

Adopted 2-5-2013

TOWN OF CASCO

POLICY FOR THE DISPOSITION OF TAX-ACQUIRED PROPERTY

General

1. The purpose of this policy is to establish procedures for the management, administration and disposition of real property acquired by reason of non-payment of taxes by the Town of Casco in accordance with Title 36 M.R.S.A. Sections 942 and 943, as amended. Nothing in this policy shall be interpreted to give additional substantive or procedural rights to owners of properties forfeited for non-payment of taxes.

Management of Tax-Acquired Property Pending Final Disposition

1. When the lien certificate is filed in the registry on Real or Personal property, a copy of this policy will be forwarded to the taxpayer. Then, following the foreclosure of the real estate tax lien mortgage, the municipal Treasurer shall notify the last known owner of record that his or her right to redeem the property has expired. The notification shall advise the last known owner of record that the real estate property will be disposed of in accordance with this policy, a copy of which shall be included with the notification.

2. The municipal Treasurer shall annually prepare a list of properties acquired and forward a copy to the Selectboard. Based on information readily available, this list shall label the properties into four categories:

- a. Residential/Owner occupied

- b. Residential/Non-owner occupied

- c. Vacant Land

d. Commercial/Industrial

3. The responsibility for the management of tax-acquired property rests with the Selectboard. Pending the Selectboard decision regarding the final disposition of property, the Selectboard and Town Manager shall:

a. determine in light of potential liability inherent in owning the property whether the Town's best interest would be served by immediately disposing of the property or disposing of the property at such times as the Selectboard and Town Manager deem advisable without regard to any other provisions of this policy, and/or

b. determine and obtain, if necessary, insurance in the amount required to protect the Town's interest in the property and to protect the Town from liability; and/or

c. determine if and when any occupants of tax-acquired property shall be required to vacate the property, and/or

d. choose to meet with the delinquent taxpayer to determine a repayment plan.

4. In the event the property is vacated for sixty (60) consecutive days, the Town Manager shall obtain liability coverage for the property.

Review of Tax-Acquired Properties

1. Any interested Department or Committee may make recommendations to the Town Manager regarding the disposition of property within thirty (30) days of the Selectboard receipt of the list of tax-

acquired properties from the Town Treasurer. The Town Manager shall coordinate and summarize those recommendations for each acquired property and categorize the recommendations as follows:

- a. **to sell the property with or without conditions; or**
 - i. **Conditions may include establishment of a minimum bid price of 15% to 65% of the assessed value at the discretion of the Selectboard.**
 - ii. **Conditions may include the establishment of certain deed restrictions concerning future use of the property or buildings thereon.**

b. to retain the property for a specified purpose; or

c. to retain the property on an interim basis if it is a single family residence occupied by the taxpayer and if the sale of the property would result in the taxpayer requesting general assistance. The term "occupied" as used in this paragraph includes persons in a nursing facility who realistically intends to return to their home. Any decision to retain a property or to allow the taxpayer to remain in residence in the property during the period of the Town's ownership lies within the sole discretion of the Selectboard. Any such decision may be revised at any time, including determining that a sale of the property will occur.

2. The Town Manager shall forward the recommendations to the Selectboard which shall make the final determination regarding the final disposition of tax acquired property. The Selectboard shall also determine the conditions, if any, for sales of tax acquired property.

Property to be Retained

1. If the Selectboard deems it to be in the Town's best interest, it may order that the tax-acquired property be retained by the Town for a specific purpose. By way of example, but not limitation, the Selectboard may deem it to be in the Town's best interest to retain the property where:

a. the property has or will have recreational value or economic value to the Town; or

b. the property has or will have potential use as a public facility or as an addition to a public facility.

2. If the property is retained, the Selectboard may pursue an action for equitable relief in accordance with the provisions of Title 36 M.R.S.A. Section 946, if desirable.

3. The Selectboard shall cause the tax-acquired property retained to be managed and insured as it would other municipal property.