

CHAPTER 47
HISTORIC PROPERTY REHABILITATION TAX EXEMPTION

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

223—47.1(303) Purpose. Property owners desiring property tax benefits for substantial rehabilitation of historic buildings may apply for certification of completed work to the consulting architect of the state historical society of Iowa. Applicants are encouraged to apply for preliminary review and approval prior to start of rehabilitation work to prevent delays in certification of completed work or denials caused by unacceptable rehabilitation work.

Approved certifications of completed work may then be filed by the property owner with the assessor of the jurisdiction who shall certify the eligibility of the property for exemption and forward the application to the board of supervisors.

223—47.2(303) Definitions. The definitions listed in Iowa Code section 17A.2 and rules 223—1.2(303) and 223—35.2(303) shall apply for terms as they are used throughout this chapter. In addition, the following definitions apply:

“Application for certification” means the application for approval of substantial rehabilitation work to a historic property filed with the state historical society of Iowa.

“Application for exemption” means the application for a property tax exemption filed with the assessor for the substantial rehabilitation work on a historic property certified as approved by the state historic preservation officer.

“Base year valuation” means the assessed valuation for the building on January 1 of the year in which the rehabilitation work was initiated.

“Exemption” means the temporary release from the increase in valuation due to certified substantial rehabilitation of a historic property and is dependent on maintaining the certification from the state historic preservation officer.

223—47.3(303) Program administration.

47.3(1) The staff of the society shall review and evaluate proposed and completed substantial rehabilitation applications. The state historic preservation officer shall provide applicants of approved projects with a certification of completed work.

47.3(2) Boards of supervisors shall establish their priorities for which an exemption may be granted. Examples of exemption priorities may be: a maximum annual dollar amount of exemptions allowed on a first-come basis; types of historic properties as defined in Iowa Code section 427.16; property types defined by use or location; exclusion of properties within a tax increment financing or special municipal improvement district; or other criteria specified by the board of supervisors. An annual priority list shall be established by boards of supervisors as required by Iowa Code section 427.16.

47.3(3) An annual report listing all historic properties in the county for which an exemption has been granted shall be prepared by the assessor on or before July 1, submitted to the respective county auditor and to the state historic preservation officer.

223—47.4(303) Eligibility.

47.4(1) All applications for exemption eligibility submitted to the assessor and board of supervisors shall have received a certification of completed work from the state historic preservation officer. The approved certification shall be attached to the exemption application.

47.4(2) Applications for eligibility shall be evaluated using the board of supervisors’ adopted priority list.

223—47.5(303) Application for exemption procedure.

47.5(1) All applications for exemption shall be submitted on the historic property rehabilitation tax exemption form prescribed by the department of revenue. All applications shall have attached an approved

application for certification of completed work. Forms may be obtained from the Department of Revenue, Capitol Complex, Des Moines, Iowa 50319; Consulting Architect, State Historical Society of Iowa, Capitol Complex, Des Moines, Iowa 50319, telephone (515)281-8719; or the office of the appropriate assessor or board of supervisors.

47.5(2) Applications for certification of completed work shall provide historical, architectural and financial information; and plans, photographs and maps as required on the application form.

a. Part 1 of the application form shall establish the significance of the property. As a minimum, current photographs of all exterior sides of the building, the streetscape and representative views of the interior shall be provided. Where property is within a National Register Historic District or area of historic significance as defined in Iowa Code section 303.20 or 303.34, a map locating the property within the boundaries of the area shall be provided.

b. Part 2 of the application form shall detail the existing conditions and the proposed rehabilitation workplan. Photographs shall show specific areas of work and both the interior and exterior conditions prior to the start of work.

c. Request for Certification of Completed Work (part 3) shall document the completed work. Photographs shall show specific areas where work has been completed and both the interior and exterior conditions after the completion of work.

d. Applicants are strongly encouraged to obtain approvals on parts 1 and 2 of the application prior to the start of work. Applicants shall file completed part 3 application forms with the state historical society of Iowa on or before December 31 for work completed that calendar year. Applicants whose work is approved shall file certifications of completed work as part of their application for exemption with their assessor on or before March 1 of the appropriate tax year.

47.5(3) Materials submitted to the society shall not be returned.

47.5(4) In some localities or with some funding sources, other preservation or design-related reviews may be required before any rehabilitation occurs. The process of application for certification of completed work as part of historic property rehabilitation tax exemption program does not substitute for any other reviews/applications which may be required of property owners.

47.5(5) Inquiries concerning information required, historic property eligibility, and review criteria should be addressed to the Deputy State Historic Preservation Officer, State Historical Society of Iowa, Capitol Complex, Des Moines, Iowa 50319, telephone (515)281-8719.

223—47.6(303) Review and approval standards for applications for certification.

47.6(1) Project certification shall be based on the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, 36 CFR Part 67.7 (1990), National Park Service, Preservation Assistance Division, Washington, D.C. 20013-7127.

47.6(2) The standards apply equally to interior and exterior work. All reviews shall consider the entire rehabilitation project, including any new construction on site, rather than only a limited segment of the project; and the certification shall be based on conformity of the total project to the standards.

47.6(3) If required documentation is incomplete and the review and evaluation cannot be completed, the project shall be denied the requested certification. The applicant shall be notified by the society.

223—47.7(303) Appeals. Decisions made by the society or its designee adversely affecting applicants may be appealed pursuant to 221—Chapter 3.¹

¹ See Notice of Intended Action **ARC 1811A**, IAB 3/20/91.

These rules are intended to implement Iowa Code sections 303.2 and 427.16.

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