

Statutory Declaration Relating to Application for Rates Postponement for Extreme Financial Hardship

I _____ (full name) hereby request the
Auckland Regional Council to postpone the payment of the rates due and owed by me
for the _____ financial year on the rating unit at _____ (“the rating unit”).

Tick relevant squares and/or fill out details as required:

- 1 (a) - I am the sole owner of the rating unit, or
 (b) - The rating unit is jointly and severally owned by me and others and as a part owner I have been authorised by the other owner(s) to make this application, or
 (c) - The rating unit is owned by me and _____ people as tenants in common and as one of the owners I have been authorised by all of the other owners to make this application.
- 2 All rates and charges due and owing in respect of the rating unit to 30 June last (excluding any rates which have been previously postponed) have been paid in full.
- 3 The rating unit is used solely for residential purposes as my/our place of permanent residence and no part of it is used for commercial, industrial, farming or grazing purposes.
- 4 I/we have owned the rating unit for more than 5 years.
- 5 I/we do not own any other rating units or investment properties.
- 6 The total gross income of my/our household, from all sources, for the year ending 31 March last, was \$ _____ and I produce appropriate documentation with this application to confirm this fact. (Attach copies of tax return(s), statement from Social Welfare Department etc).
- 7 The total amount owing by me/us by way of all mortgages and other charges in respect of the rating unit does not exceed 20% of the capital value of the rating unit as shown on the rates assessment. The Council is authorised to obtain confirmation of this fact from my mortgagees who are:

(Name)

(Name)

(Postal Address)

(Postal Address)

- 8 The annual loan servicing commitment in respect of all mortgages on my/our rating unit, and on all hire purchase agreements (if any), and on all other loan whatsoever that I/we have, total \$ _____, being:
- mortgage repayments and interest \$
 - hire purchase agreements \$
 - other loan commitments (specify) \$

Note: In order to be eligible for rates postponement, these commitments must not total more than 30% of the total household income (see question 6).

- 9 My/our only assets are:
- the rating unit (and normal household chattels) to which this application relates;
 - a car;
 - \$_____ in cash and/or investments.
- (Note: Must not exceed \$15,000 for the household)

- 10 The statements made by me in Clauses 6, 7, 8 and 9 above represent a full and total disclosure of the financial position of my/our household and I am not aware of any other material information which I should or could have provided in that regard.

- 11 I/we have discussed our intention to make this application for rates postponement with _____ who is my/our Solicitor/Accountant/Financial Advisor and I authorise the Council's representative to discuss any matters arising with him/her if necessary.

- 12 The particular circumstances that have caused me to make this application are:
- _____
- _____
- _____
- _____
- _____

- 13 I accept that the Council may require further information from me, or carry out such other investigations as it thinks fit, to substantiate the correctness of this application before deciding whether or not to grant a postponement of rates.

- 14 I acknowledge that the Council gives no assurance that it will continue to administer a rates postponement policy for extreme hardship along the lines provided for in this application in future years, or indeed grant rates postponement relief for extreme hardship at all, and that that matter will be decided by the Council on a year by year basis. However, whether or not the policy itself continues, rates already postponed would remain postponed until they become payable under the policy above.

- 15 Further, I acknowledge that the following conditions will apply in the event that this application is successful and any rates are postponed:
- (a) Rates will be postponed from the beginning of the rating year in which the application is made.
 - (b) Rates will be postponed until:
 - (i) the death of the ratepayer; or
 - (ii) the ratepayer ceases to be the owner of the subject rating unit; or
 - (iii) the ratepayer ceases to use the subject rating unit as his or her permanent place of residence; or
 - (iv) the financial circumstances of the ratepayer change so that the condition set out above are no longer satisfied;
 - (c) A fee will be charged on the postponed rates equal to the administrative and financial costs incurred by the Council as a direct result of the postponement.
 - (d) Providing the postponed rates and postponement fee are paid in full, within three months after grant of probate or letters of administration or one month from the change of use of the property or one week from the settlement date after sale of the property, whichever occurs first; the Council will, pursuant to section 85 of the Local Government (Rating) Act 2002, remit a portion of all of the incurred additional (penalty) charges.
 - (e) The amount to be remitted shall be a sum that gives a result whereby the amount of the additional charges that is required to be actually paid equates to:
 - (i) The actual cost of registering the charge against the property title; (plus)
 - (ii) An annual accumulative interest charge (calculated on the basis of the annual average interest rate that has applied to Council borrowing from its bankers during the period that rates have been postponed):
 - (a) on the amount postponed; (and)
 - (b) on the initial administration charge; (and)
 - (c) on any previous interest charges
 - (f) The ratepayer may pay all or part of the postponed rates at any time.
 - (g) All postponed rates will be registered as a statutory land charge on the subject rating unit title.
 - (h) A fresh application on the prescribed form, confirming that the ratepayer still meets all the criteria set out in this policy, must be lodged with the Council annually.

I, _____ of Auckland, _____
(Full name) (Occupation)

do solemnly and sincerely declare that the above information is true and complete **AND I MAKE** this declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

(Signature)

DECLARED at _____ (location)
this _____ day of _____ 20____ before me:

(Person authorised to witness statutory declarations)

REMINDER

Check that you have provided with this application:

- your rates assessment
- copies of all tax returns, Social Welfare statements etc.

FOR OFFICE USE ONLY

Date _____ Valuation No. _____ (Rate A/C) _____

Officer dealing with _____ C/T No. _____

Total amount of rates and penalties previously postponed \$ _____

Total rates due for year \$ _____

Household income \$ _____

Loan commitments percentage of gross income \$ _____

Loan commitments percentage of gross income % _____

Amount approved as postponed for _____ the year \$ _____

(Officer to state how gross household income substantiated, e.g. tax return, statement from Social Welfare):

Other comments (including general reasons as to basis for agreeing to postponement relief):

Approved By: _____

Date: _____