



ESA Topics: Claiming the Exemption under MCL 211.9m and MCL 211.9n

To qualify for the Eligible Manufacturing Personal Property (EMPP) exemption, eligible claimants must file Form 5278 – the *Eligible Manufacturing Personal Property Tax Exemption Claim, Ad Valorem Personal Property Statement, and Report of Fair Market Value of Qualified New and Previously Existing Personal Property (Combined Document)* – with the local tax collecting unit in which the property is located no later than February 20th (for 2017, because the 20th falls on a State Holiday, the deadline is extended to February 21, 2017). Form 5278 must be received by the assessor by the deadline. Postmarks are not accepted.

Form 5278 includes:

1. The form required to claim the EMPP exemption.
2. The personal property statement for those years for which the EMPP is not yet exempt and still pays ad valorem property taxes and
3. The report of Fair Market Values of Qualified New Personal Property and Qualified Previously Existing Personal Property utilized by the Department of Treasury to generate an Essential Services Assessment (ESA) statement for the taxpayer.

A separate form must be filed for each individual ad valorem and IFT parcel. Incomplete forms will not be accepted by the assessor.

Claimants may appeal a denial of the EMPP exemption by the assessor to the March Board of Review if the denial is issued on or before the statutory date of the first meeting of the March board of review that follows the organizational meeting (for 2017, March 13, 2017). If a denial is issued after that date, a claimant may appeal to the March Board of Review or to the Michigan Tax Tribunal within 35 days of the denial notice.

Taxpayers claiming the EMPP exemption by filing Form 5278 should not file Form 632 for the same parcel. Personal Property on the parcel that is to be assessed by the local tax collecting unit should be reported in Part 2 of the Form.

Form 5278 will not be mailed to taxpayers but instead is available on the ESA website at www.michigan.gov/esa.

More information regarding ESA, including instructions for subscribing to the ESA listserv may be found at www.michigan.gov/esa.

This information constitutes an interpretation of one or more statutes administered by the Bureau of Local Government Services and not legal advice. As the interpretation reached in these examples are limited to the facts provided, any variation in those facts might result in a different interpretation being reached. Therefore, a taxpayer may wish to consult counsel before proceeding in this matter.