

## **PURCHASING AN ASSIGNMENT/TAX LIEN**

### **August (1<sup>st</sup> Working Day)**

County attaches tax liens on first working day of August

### **August 15<sup>th</sup>**

Notice of Pending Assignment must be sent by certified mail and postmarked no earlier than August 15<sup>th</sup> to purchase an assignment.

Notice is sent to owner of record at mailing address of record.

Notice cannot be sent earlier than August 15<sup>th</sup>.

See MCA 15-17-323 for more information

Please provide the following to our office:

Certified mailing receipt copies and copies of the Notice of Pending Assignment

Payment (cash, check or cashier's check) for taxes, penalties and interest and the assignment fee of \$50.00.

### **August 30**

First day most tax year assignments can be purchased

If there are multiple requests for the same parcel pursuant to Resolution the Assignments will be awarded as follows:

- Request for assignment that are received will be processed for priority purposes by date of receipt. Postmark dates will be further used to determine priority items of mail received in the same batch.
- Requests for assignments that are delivered in person will be deemed received at the time of delivery.
- As a last resort, the names of the parties will be written on papers, and blindly drawn for by the Clerk and Recorder in the presence of the County Treasurer.

## **PAYMENT OF SUBSEQUENT DELINQUENT TAXES ON ASSIGNED PARCELS**

### **June 1 – July 30**

On existing assignments, lienholders can pay the current year delinquent taxes.

This is the only time this can be done.

Paying subsequent taxes adds the taxes to the existing assignment.

The subsequent tax payment includes penalties and interest as of the date of the payment.

If the property has Property Tax Assistance subsequent taxes can be paid

June 21 – July 30.

If the subsequent taxes are not paid, the county attaches a tax lien, which can be purchased by anyone as a separate assignment.

The lienholder of the oldest assignment will have to pay off any newer assignments when purchasing a Tax Deed or submitting a Tax Deed Application

### **FINAL YEAR OF REDEMPTION PERIOD**

#### **Deed or Auction?**

If the parcel has an **owner-occupied residential dwelling**, it will be auctioned  
Any other parcels go to tax deed

#### **January**

County sends a Notice of Obligation to each lienholder  
Reminds lienholders of responsibilities and deadlines during the year to take the tax lien to auction or deed  
County sends different Notices of Obligation for auction and deed properties  
See MCA 15-18-212(3)(a) & 15-18-219(6)(a)

#### **February -April**

Lienholder should have a title company perform a Litigation Guarantee  
Lienholder should submit paid receipts for Litigation Guarantee to our office to add to the cost of the assignment.

#### **May 1 – 30**

##### **Notice that a Tax Deed May be Issued**

Must be published in a newspaper that meets the requirements of MCA 7-1-2121 twice, with at least six days separating each publication  
Must be mailed certified, return receipt requested, to all parties listed on the litigation guarantee  
Notice must be in the form required by MCA 15-18-215(1) for auction properties and 15-18-215(2) for deed properties  
Submit paid receipts for both publishing and mailing to our office to add the cost to the assignment.  
For more information see MCA 15-18-212(1) & 15-18-219(4)(a)

##### **Within 30 Days After May Notice Mailed and Published**

Proof of Notice **MUST** be filed in the Clerk & Recorder's Office within 30 days of mailing and publishing of first notice.  
Must be in form required by MCA 15-18-216  
For more information see MCA 15-18-212(7) and 15-18-219(6)(c)

## **July**

Any tax liens in the final year of the redemption period that have not had a Proof of Notice filed in the Clerk & Recorder's office will be cancelled

See MCA 15-18-212(3)(b) & 15-18-219(6)(b)

If possible the Sheriff's office will personally hand-deliver copies of the Notice that a Tax Deed May be Issued to the owner occupied residential properties

## **August**

1st Working Day

Last day of redemption period

After 1<sup>st</sup> Working Day

### **Deed Properties**

County issues lienholder a tax deed

Tax Deed fee is \$25.00 and Clerk & Recorder fee is \$8.00 per page

Legal fees incurred by lienholder are not considered a tax lien cost and are not added to the tax lien

County recommends after a lienholder receives a tax deed that they pursue quiet title action.

### **Auction Properties**

Lienholder completes an application for tax deed

Application must be submitted by August 5<sup>th</sup> or next business day

The following amounts must be paid when submitting an application

Application fee                      \$25.00

Any non-assigned taxes

Any other tax assignments

Sheriff fee

County publishes notice of auction within 30 day of submitted application

County holds an auction within 60 days of submitted application

Opening bid cannot be lowered and must include the following:

Amount required to redeem the tax lien

Amount paid by lienholder when submitting Tax Deed Application

Tax Deed fee (\$25.00) and Clerk and Recorder fee (\$8.00 per page)

Half the assessed value of the property OR half the appraised value from an Independent appraisal.

Appraisal must be submitted to the Treasurer's Office, conducted within 6 months of the auction and must meet the Standards set by the Montana Board of Real Estate Appraisers.

Winning bidders who aren't the lienholder must post a deposit of 5% of the bid or \$200.00, whichever is greater at the time of the sale.

Winning bidder must make full payment by cash or cashier's check, including auction costs, within 24 hours.

For more information please see MCA 15-18-219 through 15-18-221.