



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(Revised March 2016)

Board Clerk Use Only

Meeting Date: 1/12/17
Agenda Item #: C.4
Est. Start Time: 9:30 am
Date Submitted: 12/20/16

Agenda Title: **Resolution Authorizing the Repurchase of Tax Foreclosed Property by the Former Owner, Casa Milagras LLC, a Dissolved Oregon Limited Liability Company**

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: Next Available Agenda **Time Needed:** Consent

Department: County Management **Division:** Assessment, Recording and Taxation/Tax Title

Contact(s): Mike Sublett

Phone: 503-988-9824 **Ext.** 89824 **I/O Address:** 503/1

Presenter

Name(s) &

Title(s): NA

General Information

1. What action are you requesting from the Board?

The Assessor is requesting the Board approve the repurchase of certain tax foreclosed property (Tax Account Nos. R611223 and R611224) by the former owners, Casa Milagras LLC, a dissolved Oregon limited liability company.

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.

Casa Milagras LLC is the former owner of certain tax foreclosed real property located at the Casa Milagras Condominiums located at 5515 SE Cleveland Ave., Portland, OR 97211. These two garage units were part of four garage units that were foreclosed on for delinquent property taxes and came into County ownership on September 23, 2016. The Properties are more particularly described in the proposed deed attached to the Resolution as Exhibit A.

A demand to vacate letter was sent to Casa Milagras LLC on September 26, 2016. Casa Milagras LLC was dissolved in 2008, however, their registered agent Cathleen Walker, contacted the County to request on behalf of the former owner to repurchase the Properties. On December 9, 2016, the Board approved the repurchase by the former owner of two of the garage units after the former owner paid all back taxes, interest, and

expenses. The Properties are the two remaining units in County ownership. If approved, the former owner will have repurchased all four foreclosed units.

It would be in the best public interest to allow the former owner Casa Milagras LLC, even though it is now dissolved, to repurchase the Properties, because the appropriate parties acting on behalf of Casa Milagras LLC have authority under ORS 60.637 and ORS 63.637 to “wind up” the dissolved entity’s affairs and obligations. The ability under State law of the former owner to repurchase tax foreclosed property is likely to be found as an act consistent with such authority under ORS 60.637, which allows a dissolved LLC to dispose of certain organization properties and winding up company affairs.

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

The repurchase is consistent with State Law and Multnomah County Code as the price is consistent with Multnomah County Code § 7.402 Repurchase Policy and is based upon the amount of current and delinquent property taxes, interest, penalties and expenses. Expenses include costs of maintenance or nuisance abatement and administrative expenses which include, but not be limited to, title searches, expense of document preparation and recording fees. The repurchase will result in approximately \$5,180.32 in sales revenue in the current year. As of January 1, 2016, all net revenues are credited to a subfund of the General Fund (10030 TT: Aff Housing) dedicated to affordable housing for families with children and youth as revised in ORS 275.275. The sale will also reinstate the property to the tax roll.

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

Pursuant to MCC 7.402, the County, in its sole discretion, may decide to sell and convey tax foreclosed property to the former owner of record. If the County chooses to sell the property to the former owner of record, the repurchase price shall be the sum of current and delinquent property taxes, interest, penalties and expenses as described in MCC 7.402(B)(1).

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

No municipal liens have been identified. No further participation is expected.

Required Signature

**Elected
Official or
Department
Director:**

Marissa Madrigal /s/

Date:

December 20, 2016