
STATE OF INDIANA

DEPARTMENT OF LOCAL GOVERNMENT FINANCE



INDIANA GOVERNMENT CENTER NORTH
100 NORTH SENATE AVENUE N1058(B)
INDIANAPOLIS, IN 46204
PHONE (317) 232-3777
FAX (317) 974-1629

TO: County and Municipal Officials, Redevelopment Commissions

FROM: Wesley R. Bennett, Commissioner

RE: Certification of Eligibility for Establishing a Residential TIF

DATE: August 19, 2019

The Department of Local Government Finance (“Department”) issues this memorandum to outline the process for a county or municipality to request a determination under IC 36-7-14-53(f), added into law by Senate Enrolled Act 566-2019 (“SEA 566”). The Department previously released, on June 17, 2019, a memorandum explaining SEA 566.

SEA 566 requires the Department, in cooperation with an appropriate county or municipal agency, to determine whether the county or municipality (as applicable) is eligible to create a residential TIF. To implement this and to facilitate the Department’s determination, the county or municipal agency must complete the request form that is attached to this memorandum.

In addition to the request form, please provide the following supplemental documents:

- Resolution of establishing body that created the redevelopment commission.
- Redevelopment plan, if it exists.
- A description of the subject area.
 - If the unit is a county, a Microsoft Excel file listing the parcels in the unincorporated area.
 - If the unit is a municipality, a Microsoft Excel file listing the parcels in the incorporated area.
- A Microsoft Excel file. This file must show the following:
 - For each of the three (3) years preceding the year in which the resolution under IC 36-7-14-53(a) is adopted, the parcel count of new, single family residential houses constructed in that year. This must show the date of completion for each new, single family residential house (day, month, year).
 - For the year in which the resolution under IC 36-7-14-53(a) is adopted, the parcel count of all single family residential houses located in the subject area.
- A description that the department of redevelopment attempted, in compliance with IC 36-7-14-53(d), to
 - consult with persons interested in or affected by the proposed program;
 - provide the affected neighborhood associations, residents, and township assessors with an adequate opportunity to participate in an advisory role in planning, implementing, and evaluating the proposed program; and

- hold public meetings in the affected neighborhood to obtain the views of neighborhood associations and residents.

By “appropriate county or municipal agency,” the Department identifies the following entities:

- County fiscal body or municipal fiscal body
- County executive or municipal executive
- Redevelopment commission
- County auditor
- Municipal Clerk-treasurer
- City Controller

Any one of these entities may submit the request form. A submission by an entity will be presumed to be on behalf of the unit. Therefore, all of the agencies of the county and municipality are expected to be cooperating in pursuing a residential TIF. **Each county or municipality is limited to only one (1) submission. If an agency of a county submits a form, an agency in a municipality within that county may also submit its own form.**

Please complete the form and send it to the Department by e-mail at Gateway@dlgf.in.gov. There is no timetable by law in which a request must be submitted or in which the Department must make its determination. Given that eligibility is based on the count of residential homes as of January 1 of the year when the resolution is adopted, a request should be submitted early enough in the year for (1) the Department to make its review and (2) the redevelopment commission to adopt the resolution. The Department will attempt to complete its review as soon as practicable, in light of all its other responsibilities. The scope of the request, such as the amount of parcels and whether a redevelopment plan is provided, will affect the length of the Department’s review. The Department will attempt to complete its determination within thirty (30) days of receiving a request.

Completing this Form

Definitions:

- “Residential house” means a single family dwelling unit that constitutes housing or workforce housing that is sufficient to secure quality housing in reasonable proximity to employment.
- “Subject area” means:
 - For a county, the unincorporated area of the county.
 - For a municipality, the incorporated area of the municipality.
- “First prior year” means the year immediately preceding the year the resolution is adopted pursuant to IC 36-7-14-53(a).
- “Second prior year” means the year immediately preceding the first prior year.
- “Third prior year” means the year immediately preceding the second prior year.

It is left to the unit, via its submitting agency, to ascertain in what way a residential house (1) is sufficient to secure quality housing; and (2) is reasonably proximate to employment. Similarly, the unit must be able to adequately describe the subject area.

Completing the section “Calculation under IC 36-7-14-53(a)”

Lines 1a through 1c: Include the count for each year of new, single family residential houses constructed in the subject area. These amounts will be derived from the Microsoft Excel file described, above.

Line 2a: Add the numerical amounts provided in lines 1a through 1c.

Line 2b: Determine the average of new, single family residential houses constructed in the subject area by dividing the line 2a amount by 3. Round the result up to the nearest single digit.

Line 3a: Include the count of new, single family residential houses constructed in the subject area as of January 1 of the year in which the resolution is adopted. This amount will be derived from the Microsoft Excel file described, above.

Line 3b: Find 1% of new, single family residential houses constructed in the subject area as of January 1 of the year in which the resolution is adopted by multiplying the amount determined in line 3a by 0.01.

Line 4: Compare the Line 2b amount by the Line 3b amount. If Line 2b is less than Line 3a, mark “Y.” Otherwise, mark “N.”

The Department will verify the calculation as completed by the unit, including the percentage of the average of single family residential houses, and mark whether the unit is eligible or ineligible. The Department will then return the form to the submitting agency as a determination of eligibility under IC 36-7-14-53(f).

Contact Information

Questions concerning this memorandum may be directed to David Marusarz, Deputy General Counsel, at (317) 233-6770 or dmarusarz@dlgf.in.gov.