

ACCESSIBILITY AND DISABILITY POLICY WEBINAR SERIES

HOMESTEAD EXEMPTIONS FOR PEOPLE WITH DISABILITIES

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>> MATT DICKENS: Hi good morning all and thank you for joining us for our -- the

Governor's Committee on People with Disabilities for the homestead exemptions. This topic of homestead exemptions today for those with disabilities will be discussed and my name is Matt Dickens, and I work for the Governor's Commission on People with Disabilities.

What exactly is a homestead? That is defined as the main property where someone lives and that includes the land, any buildings or attachments on that land as well.

And under law, that house can only have one property. If it has more than one property then you're going to have to choose which one to use and on that property there's no limit on the value of that property so if you qualify for that homestead exemption, it's possible you may have to -- there's a limit on the size depending on the county you live in.

And homestead exemption -- to explain what that is, it reduces the property value whenever the county is figuring out under each person's primary residence, what that value would be, so that people who qualify for a homestead exemption can actually reduce the property taxes they pay annually.

So the property tax -- that can be a very significant amount to pay for those who are homeowners, and it's not always accessible and affordable for Texans.

There are four types of exemptions for those with disabilities. There's that general homestead exemption. There's also those for -- those above 65 and disability. There's also those who are former disabled veterans and also partial exemption for current disabled veterans as well, and we'll review each of these.

First of all, we have that general homestead exemption, which you can see here and, obviously, that is available for those who have disabilities or not. That's available for the general public, and it depends on your primary residence, and you can -- it's up to the first \$140,000 value of your home before calculating the school taxes.

It's a very easy form to fill out. It's free. Occasionally, there may be someone who will receive a letter from a company that says: Oh, well, if you pay us to take care of this form, then we can take care of that for you, and you could but really I would say save your money because it's a very simple form to fill out yourself.

Also for the age and disability exemption -- for those who have a home, and they're over 65 and disabled, they qualify for that and that can be up to \$200,000 from the value of their home, and for a total of 2 -- yes, the 60,140 are a total of \$200,000, and that includes school taxes, and you'll get a letter from your disability office, but the comptroller's office they usually recommend the disability letter is sent out to confirm your disability, and then the person who has the disability -- if they're not able to receive the Social Security benefits or they're not able to work and earn wages, then they should be able to request more information from the medical professionals about your disability.

And then there's the age and disability example, which you can see there on the screen. There's the first line, you know, for the general taxes with no exemption, whatsoever. And again, that can depend, you know, where you live, but it's the value of the home and for the example we put a home and property value of \$400,000, and then they're going to calculate which percent you're going to have, like, the 1.08% in order to calculate all of that, and then that can reduce things down to about 320,000, and this calculation just shows exactly how the waiver would work, so you got your value of property

minus that \$60,000 for disability or those aged 65 and up, and then below that you can see the calculation for taking that general homestead exemption of \$140,000, and then you're left with a value of \$200,000, which is used -- which, you know, that's about half the price which makes a very big difference for your annual tax -- taxes that are due.

And here we also have the benefit of those who have the age and disability tax ceiling. That is going to be for the school taxes, and you may wonder what that means and what it is it freezes the tax rate that you pay for that very first year under this exemption, so that would mean whatever taxes are due, that rate -- that rate will never increase for as long as you're living at that residence, so that means you're able to keep that -- those tax payments more stable.

And another benefit of a program that's called the age and disability tax deferment is that you've got options to postpone the payment paying the taxes so if you're not able to give that one lump sum then that can help you protect yourself from, you know, whoever is not able to pay. It's able to protect you from actually having to pay that one lump sum so understand that the deferment is not a cancellation -- or sorry, yes, the deferment is not a cancellation but what happens is that, you know, there'll be an interest rate of 5% that's included annually for as long as it's deferred, and you can make payments the same whatever amount you need or want, but that interest rate will go up every year, and understand that if that homeowner were to move or pass away, the total amount -- the accumulative amount will be due. It's by whoever, you know, owns that home next, so after that date, that will be due and if a person were to receive, you know, that property after the original homeowner passed away, they would be responsible for the entire amount due.

And then there's the other exemption of the 100% disabled veteran exemption and for those who are Veterans they can go through the VA. They've got services related to disability services. Again, 100%, which would be a total disability, and they can waive that full amount for the homestead as well as the disability would qualify them to show that they do not have to pay for school taxes, the local taxes or any kind of property taxes related with that.

Now if they were not to qualify for that 100% disability exemption, then they could actually get that partial exemption, so with this option, the exemption would depend on the rating, so that would mean, you know, if you've got less than \$12,000 then it would allow up to that \$12,000, but it depends on the type of property tax. It could apply to the property tax, school tax, maybe a business property tax or also for local property taxes as well so there are options there, and you would -- and you want to understand that many people use that to, you know, add that with the school taxes because school taxes can be quite high, so that can be in addition to that, but there's more information on the Texas Commission Veterans page they have a great website that clearly explains everything you need to know.

And as far as the application for exemption, well, you are required to fill out a form. You can download the forms online. They've got the comptroller's office has those available or you could also look at your local county, and so they -- the appraisal district, which is the CAD, county appraisal district, you would fill out those forms. You've got the 55-114, which is the general exemption for homestead, and you've got the general disability, which is the 144A, and there's a form for Veterans with Disabilities, which is that

135 form. And if you just check with your local county to see what type of proof is required in order to qualify, for that homestead exemption.

Now, if you've been -- if you've had -- like the supposed 100% disability, but you have not had that exemption during that entire time they can retrograde that for the last 2.5 years.

Now, occasionally you may notice that there's a letter from, you know -- that could be the CAD office occasionally someone may be denied of the exemption, but you can submit a form in order to appeal that decision, so where you would go, that would be the Appraisal Review Board, the ARB, and then you just follow the instructions and that denial letter to make sure that you can, you know, reach -- you know, make sure you submit that before the deadline is due for that appeal. But if you have evidence that says your disability should qualify you for the disability under that Act, then you absolutely should be able to provide that evidence in order to appeal to the board and get that exemption.

Now, understanding that here in Texas, we do not have that statewide property tax, so that is not how the county would make the decision. It's going to depend -- it's an independent decision case-by-case basis.

And if are there any follow-up questions about homestead exemptions, you know, always check the FAQs on the website here, and then you can contact your local county CAD and also I'm sure they would be available to answer any questions if there's any specific questions for these rules.

All right. Thank you so much for joining us today, and I hope you have a wonderful rest of your year. Goodbye.