

No. 1979-109

AN ACT

SB 224

Amending the act of July 5, 1947 (P.L.1258, No.514), entitled "An act authorizing and empowering city treasurers of cities of the second class to sell at public sale, lands or real estate upon which the taxes, assessed and levied by the city or school district, are delinquent and unpaid; fixing the interests of all taxing authorities where such lands are purchased by the city; providing for the distribution of moneys received as income from or resale of such lands; and providing for a method of reselling such lands purchased, by the city or by the city and school district within said city, at any sale for the nonpayment of taxes, free and clear of all mortgages, ground rents, interest in or claims against said lands," providing for the collection of municipal claims and liens, changing the periods for advertisement and redemption and establishing additional methods of perfecting title and selling property acquired by treasurer's sales.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Sections 1, 2 and 3, act of July 5, 1947 (P.L.1258, No.514), entitled "An act authorizing and empowering city treasurers of cities of the second class to sell at public sale, lands or real estate upon which the taxes, assessed and levied by the city or school district, are delinquent and unpaid; fixing the interests of all taxing authorities where such lands are purchased by the city; providing for the distribution of moneys received as income from or resale of such lands; and providing for a method of reselling such lands purchased, by the city or by the city and school district within said city, at any sale for the nonpayment of taxes, free and clear of all mortgages, ground rents, interest in or claims against said lands," amended May 3, 1968 (P.L.109, No.57), are amended to read:

Section 1. In addition to the remedies now provided by law for the collection of delinquent city taxes, water rents **[and]**, sewage service charges, *or municipal claims and liens* the city treasurers of cities of the second class of this Commonwealth are hereby authorized and empowered to sell at public sale, in the manner hereinafter provided, property upon which the taxes, assessed and levied, or the water rents **[and]**, sewage service charges imposed, *or municipal claims and liens* have not been paid and have become delinquent. Such sales **[shall] may** be made on the first **[Monday in June in the year succeeding the year in which the respective taxes are assessed and levied, or the water rents and sewage service charges imposed, or on any day to which such sale may be adjourned, or on any first Monday of June in any succeeding year.] Monday in March, June, September and December in the year succeeding the year in which the respective taxes are assessed and levied, or the water rents and sewage service charges imposed, or municipal claims and liens charged, or on any day to which such sales may be adjourned, or on any first Monday of March, June, September and December in any succeeding year.** The term

“sewage service charges” used in this act shall include charges imposed by cities of the second class or charges imposed by a municipal authority for which cities of the second class become liable on failure of property owner to make payment.

Section 2. Where the respective treasurer has not already in his hands, the duplicates of said taxes, water rents **[and]**, sewage service charges **and municipal claims and liens** or certificates or schedules thereof, it shall be the duty of any receiver or collector of taxes, or other person having such delinquent taxes, water rents **[and]**, sewage service charges **and municipal claims and liens** in his hands, to certify to the said city treasurer schedules of all unpaid taxes, water rents **[and]**, sewage service charges **and municipal claims and liens**, with descriptions of the property assessed, or as to which water rents **[and]**, sewage service charges **and municipal claims and liens** have been imposed, and it shall be the duty of the city treasurer to advertise for sale all the lands upon which it appears the taxes, water rents **[and]**, sewage service charges **and municipal claims and liens** have not been paid as shown by the duplicates in his hands, or by the returns, or schedules certified to him as aforesaid. Said advertisement shall be made once a week for **[three] two** successive weeks prior to the day of sale in at least **[two newspapers] one newspaper** of general circulation, **said newspaper may be either a daily or weekly publication**, and in the legal newspaper printed and published in the respective city. The treasurer shall also cause to be posted or tacked in a conspicuous place on each parcel or lot of land, advertised for sale, at least ten days prior to the day of sale, a notice stating that said lands will be sold by said treasurer for delinquent taxes, water rents or sewage service charges **or municipal claims and liens** on a certain day and time and at a certain place within the city, for which posting of notice he shall receive and tax as costs one dollar. **The treasurer shall also send by certified mail return receipt requested a letter to the property owner at the address as listed in the records of the Board of Property Assessment Appeals and Review. The mailing of said notice shall constitute service upon the property owner.** No sale shall be valid where the taxes, water rents or sewage service charges **or municipal claims and liens** have been paid prior to said advertisement or where the taxes, water rents or sewage service charges **or municipal claims and liens** and costs have been paid after advertisement and before sale.

Section 3. The lands sold under this act may be redeemed by the owner or by any one interested in said lands, at any time within **[one year] six months** after such sale, by the payment to the city treasurer of the full amount which the purchaser paid to said treasurer for taxes, water rents **[or]**, sewage service charges, **municipal claims and liens** and costs and ten per centum in addition thereto, and when the sale has been made for less than the taxes, water rents **[or]**, sewage service charges, **municipal claims and liens** and costs, the party redeeming shall pay to said treasurer the balance of taxes, water rents **[or]**, sewage service charges, **municipal claims and liens** and costs which were not made by the sale of the said property. In

case there are any city or school taxes, water rents [or], sewage service charges *or municipal claims and liens* levied or imposed, either before or after the said sale, which remain unpaid, the person redeeming shall pay the same and all penalties, interest and lien costs thereon, and in case the purchaser has paid any taxes, water rents [or], sewage service charges *or municipal claims and liens* of any kind whatsoever, assessed and levied or imposed against said property, the same shall be reimbursed to said purchaser before any redemption shall take effect. The said treasurer shall keep in his office a book or schedule in which he shall enter all the sales made by him, giving a description of each property sold, the name of the person as the owner thereof, as the same appears upon the duplicate or has been returned to him, the time of sale and the price at which sold, together with the cost. Each respective city shall have the right to bid at any such sale, the amount of taxes, water rents [or], sewage service charges, *municipal claims and liens* and costs and, if necessary, purchase such lands.

Section 2. The act is amended by adding sections to read:

Section 11.1. (a) In addition to the other methods for sale and perfection of title as set forth in this act, the city may, prior to treasurer's sale, notify by certified mail, return receipt requested, any person who has any mortgage, ground rent, right, title, interest in or claim against the land being sold requiring them to set forth their claim at treasurer's sale to acquire title or to take action to acquire property within six months through appropriate legal proceedings, anyone with any interest not setting forth their claim or interest shall waive all future interest, claim or security in said land.

(b) The treasurer shall file within six months after the sale, with the prothonotary or appropriate official, a list of all persons who were notified of the treasurer's sale. Upon the filing of said document, the prothonotary or appropriate official shall strike any interest, claim, mortgage, ground rent, right, title against said land any party has in said land.

Section 16.2. The city, upon notice to the other taxing bodies and if no objection is received by the city within thirty days, may sell all title and interest it or any taxing authority has in any sheriff's sale, treasurer's sale, or any sale for the nonpayment of taxes, water rents or sewage charges and held beyond the period of redemption in the same manner as land that the city has sole title and interest.

Section 3. This act shall take effect in 60 days.

APPROVED—The 13th day of December, A. D. 1979.

DICK THORNBURGH