



CITY OF CONCORD

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: Dawn K Enwright, City Treasurer/Tax Collector

DATE: January 13, 2020

SUBJECT: Resolutions: To direct the Tax Collector NOT to execute a tax deed on certain properties in accordance with RSA 80:76 II and II-a.

Recommendation

Each year the Tax Collector shall execute a deed of any land or real estate tax lien which is not redeemed two years from the lien execution date. Please consider the attached resolution, which is outlined below.

Background

The real estate of every person or corporation may be 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. 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

In the yearly review process, administration identified several properties eligible for tax deeding which if executed would cause potential liability risk and/or undesirable obligations. These liability risks and undesirable obligations are noted in the attached resolution.