persons entered as the ratepayer, or their authorised agent, may make application for rates postponement for extreme financial circumstances. The ratepayer must be the current owner of, and have owned for not less than five years, the rating unit which is the subject of the application. The person entered on council's rating information database as the "ratepayer" and must not own any other rating units or investment properties (whether in the district or in another district).
3. The ratepayer (or authorised agent) must make application to council on the prescribed form [Form R1] (copies may be obtained from the administration office in Fitzherbert Street, Gisborne, or from the Customer Service Centre at Te Puia Springs). There must also be a statement of Assets and Liabilities (R2) and a Weekly Budget Sheet (R3).
4. The council will consider on a case-by-case basis, all applications received that meet the criteria described in the first two paragraphs.
5. When considering whether extreme financial circumstances exist, all of the ratepayer's personal circumstances will be relevant including the following factors:
 - Age;
 - Physical or mental disability;
 - Injury;
 - Illness; and
 - Family circumstances.
6. The Council must be satisfied that the ratepayer is unlikely to have sufficient funds left over, after the payment of rates, for normal health-care, proper provision for maintenance of his / her home and chattels at an adequate standard as well as making provision for normal day to day living expenses.
7. Before making the written application, the ratepayer must have received budget advice from an approved budget advisory service, and must make the budget advisers findings available to Council.
Failure to attend budget advisory meetings, or failure to make

the budget advice available to Council, will automatically result in the application being declined. All information provided to Council will be treated confidential.

8. If the ratepayer owns or has a significant interest in a business, then a current business Balance Sheet and a Cash Flow Statement for the following 12 months must accompany the application.
9. Any of the rates may be postponed in whole or in part. Even if rates are postponed, as a general rule the ratepayer will be required to pay the first \$500 of the rate account.

The Council may relax this requirement in specific circumstances.

1. The ratepayer must make acceptable arrangements for payment of future rates, e.g. by setting up a system for regular payments.
2. The Council may add an annual fee on postponed rates for the period between the due date and the date they are paid. This fee is designed to cover Council's administrative and financial costs and this fee will amount to interest on the postponed rates.
3. The interest rate used on postponed rates will not exceed a rate which covers the Council's administration and financial cost, and will be set by resolution of Council each year.
4. The policy will apply over any period, current or past, as determined by Council.

Any postponed rates will be postponed until:

- A date specified by the Council; or
- The death of the ratepayer(s); or
- The ratepayer(s) ceases to be the owner or occupier of the rating unit; or
- The ratepayer(s) ceases to use the property as his / her residence.

as determined by the Council in any particular case.

In the case of clauses b., c., or d. above, postponement cases will be reviewed regularly (approximately once every three years) in terms of this policy. If it appears that the postponed ratepayers circumstances have significantly changed so that the postponement criteria are no longer met, then Council reserves the right to re-apply the postponement conditions with the ratepayer.

The postponed rates or any part thereof may be paid at any time. The applicants may elect to postpone the payment of a lesser sum than that which they would be entitled to have postponed pursuant to this policy.

Postponed rates will be registered as a statutory land charge, by registering a Notice of Land Charges, on the rating Certificate of Title.