S T A T E O F N E W Y O R K

5208

2009-2010 Regular Sessions

I N A S S E M B L Y

February 11, 2009

Introduced by M. of A. GUNTHER -- read once and referred to the Committee on Cities

AN ACT authorizing the city of Middletown, county of Orange, to enter into a contract and sell some or all of its delinquent tax liens held by such city to a private party; and providing for the repeal of such provisions upon expiration thereof

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Notwithstanding any provision of any general, special or local law to the contrary, the city of Middletown, county of Orange, shall have the right to enter into a contract to sell some or all of its delinquent tax liens held by such city to a private party, subject to the following conditions:

(a) The consideration to be paid may be more or less than the face amount of the tax liens sold.

(b) The city of Middletown, county of Orange, shall set the terms and conditions of the contract of sale and all prior contracts of sale shall be deemed valid and shall be enforced under this act.

(c) The city of Middletown, county of Orange, shall provide property owners with at least thirty days advance notice of such sale in the same form and manner as is provided by subdivision 2 of section 1190 of the real property tax law and shall be done by regular mail to the last known address. Failure to provide such notice by the city of Middletown shall not in any way affect the validity of any such sale of a tax lien or tax liens or the validity of the taxes or interest prescribed by law with respect thereto.

(d) The sale of a tax lien pursuant to this act shall not operate to shorten the otherwise applicable redemption period or change the otherwise applicable interest rate.

(e) Upon the expiration of the redemption period prescribed by law, the purchaser of a delinquent tax lien, or its successors or assigns,

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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may foreclose the lien as in an action to foreclose a mortgage as provided in section 1194 of the real property tax law. The procedure in such action shall be the procedure prescribed by article 13 of the real property actions and proceedings law for the foreclosure of mortgages. At any time following the commencement of an action to foreclose a lien, the amount required to redeem the lien, or the amount received upon sale of a property, shall include attorney's fees, court costs, title fees, service of process fees, and other disbursements allowed by a court of competent jurisdiction upon the filing of said court with proof of said expenses.

(f) The provisions of title 5 of article 11 of the real property tax law shall apply so far as is practicable to a contract for the sale of tax liens pursuant to this act.

S 2. This act shall take effect immediately and shall expire and be deemed repealed on December 31, 2012.