

Frequently Asked Questions for Residential Declaration Recipients

Rev. 04/10/2020

Q: What is the purpose of this form?

In the 2019 General Session, the Legislature passed SB13 which required county assessors to send a form to ensure homeowners are correctly receiving the primary residential exemption. This form was amended in HB 164 during the 2020 General Session.

Please complete the form accurately as it may result in the withdrawal of the primary residential exemption should it indicate you are receiving it in error.

Q: Why am I specifically receiving this form?

If you are receiving the PT-19A or county equivalent title change residential property declaration, it is because you have recently purchased a residential property.

If you are receiving the PT-19B or county equivalent one time residential property declaration, it is because records indicate the address of a residential property you own does not match your mailing address, voter registration address, or the address on your driver's license.

This address information may be out of date, unavailable to the County Assessor, or the County Assessor may seek to verify the primary residential exemption on additional residences. Please complete, sign and return the declaration to the County Assessor if you receive it.

Q: What is the primary residential exemption?

Most homeowners in Utah receive a 45% exemption from property taxes on their homes (or "primary residence"). If you occupy your home for at least 183 consecutive days in the year, you likely qualify for this exemption.

If you own an investment property and it is occupied by a tenant for at least 183 consecutive days in the year, that home also likely qualifies, but an application to the county is usually required to receive the exemption in that circumstance.

Q: How can I tell if I am receiving the exemption?

Your Valuation Notice (received at the end of July) or your Tax Notice (received around the start of November) will indicate if you receive the exemption. The taxable value of your property will be 55% of the market value (reflecting the 45% exemption).

Most residences in Utah receive the exemption.

Q: Why haven't I heard of this exemption before?

In most counties, the primary residential exemption is generally assumed to apply to existing residential properties. So, if you purchased a house that was used as a primary residence by the previous owner, the primary residential exemption came with it.

Utah Law allows counties to require an application when a property changes hands, a non-residential property becomes residential, or the county has reason to believe the property may no longer qualify. Only a minority of counties have an ordinance that require new applications in these circumstances.

Q: When did the primary residential exemption come into effect?

The exemption was initially enacted in 1982. This was the result of an amendment to the State Constitution passed by Utah voters that election year. It was set at 25% of market value (so property taxes were paid on 75% of the value of homes). The language of the amendment allowed the exemption to be set at a maximum of 45%.

The exemption was raised to 45% in 1995, where it currently sits, after being increased in smaller increments between 1982 and 1995.

Q: There is a statement concerning Utah income taxes on this form. What does this property tax exemption have to do with Utah state income taxes?

If you receive the primary residential exemption on a property in Utah, there is a rebuttable presumption that you are domiciled in Utah for income tax purposes.

Put simply, your worldwide income may be subject to Utah state income tax, unless you establish otherwise. This would primarily affect individuals (or their spouse) who live out of state but own residential property in Utah. Individuals in such circumstances or believe they could be effected may wish to seek advice from an income tax professional.

As well as verifying if the primary residential exemption is being applied accurately, this form attempts to ensure recipients are not in a position where they are inaccurately subject to Utah state income taxes, and must then prove they are not domiciled in Utah.

Q: What should I do if I no longer qualify for the residential exemption?

You must notify the county when a property you own no longer qualifies for the exemption. For example, if a tenant moves out of an investment property and you do not intend to replace them, or if you relocate to a different residential property in the state of Utah for at least 183 consecutive days in the year.

Completing and returning this form to the county is a good way to achieve this.

There is also a question on the Utah state income tax return concerning the residential exemption that you should complete accurately.

Q: What happens if I don't return this form to the county assessor?

If you do not return the completed and signed PT-19B or county equivalent one time residential property declaration within 30 days, or the completed and signed PT-19A or county equivalent title change residential property declaration within 90 days, you will receive a notice that will give a further 30 days to return the completed and signed form. If not, your primary residential exemption will be removed and you will no longer qualify to receive the primary residential exemption in the calendar year for the property that is the subject of the written declaration.

In the event the exemption is removed due to failure to return the form, you will have the opportunity to reapply by submitting a new application to the county, if you believe you still qualify for the primary residential exemption.

You may need to submit additional evidence along with that application, so it is in your interest to return this form as it does not require additional evidence, and will prevent failure to qualify from the primary residential exemption in the current year.

Q: My individual circumstances are unusual and I have further questions on the primary residential exemption. How do get further information?

Many factors can affect whether you qualify for the exemption. For example, if you separate from your spouse but are not legally separated, you are still counted as one household and only one home can qualify for the exemption if living separately.

Or, if you are still building a property that is intended to be used a primary residence upon completion, you may already qualify for an exemption upon approval by the county assessor.

Also, if you own multiple residential properties across the state, you may need to return a copy of this form to multiple counties, or submit multiple primary residential exemption applications in future.

For questions on the primary residential exemption please call the County Assessor.

For questions regarding Utah state income tax domicile, please speak to an income tax professional.