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COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE

October 25, 2016

The Honorable
Erie County Legislature
92 Franklin Street – Fourth Floor
Buffalo, New York 14202

Re: Purchase of 2016 Tax Lien Certificates

Dear Honorable Members:

Please find enclosed for your approval, a resolution authorizing the Director of Real Property Tax Services to purchase 2016 Tax Lien Certificates on behalf of the County.

If you require further information, please contact Joseph Maciejewski, Department of Real Property Tax Services. Thank you for your consideration on this matter.

Sincerely,

Mark C. Poloncarz, Esq.
Erie County Executive

MEMORANDUM

To: Honorable Members of the Erie County Legislature
From: Department of Real Property Tax Services
Re: Purchase of 2016 Tax Lien Certificates
Date: October 25, 2016

SUMMARY

Approval is requested of a resolution authorizing the Director of Real Property Tax Services to purchase 2016 Tax Lien Certificates on behalf of the County.

FISCAL IMPLICATIONS

Positive for Erie County. The purchase of the unpaid taxes and the creation of a Tax Lien Certificate place the County of Erie in first position in redemption of such Tax Lien Certificates with interest.

REASONS FOR RECOMMENDATION

Erie County will be able to collect and foreclose previous taxes owed on unpaid tax liens.

BACKGROUND INFORMATION

Pursuant to Section 7-6.0 of the Erie County Tax Act, in each of the past fifty -five (56) years, the County of Erie, each November, bids for and purchases every available Tax Certificate upon real estate for which current year real property taxes then remain unpaid.

CONSEQUENCES OF NEGATIVE ACTION

The County of Erie will not be allowed to purchase the unpaid taxes and potentially carry out a foreclosure action on the tax lien.

STEPS FOLLOWING APPROVAL

Notice of Sale of Tax Liens is published in the newspaper and the sale will be held and completed on Friday, November 25, 2016.

A RESOLUTION SUBMITTED BY:
REAL PROPERTY TAX SERVICES

Re: Purchase of 2016 Tax Lien Certificates

WHEREAS, pursuant to Section 7-6.0 of the Erie County Tax Act, as well as specific direction of resolutions adopted by the Erie County Legislature in each of the past fifty -five (56) years, the County of Erie, each November, bids for and purchases every available Tax Certificate upon real estate for which current year real property taxes then remain unpaid; and

WHEREAS, the collection of delinquent real property taxes under this procedure has been satisfactory, potentially leading, absent redemption, to the commencement of an *in rem* tax foreclosure action against the affected properties by the County; and

WHEREAS, it is recommended that your Honorable Body direct the Director of Real Property Tax Services to bid and purchase for the County of Erie, its bid being preferred over all other offers, every 2016 Tax Certificate upon real estate for which current year real property taxes remain unpaid as of November 25, 2016, the scheduled tax sale date for 2016 Tax Certificates.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Article VII of the Erie County Tax Act, the Director of Real Property Tax Services be, and hereby is, authorized to bid for and purchase, on behalf of the County of Erie, all Tax Certificates upon real estate in Erie County for which 2016 real property taxes have not been paid; and be it further

RESOLVED, that certified copies of this resolution be transmitted to the County Executive, Joseph L. Maciejewski, Director of Real Property Tax Services, the Director of Budget and Management, the County Comptroller and County Attorney.