



## AGENDA ITEM SUMMARY FORM

**MEETING DATE:** 7/8/24

**PREPARED BY:** Linda Kunath, Finance Director/Treasurer

**AGENDA ITEM CONTENT:** Accelerated Tax Foreclosure Resolution

**AGENDA ITEM SECTION:** Reports

**BUDGETED AMOUNT:**

**FUNDS REQUESTED:**


**FUND:**

**EXECUTIVE SUMMARY:**

The "Certification of Abandoned Property for Accelerated Forfeiture Act" (MCL 211.961) allows for property, with delinquent taxes and is certified abandoned by the local governing body, to enter an accelerated foreclosure process in which the County Treasurer's Office can foreclose on the property 1-year earlier than the regular 3-year foreclosure process. The annual election of accelerating the tax foreclosure process can be a useful tool to expedite removal of abandoned property and to reduce blight. A resolution for certification of abandoned property for accelerated forfeiture act is included for your review and approval consideration.

**RECOMMENDATION:**

Staff recommends that Council approve the resolution for Certification of Abandoned Property for Accelerated Forfeiture Act.

	<b>CITY OF MADISON HEIGHTS</b>	
	300 WEST 13 MILE ROAD, MADISON HEIGHTS, MI 48071	
	<b>FINANCE/TREASURER DEPARTMENT</b>	
	Linda A. Kunath,	(248) 837-2639
	Finance Director/Treasurer	LindaKunath@Madison-Heights.org
	<b>MEMORANDUM</b>	

**DATE:** July 1, 2024

**TO:** Melissa Marsh, City Manager

**FROM:** Linda A. Kunath, Finance Director/Treasurer

**SUBJECT:** Accelerated Tax Foreclosure Resolution

The "Certification of Abandoned Property for Accelerated Forfeiture Act" allows for property, with delinquent taxes and is certified abandoned by the local governing body, to enter an accelerated foreclosure process in which the County Treasurer's Office can foreclose on the property 1-year earlier than the regular 3-year foreclosure process. Accelerating the tax foreclosure process can be a useful tool to expedite removal of abandoned property and to reduce blight.

The annual accelerated foreclosure process can only be initiated if the local governing body adopts a resolution by October 1, 2024 and notifies the County Treasurer's Office of the property in question before June 1, 2025. Oakland County tells the City that adoption of a "declaration of accelerated forfeiture of abandoned property" resolution does not bind the City to any action; rather it simply reserves the City's right to pursue accelerated foreclosure on a property deemed abandoned, if the City chooses. A resolution for certification of abandoned property for accelerated forfeiture act is included for your review and approval consideration.

Staff recommends that Council approve the resolution for Certification of Abandoned Property for Accelerated Forfeiture Act.

**RESOLUTION FOR CERTIFICATION OF ABANDONED PROPERTY FOR ACCELERATED  
FORFEITURE ACT (PUBLIC ACT 132 OF 1999)**

**WHEREAS**, the governing body for the City of Madison Heights determines that parcels of abandoned tax delinquent property exist;

**WHEREAS**, abandoned tax delinquent property contributes to crime, blight, and decay within the City of Madison Heights;

**WHEREAS**, the certification of tax delinquent abandoned property as Certified Abandoned Property will result in the accelerated forfeiture and foreclosure of certified property under the General Property Tax Act and return abandoned property to productive use more rapidly, thereby reducing crime, blight, and decay within the City of Madison Heights.

**BE IT RESOLVED** that the City of Madison Heights City Council hereby notifies residents and owners of property within the City of Madison Heights that abandoned tax delinquent property will be identified and inspected and may be certified as Certified Abandoned Property under the certification of the Foreclosure under the General Property Tax Act.

Voting Yea:

Voting Nay:

Absent:

Motion

**CERTIFICATION:**

I, Cheryl E. Rottmann, the duly appointed City Clerk of the City of Madison Heights, County of Oakland, State of Michigan, do hereby certify that the foregoing is a resolution adopted by the Madison Heights City Council at their Regular Meeting held on July 8, 2024.

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Cheryl E. Rottmann  
City Clerk



1200 N. Telegraph Road, Dept. 479  
Pontiac, MI 48341-0479  
(248) 858-0611  
oakgov.com/treasurer

Robert Wittenberg, Treasurer

Jody Weissler DeFoe, Chief Deputy  
Treasurer

TO: All Oakland County Cities, Villages, and Townships

FROM: Robert Wittenberg  
Oakland County Treasurer

DATE: July 2024

RE: **Accelerated Tax Foreclosure Process**

I am writing to remind you of the accelerated tax foreclosure process which can be a useful tool to expedite removal of abandoned property in your community and reduce blight. The "Certification of Abandoned Property for Accelerated Forfeiture Act" (MCL 211.961) allows for property with delinquent taxes and certified abandoned by the local governing body to enter an accelerated foreclosure process in which the County Treasurer's Office can foreclose on the property 1 year earlier than the regular 3-year foreclosure process.

As you likely know, our office devotes a significant amount of energy to helping taxpayers avoid tax foreclosure using repayment plans and leveraging outside resources, among other strategies. Our team believes that helping keep families in their homes prevents damage to neighborhoods and property values and is in the best interest of our shared constituents. I have no doubt that you share a similar commitment. However, properties that are abandoned and neglected can become a liability to the community as they progress through the state-mandated 3-year foreclosure process.

**The accelerated foreclosure process can only be initiated if the local governing body (city council/ commission or township board) adopts a resolution by October 1, 2024 and notifies the County Treasurer's Office of the property in question before June 1, 2025.**

The timeline for the 2024 tax year set forth by the act is:

- By October 1, 2024 – Pass "declaration of accelerated forfeiture of abandoned property" resolution (sample language is described in MCL 211.963)
- By February 1, 2025 –
  - Inspect property, determine it is abandoned, and
  - Post notice as described in section 211.964 Sec 4 (1) (B), and
  - Send copy of notice through first-class mail to owner or taxpayer of record
- March 1, 2025 - Return delinquent taxes to Oakland County

- By June 1, 2025 – Notify Oakland County Treasurer’s office of property that was certified abandoned
- By June 15, 2025– Oakland County Treasurer’s office files petition for forfeiture
- March 31, 2026 – Last day for 2024 taxes to be paid

**Adoption of a “declaration of accelerated forfeiture of abandoned property” resolution does not bind your community to any action; rather it simply reserves your right to pursue accelerated foreclosure on a property you deem abandoned if you choose.**

We can provide sample resolutions and postings that have been utilized in other Michigan communities. If our team can answer any questions or provide any assistance in this regard, please contact us directly.