



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(Revised: 6/24/13)

Board Clerk Use Only

Meeting Date:	<u>7/11/13</u>
Agenda Item #:	<u>R.5</u>
Est. Start Time:	<u>10:10 am</u>
Date Submitted:	<u>6/27/13</u>

Agenda Title: **ORDER Declaring a Certain Tax Foreclosed Property 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: ??? **Time Needed:** 5 minutes
Department: County Management **Division:** Assessment, Recording and Taxation / Tax Collector
Contact(s): Gary Bartholomew
Phone: 503-988-5833 **Ext.** 85833 **I/O Address:** 503/1/Tax Collector
Presenter Name(s) & Title(s): Randy Walruff, Division Director

General Information

1. What action are you requesting from the Board?

To adopt the findings and recommendation of the Director of Assessment and Taxation, with respect to a certain tax foreclosed property in redemption is subject to waste, and to determine said property is subject to waste and therefore as authorized under applicable law, order that the redemption period be expedited to end in 30 days, that the rights of the owner be forfeited and direct the Tax Collector to issue a Deed to Multnomah County (County) for the property 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.

The County issued written Notice dated June 13, 2012, to the owner and interested parties as required under ORS 312.125, advising of the expiration of the redemption period for tax foreclosed property R144012 (the Property). The June 13th Notice explained the Property has been foreclosed for delinquent taxes by a proper judgment in the Circuit Court entered on September 21, 2011; and unless redeemed by September 20, 2013, the Property will be deeded to the County.

On February 8, 2013, a Notice of Hearing was sent to the owner and interested parties that superseded the June 13, 2012 Notice. This Notice stated that the County's Division of Assessment, Recording and Taxation Director (Director) has determined that the Property may suffer from waste or abandonment, and per ORS 312.122 and Multnomah County

Code Sections (MCC) 7.421-7.426, set the matter for a hearing on April 2, 2013 to determine whether the redemption period should be reduced. The Notice stated to all interested parties that the hearing gives them or their representative the opportunity to be heard and present information at this hearing. The Notice stated after the hearing the Director will prepare written findings and submit such findings and a recommendation to the Board.

At the hearing held April 2, 2013, the evidence and testimony presented by the County established that the improvements at the property were deteriorated and that the owner had caused this deterioration of the improvements by failing to address the cited conditions.

The recommendation to the Multnomah County Board is that the Property is declared subject to waste; that the owner's right of possession is forfeited; and to direct the Tax Collector to deed the property to the County after expiration of a period of 30 days 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; but as well it contributes to the decline of neighborhoods, discouraging investment and attracting nuisances through accumulation of discarded material, occupancy by unauthorized persons and potential criminal activities on site. In addition, the County incurs more cost in management of a tax foreclosed property once the County does take title, if it has been subject to waste for an extended period of time.

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 effectively deal with the problems attendant in the foreclosure of tax delinquent properties.

Required Signature

**Elected
Official or
Department**

Director: Karyne Kieta /s/ **Date:** 6/27/13

Note: Please submit electronically. Insert names of your approvers followed by /s/ - we no longer use actual signatures. Please insert date approved.