

## NEBRASKA HOMESTEAD EXEMPTION

[Nebraska Homestead Exemption Application or Certification of Status, Form 458](#)

For filing after February 1, 2012, and by July 2, 2012.

### OVERVIEW

The Nebraska homestead exemption program is a property tax relief program for three categories of homeowners:

- A. Persons over age 65;
- B. Certain disabled individuals; or
- C. Certain totally disabled veterans and their widow(er)s.

There are income limits and home value requirements for all categories, except for a disabled veteran or widow(er) whose home has been substantially contributed to by the Department of Veterans Affairs (DVA). The income limits are on a sliding scale.

This information guide includes examples for these categories of homeowners. Examples 1 through 4 pertain to (A) Persons Over Age 65; and examples 5 through 8 pertain to both (B) Certain Disabled Individuals and (C) Certain Totally Disabled Veterans and Their Widow(er)s.

The State of Nebraska reimburses counties and other governmental subdivisions for the reduction in tax revenue as a result of approved homestead exemptions.



*This information guide may change with updated information or added examples. The Department recommends you do not print this guide. Instead, sign up for the subscription service at [www.revenue.ne.gov](http://www.revenue.ne.gov) to get updates on your topics of interest.*

### TERMS

**Deductible Medical Expenses.** Deductible medical expenses are those incurred and paid by the claimant, spouse, and any owner/occupant, which are in excess of four percent of household income calculated prior to the deduction for medical expenses.

**Homestead.** A homestead is the residence or mobile home, and the land surrounding it, not exceeding one acre, actually occupied by a person (property held in the name of an entity such as a corporation, partnership, or limited liability company does not qualify), who is the owner of record from January 1 through August 15 in each year.

**Household Income.** Household income is the total of the previous year's federal adjusted gross income (AGI), plus:

- ❖ Any Nebraska adjustments increasing federal AGI;
- ❖ Interest and dividends from Nebraska and its subdivisions' obligations; and
- ❖ Social Security or railroad retirement income;

of the claimant, spouse, and all other persons who own and occupy the homestead; minus deductible medical expenses.

**Marital Status.** Marital status information is required to determine the income limits used to calculate the percentage of relief, if any. Marital status may be either “married” or “single.”

- ❖ Use the married status if a federal tax return was filed using one of the married statuses, or would have been filed as married if a tax return was required.
- ❖ Use the single status if a federal tax return was filed using the single or head of household status, or would have been filed as single or head of household if a tax return was required.

**Medical Expenses Allowed.** The out-of-pocket (non-reimbursed) costs of health insurance premiums and the cost of goods and services purchased from a licensed health practitioner or a licensed health care facility, for purposes of restoring or maintaining health, are allowed. Insulin and prescription medicine may be included, but nonprescription medicine cannot be included. Only medical expenses in excess of four percent of household income, calculated prior to the deduction for medical expenses, may be deducted.

**Owner.** An owner is the owner of record, the owner’s spouse (if the owner dies during the application year), a purchaser in possession under a contract, a life estate holder, or certain beneficiaries of trusts.

**Qualifying Disabilities for Individuals.** (NOTE: An individual who qualifies for Social Security Disability does NOT automatically qualify for the Nebraska Homestead Exemption.) The qualifying disabilities are:

- ❖ A permanent physical disability and loss of the ability to walk without the regular use of a mechanical aid or prosthesis;
- ❖ Amputation of both arms above the elbow; or
- ❖ A permanent partial disability of both arms in excess of 75%.

**Veteran.** A veteran is a person who has been on active duty in the armed forces of the U.S., or a citizen of the U.S. at the time of service with military forces of a government allied with the U.S., during the following date ranges:

- ❖ April 6, 1917 to November 11, 1918;
- ❖ December 7, 1941 to December 31, 1946;
- ❖ June 25, 1950 to January 31, 1955;
- ❖ February 28, 1961 and August 5, 1964 (in the Republic of Vietnam);
- ❖ August 5, 1964 to May 7, 1975;
- ❖ August 25, 1982 to February 26, 1984;
- ❖ December 20, 1989 to January 31, 1990;
- ❖ Persian Gulf War beginning August 2, 1990; and
- ❖ Global War on Terror beginning September 14, 2001.

A veteran must have received an honorable discharge or general discharge under honorable conditions.

## **A. PERSONS OVER AGE 65 ([REG. 45-002.11](#))**

To qualify for a homestead exemption under this category, an individual must:

- ❖ Be 65 or older before January 1st of the application year;
- ❖ Own and occupy the homestead January 1 through August 15; and
- ❖ Have qualifying household income – see [Table I](#).

TABLE I HOMESTEAD EXEMPTION FOR PERSONS OVER AGE 65					
Income Limit Single		Percentage of Relief	Income Limit Married		
\$ 0	— \$25,800.99	100	\$ 0	— \$30,300.99	
25,801	— 27,200.99	85	30,301	— 31,900.99	
27,201	— 28,500.99	70	31,901	— 33,500.99	
28,501	— 29,900.99	55	33,501	— 35,100.99	
29,901	— 31,200.99	40	35,101	— 36,700.99	
31,201	— 32,500.99	25	36,701	— 38,300.99	
32,501	and over	0	38,301	and over	

A [Form 458](#) and a [Schedule I](#) must be filed with the county assessor after February 1 and by June 30 each year. Failure to properly file within this timeframe will result in disapproval of the homestead exemption for the year.

**Maximum Exempt Amount.** The percentage of relief applies to the assessed value of the homestead up to the maximum exempt amount. The maximum exempt amount is the taxable value of the homestead up to \$40,000 or 100% of the county’s average assessed value of single family residential property, whichever is greater.

To be eligible, the maximum assessed value of the homestead is \$95,000, or 200% of the county’s average assessed value of single family residential property, whichever is greater. The exempt value will be reduced by 10% for every \$2,500 that the assessed value exceeds the maximum value. If the assessed valuation exceeds the maximum value by \$20,000 or more, the homestead is not eligible for exemption.

TABLE II MAXIMUM EXEMPT VALUE REDUCTIONS	
Homestead Valuations Exceeds Maximum By:	Exempt Amount Reduce By:
\$ 0 — \$2,499	0
2,500 — 4,999	10
5,000 — 7,499	20
7,500 — 9,999	30
10,000 — 12,499	40
12,500 — 14,999	50
15,000 — 17,499	60
17,500 — 19,999	70
\$20,000 or more	100% (no exemption allowed)

**EXAMPLE 1 – NOT ELIGIBLE FOR A HOMESTEAD EXEMPTION**

[Regulation 45-003.01B](#). If the assessed valuation exceeds the maximum value by \$20,000 or more, the homestead is not eligible for exemption.

The scenario –

- ❖ The maximum value of an assessed homestead ([Reg. 45-002.08A](#)) in this county is **\$95,000** (this information can be obtained from the county assessor).
- ❖ A homestead in this county has an assessed value of **\$150,000** (also obtained from the county assessor).

The exemption calculations –

- ❖ The assessed value of the homestead exceeds the maximum value in the county by more than \$20,000 (\$150,000 - \$95,000 = \$55,000 over the maximum value).

**Conclusion** – This homestead is not eligible for a homestead exemption.

## EXAMPLE 2 – OVER AGE 65 CATEGORY, MAXIMUM VALUE REDUCTION

[Regulation 45-002.08A](#). The maximum value of the homestead is the greater of \$95,000, or 200% of the county's average assessed value of a single-family residential property.

The scenario –

- ❖ John Doe is age **88** and **married**.
- ❖ The homestead assessed value is **\$200,000** (this information can be obtained from the county assessor).
- ❖ The average value of a single-family residential property in this county is **\$97,500** (also obtained from the county assessor).
- ❖ Household income is **\$28,000**.

The exemption calculations –

- ❖ The maximum value is \$195,000 ( $200\% \times \$97,500 = \$195,000$ , which is greater than \$95,000).
- ❖ Since the assessed value of this homestead is \$200,000, its value is \$5,000 over the maximum amount ( $\$200,000 - \$195,000$ ).
- ❖ According to [Table II](#), this means that a 20% maximum exempt value reduction is necessary. This amounts to \$19,500 ( $20\% \times \$97,500$ ).
- ❖ The maximum exempt value of the homestead is calculated to be \$78,000 ( $\$97,500 - \$19,500$ ).
- ❖ The household income level of \$28,000 determines that this property owner is eligible for 100% relief of his homestead's maximum exempt value (according to [Table I](#) above).
- ❖ The income percentage is applied ( $100\% \times \$78,000$ ) resulting in a homestead exemption value of \$78,000.

Conclusions –

- ❖ **The total taxable value of the homestead** (after applying the exemption) is **\$122,000** ( $\$200,000 - \$78,000$ ).
- ❖ The [county property tax rate](#) is applied to \$122,000 to determine the property tax amount due on John Doe's homestead.

## EXAMPLE 3 – OVER AGE 65, NO MAXIMUM VALUE REDUCTION.

[Regulation 45-002.04](#). The maximum exempt amount is the greater of the taxable value of the homestead up to \$40,000, or 100% of the county's average assessed value of a single family residential property.

The scenario –

- ❖ Jane Doe is age **72** and **single**.
- ❖ The homestead assessed value is **\$100,000** (this information can be obtained from the county assessor).
- ❖ The average value of a single family residential property in this county is **\$75,000** (also obtained from the county assessor).
- ❖ Household income is **\$29,000**.

The exemption calculations –

- ❖ The maximum value of the homestead is the greater of \$95,000, or 200% of the county's average assessed value of a single family residential property. In this case, the maximum value amount is \$150,000 ( $200\% \times \$75,000 = \$150,000$ , which is greater than \$95,000).
- ❖ The homestead assessed value is \$100,000, which is less than the maximum value of \$150,000, so no reduction is necessary.
- ❖ The maximum exempt value of the homestead is the greater of \$40,000 or 100% of the county average assessed value of a single family residential property in the county. In this case, the maximum exempt amount is \$75,000 ( $100\% \times \$75,000 = \$75,000$ , which is greater than \$40,000).

- ❖ The household income level of \$29,000 determines that this property owner is eligible for 55% relief of her homestead's maximum exempt value (according to the [Table I](#) above). The homestead exemption is \$41,250 (55% x \$75,000).

**Conclusions –**

- ❖ **The total taxable value of the homestead** (after applying the exemption) is **\$58,750** (\$100,000 - \$41,250).
- ❖ The [county property tax rate](#) is applied to \$58,750 to determine the property tax amount due on Jane Doe's homestead.

**EXAMPLE 4 – OVER AGE 65, NO MAXIMUM VALUE REDUCTION, ASSESSED VALUE IS LESS THAN THE MAXIMUM EXEMPT VALUE IN THE COUNTY.**

[Regulation 45-002.04A](#). The maximum exempt amount is the lesser of the taxable value of the homestead; or the greater of \$40,000 or 100% of the county's average assessed value of a single family residential property.

The scenario –

- ❖ Jane Doe is age **68** and **married**.
- ❖ The homestead assessed value is **\$35,000** (this information can be obtained from the county assessor).
- ❖ The average value of a single family residential property in this county is **\$35,000** (also obtained from the county assessor).
- ❖ Household income is **\$32,000**.

The exemption calculations –

- ❖ The maximum exempt amount is \$35,000 (because this is less than \$40,000).
- ❖ There is no maximum value reduction because the homestead's value is less than \$95,000.
- ❖ The household income level of \$32,000 determines that this property owner is eligible for 70% relief of her homestead's maximum exempt value (according to [Table I](#) above). The homestead exemption is \$24,500 (70% x \$35,000).

**Conclusions –**

- ❖ **The total taxable value of the homestead** (after applying the exemption) is **\$10,500** (\$35,000 - \$24,500).
- ❖ The [county property tax rate](#) is applied to \$10,500 to determine the property tax amount due on Jane Doe's homestead.

**B. QUALIFIED DISABLED INDIVIDUALS ([REG. 45-002.12](#))**

An individual with a qualifying disability must:

- ❖ Own and occupy the homestead January 1 through August 15 (Reg. 45-002.05);
- ❖ Have qualifying household income – [Table III \(Reg. 45-002.12\)](#); and
- ❖ File a [Form 458](#) and an income statement with the county assessor after February 1 and by June 30 each year. Within the first year, a completed Physician's Certification of Disability for Homestead Exemption, Form 458B (which may be obtained from the county assessor), must be filed with the Form 458. If Form 458B is not filed with the county assessor, the individual will lose the homestead exemption for that year ([Reg. 45-004.01](#)).

**C. QUALIFIED DISABLED VETERANS AND THEIR WIDOW(ER)S**

To qualify for a homestead exemption under this category, there are three possible classes for veterans' exemptions.

- 1 A wartime veteran receiving compensation from the United States Department of Veterans Affairs (DVA) because of a 100% disability that was service-connected.

The veteran must also:

- ❖ Own and occupy the homestead January 1 through August 15;
- ❖ Have qualifying household income – see [Table III](#); and
- ❖ File a [Form 458](#) and an income statement with the county assessor after February 1 and on or before June 30 each year. Within the first year, a veteran must also include a certification from the DVA. If a certification from the DVA is not filed with the county assessor, the veteran will lose the homestead exemption for that year.

**2** A wartime veteran totally disabled by a nonservice-connected illness or accident.

The veteran must also:

- ❖ Own and occupy the homestead January 1 through August 15;
- ❖ Have qualifying household income – see [Table III](#); and
- ❖ File a Form 458 and an income statement. Also include a completed Physician's Certification of Disability for Homestead Exemption, Form 458B, or a certification of disability from the DVA. All forms must be filed with the county assessor after February 1 and by June 30 each year. If Form 458B is not filed with the county assessor, the veteran will lose the homestead exemption for that year.

**3** A veteran whose home is substantially contributed to by the DVA. This homestead is 100% exempt regardless of homestead value and income level.

The veteran must also:

- ❖ Own and occupy the homestead January 1 through August 15; and
- ❖ File a Form 458 and include a certification from the DVA with the county assessor after February 1 and on or before June 30 each year. If Form 458B is not filed with the county assessor, the veteran will lose the homestead exemption for that year.

**Widow(er)s of a Veteran.** A homestead exemption is available to the unremarried widow(er) of:

- 1** Any veteran who died because of a service-connected disability;
- 2** A servicemember whose death while on active duty was service-connected;
- 3** A servicemember who died while on active duty during wartime; or
- 4** A veteran who received compensation from the DVA because of a 100% disability that was service-connected.

The widow(er) must:

- ❖ Own and occupy the homestead January 1 through August 15;
- ❖ Have household income in accordance with [Table III](#); and
- ❖ File a Form 458 and an income statement with the county assessor after February 1 and on or before June 30 each year. Within the first year, a certification from the DVA must be included with the Form 458. Failure to do so will result in disapproval of the homestead exemption for that year.

A widow(er)s home that received substantial contributions from the DVA is 100% exempt, regardless of homestead value and income level.

The widow(er) must:

- ❖ Own and occupy the homestead January 1 through August 15; and
- ❖ File a Form 458 with the county assessor after February 1 and on or before June 30 each year and include a certification from the DVA. Failure to do so will result in disapproval of the homestead exemption for that year.

TABLE III HOMESTEAD EXEMPTION FOR QUALIFYING DISABLED INDIVIDUALS, AND QUALIFYING DISABLED VETERANS AND THEIR WIDOW(ERS)						
Income Limit Single		Percentage of Relief	Income Limit Married			
\$ 0	—	\$29,000.99	100	\$ 0	—	\$33,200.99
29,001	—	30,400.99	85	33,201	—	34,800.99
30,401	—	31,700.99	70	34,801	—	36,500.99
31,701	—	33,100.99	55	36,501	—	38,100.99
33,101	—	34,400.99	40	38,101	—	39,700.99
34,401	—	35,800.99	25	39,701	—	41,300.99
35,801 and over			0	41,301 and over		

**Maximum Exempt Amount.** The percentage of relief applies to the assessed value of the homestead up to the maximum exempt amount. The maximum exempt amount is the taxable value of the homestead up to \$50,000 or 120% of the county's average assessed value of single family residential property, whichever is greater.

To be eligible, the maximum assessed value on the homestead is \$110,000 or 225% of the county's average assessed value of single family residential property, whichever is greater. The exempt value will be reduced by 10% for every \$2,500 that the assessed value exceeds the maximum value. If the assessed valuation exceeds the maximum value by \$20,000 or more, the homestead is not eligible for exemption.

#### EXAMPLE 5 – NOT ELIGIBLE FOR A HOMESTEAD EXEMPTION.

[Regulation 45-003.01B](#). If the assessed valuation exceeds the maximum value by \$20,000 or more, the homestead is not eligible for exemption.

The scenario –

- ❖ The maximum value of an assessed homestead ([Reg. 45-002.08B](#)) in this county is **\$225,000** (this information can be obtained from the county assessor).
- ❖ A homestead in this county has an assessed value of **\$250,000** (also obtained from the county assessor).

The exemption calculations –

- ❖ The assessed value of the homestead exceeds the maximum value in the county by more than \$20,000 (\$250,000 - \$225,000 = \$25,000 over the maximum value, which is greater than \$20,000).

**Conclusion** – This homestead is not eligible for a homestead exemption.

#### EXAMPLE 6 – DISABILITY, MAXIMUM EXEMPT VALUE REDUCTION.

[Regulation 45-002.08B](#). The maximum value is the greater of the taxable value of the homestead up to \$110,000, or 225% of the county's average assessed value of a single-family residential property.

The scenario –

- ❖ John Doe is **married**.
- ❖ Household income is **\$30,000**.
- ❖ The homestead assessed value is **\$350,000** (this information can be obtained from the county assessor).
- ❖ The average value of a single-family residential property in this county is **\$180,000** (120% x \$150,000; also obtained from the county assessor).

The exemption calculations –

- ❖ The maximum value is \$337,500 (225% x \$150,000 = \$337,500, which is greater than \$110,000).
- ❖ Since the assessed value of this homestead is \$350,000, it is \$12,500 over the maximum amount (\$350,000 - \$337,500).

- ❖ According to [Table II](#), this means that a 50% maximum exempt value reduction is necessary. This amounts to \$90,000 (50% x \$180,000).
- ❖ The maximum exempt value of the homestead is calculated to be \$90,000 (\$180,000 - \$90,000).
- ❖ The household income level of \$30,000 determines that this property owner is eligible for 100% relief of his homestead's maximum exempt value (according to the [Table III](#)). The homestead exemption is \$90,000 (100% x \$90,000).

**Conclusions –**

- ❖ **The total taxable value of the homestead** (after applying the exemption) **is \$260,000** (\$350,000 - \$90,000).
- ❖ The [county property tax rate](#) is applied to \$260,000 to determine the property tax amount due on John Doe's homestead.

**EXAMPLE 7 – DISABILITY, NO MAXIMUM VALUE REDUCTION, PERCENTAGE QUALIFICATION.**

[Regulation 45-002.04B](#). The maximum exempt amount is the greater of the taxable value of the homestead up to \$50,000, or 120% of the county's average assessed value of a single family residential property.

The scenario –

- ❖ John Doe is **single**.
- ❖ Household income is **\$33,500**.
- ❖ The homestead assessed value is **\$100,000** (obtained from the county assessor).
- ❖ The average value of a single-family residential property in this county is **\$62,500** (also obtained from the county assessor).

The exemption calculations –

- ❖ Maximum value is 225% of the average assessed value in the county (62,500 x 225% = \$140,625); John's homestead's assessed value is \$100,000 which is below the maximum value, so no reduction is necessary.
- ❖ The maximum exempt value of the homestead is the greater of \$50,000 or 120% of the county average assessed value of single-family residential property in the county. In this case, the maximum exempt amount is \$75,000 (120% x \$62,500 = \$75,000, which is greater than \$50,000).
- ❖ The household income level of \$33,500 determines that this property owner is eligible for 40% relief of his homestead's maximum exempt value (according to Table III). This homestead exemption is \$30,000 (\$75,000 x 40%).

**Conclusions –**

- ❖ **The total taxable value of the homestead** (after applying the exemption) **is \$70,000** (100,000 - 30,000).
- ❖ The county property tax rate is applied to \$70,000 to determine the property tax amount due on John Doe's homestead.

**EXAMPLE 8 – DISABILITY, NO MAXIMUM VALUE REDUCTION.**

[Regulation 45-002.04B](#). The maximum exempt amount is the greater of the taxable value of the homestead up to \$50,000, or 120% of the county's average assessed value of a single-family residential property.

The scenario –

- ❖ Jane Doe is **married**.
- ❖ Household income is **\$33,500**.
- ❖ The homestead assessed value is **\$45,000** (this information can be obtained from the county assessor).
- ❖ The average value of a single-family residential property in this county is **\$40,000** (also obtained from the county assessor).

The exemption calculations –

- ❖ The maximum value is the greater of \$110,000 or 225% of the county average assessed value of a single-family residential property in the county. In this case, the maximum value is \$110,000 (since  $\$40,000 \times 225\% = 90,000$ , which is less than \$110,000).
- ❖ Since the assessed value of this homestead is \$45,000, its value is less than \$110,000, so no reduction is necessary.
- ❖ The maximum exempt value of the homestead is the lesser of the taxable value of the homestead (\$45,000), or 120% of the county's average assessed value of a single-family residential property. ( $120\% \times \$40,000 = \$48,000$ ). \$45,000 is less than \$48,000, so it is the maximum exempt value.
- ❖ The household income level of \$33,500 determines that this property owner is eligible for 85% relief of her homestead's maximum exempt value (according to [Table III](#)). The homestead exemption is \$38,250 ( $85\% \times \$45,000$ ).

**Conclusions –**

- ❖ **The total taxable value of the homestead** (after applying the exemption) is **\$6,750** ( $\$45,000 - \$38,250$ ).
- ❖ The [county property tax rate](#) is applied to \$6,750 to determine the property tax amount due on Jane Doe's homestead.

## INCOME INFORMATION

**Determination of Income Levels.** To determine the income level of the applicant, the Department will review: the income reported on the [Nebraska Schedule I](#) filed with the application; income tax returns filed by the applicant; and income documents provided by the IRS and the Social Security Administration.

- ❖ Passive income (for example, capital gains, interest, dividends, retirement benefits, pensions, IRA withdrawals) is included as household income.
- ❖ If the names of any children or other individuals are on the deed as owners and they occupy the homestead, their income will be considered in determining eligibility. For owner-occupants who are closely related, the income levels for married claimants are used. "Closely related" means the applicant is either a brother, sister, parent, or child of another other owner-occupant.
- ❖ Social Security retirement income must be included whether or not an income tax return is filed. Medicare premiums may not be subtracted from Social Security income. However, Medicare Part B and Part D premiums are allowable medical expenses.

**Errors in Reporting Income and/or Medical Expenses.** If an error in reporting income and/or medical expenses is discovered, the Department must be notified within three years after December 31 of the application year to have a homestead exemption reconsidered. If income tax returns were filed, the income tax returns must also be amended if the item being changed is included on the returns. The applicant will be notified of income discrepancies resulting in an erroneous homestead exemption. The applicant will receive a corrected statement for the appropriate property tax due, plus possible interest and penalty, payable to the county treasurer.

If the Tax Commissioner approves a homestead exemption based on amended household income, a refund of any taxes paid will be issued by the county treasurer in the county where the taxes were paid.

**One-time Increases in Income.** Income which exceeds the statutory limit will result in the loss of the homestead exemption for one year. However, a new application may be filed the following year.

**Using the Previous Year's Income to Determine Homestead Exemption Eligibility.** County assessors must complete their current year's real estate tax lists, including homestead exemptions, by December 1; but the current year's income tax information is not reported until the following April 15.

**Appeal of a Denied Homestead Exemption Application.**

- ❖ If a written rejection notice from the county assessor is received, an appeal may be filed with the county board of equalization within 30 days of the date the notice is received.

- ❖ If a denial notice from the Tax Commissioner is received, a hearing with the Tax Commissioner may be requested by filing a written protest with the Nebraska Department of Revenue within 30 days of receipt of the notice. The protest must state the reasons for the appeal; the name and address of the applicant; and a request for relief.

**Appeal of the Denied or Reduced Homestead Exemption Application Based on the Assessed Valuation of the Homestead.** To appeal the assessed valuation of the homestead, timely file a [Property Valuation Protest, Form 422](#), with the county clerk. Refer to the instructions for Form 422 for additional information. If the protest is successful, the homestead exemption will be automatically reconsidered.

**Disqualification of the Homestead Exemption.** If an owner does not qualify for an exemption, tax on the property will be due in full. A tax statement will be sent from the county in December. A new application may be filed the following year.

**Transfer of a Homestead Exemption if a New Home is Purchased.** A transfer is allowed under the following conditions:

- ❖ A new home is purchased between January 1 and August 15th, and the new home is occupied by August 15th; and
- ❖ An [Application for Transfer, Form 458T](#), must be filed with the county assessor by August 15; or
- ❖ If the new home is purchased in a different county, the Form 458T must be filed with the new county assessor by August 15.

**Life Estate.** If an applicant deeds the residence to another party, but retains a life estate, that applicant is considered an owner.

**Nursing Home Resident.** The occupancy requirements will continue to be met during a nursing home stay provided that:

- ❖ The home is not sold, leased, or rented;
- ❖ The furnishings are left in place; and
- ❖ The owner intends to return to the home.

**Death of Applicant.** If the applicant is single and dies prior to August 16th, the exemption is removed because the January 1 through August 15 occupancy requirement is not met. If the applicant is married, the spouse and minor children continue to benefit from the homestead exemption for that year only. The spouse must qualify and file an application the following year to continue to receive a homestead exemption.

**Multiple Unmarried Owner/Occupants Living in One Homestead.** If two eligible persons who are not married qualify for an exemption for the same property, it is necessary for both to file the [Form 458](#) with the county to protect the exemption in case one of the applicants dies.

**Spouses Owning Two Homes.** Spouses owning two homes may not receive two homestead exemptions, unless each spouse lives in his or her own separate home. In this case, both spouses' income is combined to determine eligibility. In most cases, the home chosen as the primary residence will be the homestead property.

**Payment of Property Tax When a Homestead Exemption is Granted.** When an exemption is granted, the taxpayer's obligation is met by the State paying the tax directly to the county treasurer.

**Help Prevent Homestead Exemption Fraud.** If you know or suspect an individual is receiving a homestead exemption illegally, you may report it anonymously by calling 888-475-5101. All information will remain confidential.

## RESOURCE LIST:

### Regulations:

- ❖ [Homestead Exemption Regulations Chapter 45](#)

### Statutes:

- ❖ [Neb. Rev. Stat. § 77-3501 Definitions, where found](#)
- ❖ [Neb. Rev. Stat. § 77-3501.01 Exempt amount, defined](#)
- ❖ [Neb. Rev. Stat. § 77-3501.02 Closely related, defined](#)
- ❖ [Neb. Rev. Stat. § 77-3502 Homestead, defined](#)
- ❖ [Neb. Rev. Stat. § 77-3503 Owner, defined](#)
- ❖ [Neb. Rev. Stat. § 77-3504 Household income, defined](#)
- ❖ [Neb. Rev. Stat. § 77-3505 Qualified claimant, defined](#)
- ❖ [Neb. Rev. Stat. § 77-3505.01 Married, defined](#)
- ❖ [Neb. Rev. Stat. § 77-3505.02 Maximum value, defined](#)
- ❖ [Neb. Rev. Stat. § 77-3505.03 Single, defined](#)
- ❖ [Neb. Rev. Stat. § 77-3505.04 Single-family residential property, defined](#)
- ❖ [Neb. Rev. Stat. § 77-3505.05 Medical condition, defined](#)
- ❖ [Neb. Rev. Stat. § 77-3506.02 County assessor; duties](#)
- ❖ [Neb. Rev. Stat. § 77-3506.03 Exempt amount; reduction; when; homestead exemption; limitation](#)
- ❖ [Neb. Rev. Stat. § 77-3507 Homesteads; assessment; exemptions; qualified claimants; based on income](#)
- ❖ [Neb. Rev. Stat. § 77-3508 Homesteads; assessment; exemptions; individuals; based on disability and income](#)
- ❖ [Neb. Rev. Stat. § 77-3509 Homesteads; assessment; exemptions; certain veterans or unremarried widow or widower; percentage of exemption](#)
- ❖ [Neb. Rev. Stat. § 77-3509.01 Transfer of exemption to new homestead; procedure](#)
- ❖ [Neb. Rev. Stat. § 77-3509.02 Transfer of exemption to new homestead; disallowance for original homestead; county assessor; duties](#)
- ❖ [77-3509.03 Homesteads; exemptions; property tax statement; contents](#)
- ❖ [Neb. Rev. Stat. § 77-3510 Homesteads; exemptions; transfers; claimants; forms; contents; county assessor; furnish; confidentiality](#)
- ❖ [Neb. Rev. Stat. § 77-3511 Homestead; exemption; application; execution](#)
- ❖ [Neb. Rev. Stat. § 77-3512 Homestead; exemption; application; when filed](#)
- ❖ [Neb. Rev. Stat. § 77-3513 Homestead; exemption; filing requirements; notice; contents](#)
- ❖ [Neb. Rev. Stat. § 77-3514 Homestead; exemption; certification of status; notice; failure to certify; penalty; lien](#)
- ❖ [Neb. Rev. Stat. § 77-3514.01 Homestead; exemption; late application or certification because of medical condition; filing; form; county assessor; powers and duties; rejection; notice; hearing](#)
- ❖ [Neb. Rev. Stat. § 77-3515 Homestead; exemption; new owner of property; when claimed](#)
- ❖ [Neb. Rev. Stat. § 77-3516 Homestead; exemption; application; county assessor; duties](#)

- ❖ [Neb. Rev. Stat. § 77-3517 Homestead; application for exemption; county assessor; Tax Commissioner; duties; refunds; liens](#)
- ❖ [Neb. Rev. Stat. § 77-3519 Homestead; exemption; county assessor; rejection; applicant; complaint; contents; hearing; appeal](#)
- ❖ [Neb. Rev. Stat. § 77-3520 Homestead; exemption; Tax Commissioner; rejection or reduction; petition; contents; hearing; appeal](#)
- ❖ [Neb. Rev. Stat. § 77-3521 Tax Commissioner; rules and regulations](#)
- ❖ [Neb. Rev. Stat. § 77-3522 Violations; penalty](#)
- ❖ [Neb. Rev. Stat. § 77-3523 Homestead; exemption; county treasurer; certify tax revenue lost within county; reimbursed; manner; distribution](#)
- ❖ [Neb. Rev. Stat. § 77-3524 Homestead; exemption; categories; Department of Revenue; maintain statistics](#)
- ❖ [Neb. Rev. Stat. § 77-3526 Paraplegic, multiple amputee; terms, defined](#)
- ❖ [Neb. Rev. Stat. § 77-3527 Property taxable; paraplegic veteran; multiple amputee; exempt; value; transfer of property; effect](#)
- ❖ [Neb. Rev. Stat. § 77-3528 Property taxable; paraplegic; multiple amputee; claim exemption](#)
- ❖ [Neb. Rev. Stat. § 77-3529 Homestead; exemption; application; denied; other exemption allowed](#)

**[www.revenue.ne.gov/PAD](http://www.revenue.ne.gov/PAD)**  
888-475-5101 or 402-471-6185  
Nebraska Department of Revenue, PO Box 94818, Lincoln, Nebraska 68509-4818  
You may also contact your county assessor.