

(II) "DWELLING" INCLUDES:

1. A CONDOMINIUM UNIT THAT IS OCCUPIED BY AN INDIVIDUAL WHO HAS A LEGAL INTEREST IN THE CONDOMINIUM;

2. AN APARTMENT IN A COOPERATIVE APARTMENT CORPORATION THAT IS OCCUPIED BY AN INDIVIDUAL WHO HAS A LEGAL INTEREST IN THE APARTMENT; AND

3. A PART OF REAL PROPERTY USED OTHER THAN PRIMARILY FOR RESIDENTIAL PURPOSES, IF THE REAL PROPERTY IS USED AS A PRINCIPAL RESIDENCE BY AN INDIVIDUAL WHO HAS A LEGAL INTEREST IN THE REAL PROPERTY.

(3) "HOMEOWNER" MEANS AN INDIVIDUAL WHO HAS A LEGAL INTEREST IN A DWELLING.

(4) "LEGAL INTEREST" MEANS AN INTEREST IN A DWELLING:

(I) AS A SOLE OWNER;

(II) AS A JOINT TENANT;

(III) AS A TENANT IN COMMON;

(IV) AS A TENANT BY THE ENTIRETIES;

(V) THROUGH MEMBERSHIP IN A COOPERATIVE;

(VI) UNDER A LAND INSTALLMENT CONTRACT, AS DEFINED IN § 10-101 OF THE REAL PROPERTY ARTICLE; OR

(VII) AS A HOLDER OF A LIFE ESTATE.

(5) "TAXABLE ASSESSMENT" MEANS THE ASSESSMENT ON WHICH THE COUNTY OR MUNICIPAL CORPORATION PROPERTY TAX RATE WAS IMPOSED IN THE PRECEDING TAXABLE YEAR LESS THE AMOUNT OF ANY ASSESSMENT ON WHICH A PROPERTY TAX CREDIT UNDER THIS SECTION IS AUTHORIZED.

(B) AUTHORITY OF COUNTY OR MUNICIPALITY.

FOR THE TAXABLE YEAR 1985-1986, IF THERE IS AN INCREASE IN PROPERTY ASSESSMENT AS CALCULATED UNDER SUBSECTION (E) OF THIS SECTION, THE GOVERNING BODY OF EACH COUNTY AND OF EACH MUNICIPAL CORPORATION SHALL GRANT A PROPERTY TAX CREDIT UNDER THIS SECTION AGAINST THE COUNTY AND MUNICIPAL CORPORATION PROPERTY TAX IMPOSED ON REAL PROPERTY BY THE COUNTY OR MUNICIPAL CORPORATION.

(C) USE OF PRINCIPAL RESIDENCE.

(1) IF A DWELLING IS NOT USED PRIMARILY FOR RESIDENTIAL PURPOSES, THE DEPARTMENT SHALL APPORTION THE TOTAL PROPERTY ASSESSMENT BETWEEN THE PART OF THE DWELLING THAT IS USED FOR RESIDENTIAL PURPOSES AND THE PART OF THE DWELLING THAT IS NOT