



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(Revised March 2016)

Board Clerk Use Only

Meeting Date: 10/13/16
Agenda Item #: R.5
Est. Start Time: 9:55 am approx
Date Submitted: 9/28/16

Agenda Title: **Board ORDER Declaring certain Tax Foreclosed Properties Subject to Waste and Directing the Tax Collector to issue a Deed to the County.**

Note: Title should not be more than 2 lines but sufficient to describe the action requested. Title on APR must match title on Ordinance, Resolution, Order or Proclamation.

Requested Meeting Date: October 13, 2016 **Time Needed:** 20 minutes
Department: County Management **Division:** Assessment, Recording and Taxation/Tax Collector
Contact(s): Richard Teague
Phone: 503-988-7643 **Ext.** 87643 **I/O Address:** 503/1/Tax Collector

Presenter Name(s) & Title(s): Michael Vaughn, Division Director

General Information

1. What action are you requesting from the Board?

- (1) To adopt the findings and recommendation of the Director of Assessment, Recording and Taxation with respect to certain tax foreclosed properties in redemption;
- (2) determine whether said properties are subject to waste and therefore, as authorized under ORS 312.122, order the following:
 - that the redemption period be expedited to a 30-day redemption period,
 - that the rights of the owners be forfeited upon the expiration of the redemption period;
 - and direct the Tax Collector to issue a Deed to County for each of the properties after the shortened redemption period.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

For purposes of efficiency, the County issued written notice, some of which were dated May 19th, 2016, June 2nd, 2016 and June 17th, 2016, to the owners and interested parties as required under both ORS 312.122 and ORS 312.125, advising of the expiration of the redemption period for the following tax foreclosed properties (the Properties), R115539, R145064, R171867, R186368 and R336601. The notice explained that the properties have been foreclosed upon for delinquent taxes by a proper judgment of the Multnomah County

Circuit Court, dated October 23, 2015; and unless the properties were redeemed by October 23, 2017, the Properties would be deeded to the County.

In addition, the notice stated that the redemption period could be reduced to 30 days if the County's Division of Assessment, Recording and Taxation Director (Director) determined that the properties were subjected to waste. Per ORS 312.122 and Multnomah County Code Sections (MCC) 7.421-7.425 individual hearings were set for June 27, July 11 and July 25, 2016 to determine whether the properties were subjected to waste. Notice was provided to all interested parties and explained that the hearing was their opportunity to be heard and present information. The notice also stated that after the hearing the Director would prepare written findings and submit such findings and a recommendation to the Board.

At the hearings, evidence and testimony was presented by the County establishing that the properties were subject to waste as defined in MCC § 7.422. The recommendation to the Multnomah County Board is that the Properties be declared subject to waste, that the statutory redemption period be reduced from two years to 30 days per ORS 312.122, that the owners' right of possession is forfeited following the 30-day redemption period; and to direct the Tax Collector to deed the Properties to the County after expiration of the 30-day redemption period if not sooner redeemed

3. Explain the fiscal impact (current year and ongoing).

During the two year redemption period if a property is subject to waste, there is loss of value for the property. Waste also contributes to the decline of neighborhoods, discourages investment and attracts nuisances through the accumulation of discarded material, occupancy by unauthorized persons and potential criminal activities on site. In addition, the County incurs costs of managing the property once it has been foreclosed upon and is the responsibility of the County.

4. Explain any legal and/or policy issues involved.

See the discussion in No.2 above.

5. Explain any citizen and/or other government participation that has or will take place.

The interests of the County, through protection of the health and welfare of its residents and preserving the value of tax foreclosed properties, require that this ordinance be enacted as an emergency measure to meet and address the issues resulting from properties that are subjected to waste.

Required Signature

**Elected
Official or
Department
Director:**

Marissa Madrigal /s/

Date: September 28, 2016