



CITY OF CONCORD

New Hampshire's Main Street™

Finance/Collections

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: Dawn K Enwright, City Treasurer/Tax Collector

DATE: May 10, 2021

SUBJECT: Resolution: To direct the Tax Collector to execute a tax deed on certain properties with unredeemed 2015 tax lien balances in accordance with RSA 80:76 III.

Recommendation

Approve the attached resolution directing the Tax Collector to execute a tax deed on certain properties with unredeemed balances on the 2015 tax lien, as recommended by FPAC at the April 19, 2021 meeting

Background

The real estate of every person or corporation is subject to the tax lien procedure by the collector, when all taxes against the property are not paid in full on or before March 31st. Prior to executing the lien the owner of record must be notified at least 30 days prior to lien execution of the pending lien. A real estate tax lien imposed in accordance with the provisions of RSA 80:58-86 shall have priority over all other liens.

Any person with a legal interest in property subject to a real estate tax lien may redeem the same by paying to the collector, at any time before a deed thereof is given by the collector in the amount of the real estate lien plus interest and costs.

The collector, after two years from the execution of the real estate tax lien, shall execute to the lienholder (the city) a deed of the property subject to the real estate tax lien and not redeemed. Additionally, the collector shall not execute a deed of the real estate to a municipality when the governing body of the municipality has notified the collector that it shall not accept the deed because acceptance would subject the municipality to potential liability risk or undesirable obligations.

When the governing body has served notice upon the collector to not accept the deed, the tax lien shall remain in effect indefinitely, retaining its priority over other liens. The taxpayer's right of redemption provided in RSA80:69 shall be extended indefinitely, with interest continuing to accrue.

In accordance with RSA 80:76 III : If at any time the reasons for refusing the tax deed no longer apply, and the tax lien has not been fully redeemed, the governing body may instruct the collector to issue the tax deed.

Discussion

Over the past several years Council has directed the Collector to not execute a deed on several properties because doing so would subject the municipality to undesirable liability obligation or liability risk as an owner of the property. Administration has been working with community members to develop solutions to address the excessive delinquencies with these properties which have unredeemed lien balances.

Attachment A: is an outline of the options the City would like to utilize in the remedy of these delinquencies. This would minimize the liability risk and resolve the delinquent tax issue; all while improving the communities in which these properties reside. It is recommended to move forward with the deeding process on all properties with unredeemed 2015 tax liens. This would encompass giving the notices required by RSA80:77 and 80:77a. Attachment B: is a list of the properties this would include.