TOWN OF MILLIS
BOARD OF SELECTMEN
TAX FORECLOSURE GUIDELINES
ADOPTED OCTOBER 21, 2013

Whereas, the Board of Selectmen of the town of Millis has determined that the town needs to take advantage of the full authority granted to the town to collect overdue taxes; and,

Whereas, the town's tax title list has grown to over $800,000 in taxes and interest overdue, and,

Whereas , the town recognizes that it is beneficial for taxpayers to know and understand that overdue taxes will be collected pursuant to certain guidelines, herein adopted;

Now therefore, the Board of Selectmen of the Town of Millis hereby adopts the following Tax Foreclosure Guidelines (TFG):

A. PURPOSE:

1. The purpose of the TFG shall be to collect existing taxes overdue and to provide staff guidance as to how and when future overdue taxes shall be collected.

2. The TFG shall limit the town's expenses while carrying out tax foreclosure procedures.

3. The TFG shall serve to prioritize the order in which parcels shall be foreclosed.

GUIDELINES: The Guidelines shall assume that the town is current in its annual tax title takings; that is, properties with unpaid taxes shall be placed in tax title within eighteen (18) months after the fiscal year in which the taxes are due.

For ease of consideration the parcels to be foreclosed shall be classified into the following categories:

a. parcels of land of low value as defined by the most recent Department of Revenue (DOR) guideline in effect.
b. parcels of land only above the land of low value limit
c. parcels containing land and buildings above the land of low value limit

A. EXISTING SEPTEMBER xx, 2013 TAX TITLE LIST

The following steps shall apply to the tax title list dated October 21, 2013:

1. Prior to filing a petition to foreclose any parcel, a certified letter shall be mailed to the record property owner, mortgagees, and any tenants informing them of the town's plan to foreclose on the property. Owners shall be encouraged to meet with the Treasurer–Collector (T/C) to work out a payment plan as described in paragraph B.3. below. Property owners shall have ten (10) working days from the delivery date of the letter to enter into an agreement with the T/C.

2. Prior to taking any land, town staff shall visit the property to determine, as best as can be done from outside the property boundary, if any hazardous substances may exist on the land or in the building.

3. The Town shall first address those parcels on the October 21, 2013 list that can be foreclosed through submitting a land of low value affidavit to the Department of Revenue. After approval of the affidavit by the DOR, the town shall foreclose on the properties on the list and determine which properties shall be sold at auction. Land shall be added to the town's insurance policy until it is disposed of through foreclosure auction. A foreclosure sale shall take place within 90 days of the foreclosure approval.

5. Upon filing the affidavit of properties that can be foreclosed by the land of low value process, the T/C shall begin foreclosure proceedings on all land only parcels above the limits provided in the land of low value taking process and on the top three parcels owing the most unpaid taxes, interest and fees where amounts are owed on both land and buildings. Thereafter, parcels to be foreclosed shall be addressed in groups of five beginning with the highest total amount owed.

B. FUTURE FORECLOSURES

The following guidelines shall apply to properties to be foreclosed on in the future, which are not on the October 21, 2013 tax title list.

1. Prior to taking any land a certified letter shall be mailed to the record property owner and any tenants informing them of the town's plan to foreclose on the property. Owners shall be encouraged to meet with the T/C to work out a payment plan as described in

paragraph B.3. Property owners shall have ten working (10) days from the delivery date of the letter to enter into an agreement with the T/C.

2. Whenever fifteen (15) parcels or more can be taken through the land of low value process, the T/C shall commence the land of low value foreclosure process.

3. Whenever taxes and interest owed are at least $15,000.00 or the properties have been in tax title for more than three years, the town shall foreclose unless the property owner has entered into a payment agreement with the T/C. Said payment agreement shall, at a minimum, require property owners to stay current on the most recent tax bills and pay back the amount owed within three years. If a taxpayer misses a current tax bill payment or misses a payment plan payment the town shall immediately start foreclosure proceedings. A foreclosure auction shall take place within 90 days of the foreclosure approval. Land and buildings acquired by foreclosure shall be added to the town's insurance policy until it is disposed of through foreclosure auction.

4. The T/C shall provide a quarterly report to the Board of Selectmen identifying the parcels in tax title and under consideration for foreclosure and which shall note those parcels under imminent schedule for foreclosure.