

REDEMPTION OF ASSIGNMENTS

A tax lien assignment has been taken on a property. The assignee has provided the County Treasurer with a copy of the 2 week notice and a copy of the certified mail receipt showing the date the notice was mailed.

After the 2 weeks but within 60 days, the assignee sent a notarized affidavit certifying his cost to date along with a check to pay up the delinquent taxes and to purchase the assignment.

The **assignee** was sent a copy of the original tax lien sale certificate which shows the date the purchaser or assignee would be entitled to a tax deed, the assignment of rights, the paid tax receipt and a receipt for the assignment fee.

The paid taxes were marked as being paid under assignment.

The **owner/taxpayer** was sent a notice that a tax lien assignment had been taken on the property along with a copy of the assignment of rights.

The assignment is now being redeemed. The owner/taxpayer has now decided to redeem (buy back) the tax lien assignment from the assignee.

The owner/taxpayer will have to pay:

- ❖ all taxes
- ❖ penalty
- ❖ interest
- ❖ costs from receipts or a notarized affidavit that the assignee has given the County Treasurer that are covered in statute. If the assignee has not provided any receipts or affidavit of costs collect only the taxes, penalty and interest.

County Treasurer Process:

Calculate the amount needed to redeem the assignment for the taxpayer:

Assigned taxes including subsequent years
Assignment fee or redemption fee
Certified mailing costs
Abstract or title guarantee – if applicable
Costs associated with publishing of notices

Run a redemption receipt as of the date of the redemption. Make a copies of the redemption receipt for the following:

Taxpayer redeeming the lien

Clerk & Recorder to file or record (MCA 15-18-113)

Apply certificate of redemption to the bottom of the receipt—sign and stamp with treasurers seal.

Assignee – along with a copy of the treasurer’s disbursement and a check

Treasurer’s assignment folder

Receipt in the Assignment Funds

Receipt in the amount due for the redemption of the assignment on a A101 revenue receipt into the redemption fund. The amount receipted in should be the same amount as the redemption receipt. Make a copy for each of the following:

Clerk and Recorder

Office copy

Treasurers’ assignment folder

Disburse funds to the Assignee

Issue a treasurers disbursement to the assignee. The treasurer’s check should be the same amount that was receipted in on the A101 revenue receipt and the redemption receipt above. The treasurer’s disbursement document number should match the check number issued to the assignee.

Make 3 copies of the treasurer’s disbursement and distribute to:

Assignee along with treasure’rs check and copy of redemption receipt

Office copy

Treasurer’s assignment folder

Clerk & Recorder Process:

File or record the redemption receipt. (MCA 15-18-113)

Extra:

Who can redeem the tax lien?

Redemption of a property tax lien acquired at a tax lien sale or otherwise may be made by the owner, the holder of an unrecorded or improperly recorded interest, the occupant of the property, or any interested party. An "interested party" includes a mortgagee, vendor of a contract for deed or the vendor's successor in interest, lienholder, or other person who has a properly recorded interest in the property. A person who has an interest in property on which there is a property tax lien but which interest is not properly recorded is not an interested party.

When can a tax lien be redeemed?

Anytime within 36 months from the date of the first day of the tax lien sale or within 60 days following the giving of the notice required in [15-18-212](#), - the final tax deed notice - whichever is later.

Special payment options if the county holds the tax lien?

A tax lien may be redeemed for a particular tax year by a partial payment of that tax if the county holds the tax lien and it has NOT been assigned.

A taxpayer may pay current year taxes without paying delinquent taxes. The county treasurer shall accept a partial payment equal to the delinquent taxes, including penalty and interest, for one or more full tax years if taxes for both halves of the current tax year have been paid. Payment of taxes for delinquent taxes must be applied to the taxes that have been delinquent the longest. The payment of taxes for the current tax year is not a redemption of the property tax lien for any delinquent tax year.

Applicable MCA:

15-18-111. Time for redemption -- interested party. (1) Except as provided in subsection (2), redemption of a property tax lien acquired at a tax lien sale or otherwise may be made by the owner, the holder of an unrecorded or improperly recorded interest, the occupant of the property, or any interested party within 36 months from the date of the first day of the tax lien sale or within 60 days following the giving of the notice required in [15-18-212](#), whichever is later.

(2) For property subdivided as a residential or commercial lot upon which special improvement district assessments or rural special improvement district assessments are delinquent and upon which no habitable dwelling or commercial structure is situated, redemption of a property tax lien acquired at a tax lien sale or otherwise may be made by the owner, the holder of an unrecorded or improperly recorded interest, or any interested party within 24 months from the date of the first day of the tax lien sale or within 60 days following the giving of the notice required in [15-18-212](#), whichever is later.

(3) For the purposes of this chapter, an "interested party" includes a mortgagee, vendor of a contract for deed or the vendor's successor in interest, lienholder, or other person who has a properly recorded interest in the property. A person who has an interest in property on which there is a property tax lien but which interest is not properly recorded is not an interested party for the purposes of this chapter.

15-18-112. Redemption from property tax lien -- lien on interest in property for taxes paid.

(1) Except as provided in subsection (4), in all cases in which a property tax lien has been acquired, the purchaser may pay the subsequent taxes assessed against the property.

(2) Upon the redemption of the property from the property tax lien, the redemptioner shall, in addition to the amount for which the property tax lien was sold, including penalties, interest, and costs, pay the subsequent taxes assessed, with interest and penalty at the rate established for delinquent taxes in [15-16-102](#).

(3) An owner of less than all of the interest or a lienholder with an interest in real property who redeems a property tax lien on the property has a lien for the taxes paid on the interests of the property that are not owned by the redemptioner.

(4) The property tax lien may also be redeemed for a particular tax year by a partial payment of that tax year, as provided in [15-16-102](#)(5), if:

(a) the property tax lien for the year in which the partial payment is made is owned by the county; and

(b) the tax deed has not been issued pursuant to [15-18-211](#).

15-18-113. Treasurer to record redemptions. (1) Upon payment of all delinquent taxes, including penalties, interest, and costs, by the person to whom taxes were assessed or the person's agent to the county treasurer and refunded to the person listed as purchaser, as provided in [15-17-212](#)(1)(e), [15-17-213](#), or [15-17-214](#), or distributed, as provided in [15-18-114](#), the word "redeemed", the date, and the name of the redemptioner must be marked by the county treasurer on the tax lien sale certificate or in the record required in [15-17-214](#). Upon redemption, the county treasurer shall execute a certificate of redemption to be filed or recorded with the county clerk and recorder.

(2) The form of the certificate of redemption may be made as follows:

CERTIFICATE OF REDEMPTION

I,, the treasurer of County, certify the following:

1. For tax years (years), the taxes were delinquent on the following real property: (description of the property).

2. The tax lien on the property was sold on.....(date of the tax lien sale). Tax Lien Sale Certificate No. or Tax Lien Assignment No. (if applicable).

3. The tax lien was redeemed on (date of redemption) by the payment of:

Taxes

Penalty

Interest

Cost

Total

Receipt Number

4. The redemption was made by (name of redemptioner).

Date:

r

r Signature

15-18-114. Distribution of redemption proceeds. (1) When a property tax lien for which the county is listed as purchaser is redeemed, the money received from the redemption, including penalties and interest but not costs, must be distributed to the credit of the various funds to which the taxes would have originally been distributed and in the same proportion as the taxes would have originally been distributed.

(2) (a) When a property tax lien for which the recorded purchaser is other than the county is redeemed, the county treasurer shall distribute to the person listed as the purchaser on the tax lien sale certificate and in the record kept by the county treasurer the amount the purchaser paid the county for the property tax lien plus any subsequent amount paid pursuant to [15-18-112](#) plus interest, as specified in [15-16-102](#), from the date of payment until the date of redemption. Any money remaining after distributing redemption proceeds to the purchaser other than the county must be distributed pursuant to subsection (1).

(b) (i) The distribution must be made by certified mail, return receipt requested, by the county treasurer to the purchaser at the address listed on the tax lien sale certificate as provided in [15-17-212\(1\)\(e\)](#).

(ii) If the money distributed to the purchaser is returned unopened to the county treasurer, the treasurer shall publish once a week for 2 consecutive weeks in the official newspaper of the county a notice stating that:

(A) the county treasurer is in possession of money belonging to the purchaser for the redemption of the delinquency on the property named in the tax lien sale certificate;

(B) the money must be held by the county treasurer for a period of 1 year from the date of publication; and

(C) if the money is not claimed by the purchaser within the 1-year period, the purchaser relinquishes all claim to the money and the money must be credited to the county general fund.

(3) The publication required in subsection (2)(b)(ii) must be made at least annually, but the 1-year period described in subsection (2)(b)(ii)(B) may not begin until the date of publication.

(4) The county treasurer shall keep an accurate account of all money paid in redemption, including a separate accounting of other delinquent taxes, interest, penalties, and costs, and when and to whom distributed.

15-16-102. Time for payment -- penalty for delinquency. Unless suspended or canceled under the provisions of [10-1-606](#) or Title 15, chapter 24, part 17, all taxes levied and assessed in the state of Montana, except assessments made for special improvements in cities and towns payable under [15-16-103](#), are payable as follows:

(1) One-half of the taxes are payable on or before 5 p.m. on November 30 of each year or within 30 days after the tax notice is postmarked, whichever is later, and one-half are payable on or before 5 p.m. on May 31 of each year.

(2) Unless one-half of the taxes are paid on or before 5 p.m. on November 30 of each year or within 30 days after the tax notice is postmarked, whichever is later, the amount payable is delinquent and draws interest at the rate of 5/6 of 1% a month from and after the delinquency until paid and 2% must be added to the delinquent taxes as a penalty.

(3) All taxes due and not paid on or before 5 p.m. on May 31 of each year are delinquent and draw interest at the rate of 5/6 of 1% a month from and after the delinquency until paid, and 2% must be added to the delinquent taxes as a penalty.

(4) (a) If the date on which taxes are due falls on a holiday or Saturday, taxes may be paid without penalty or interest on or before 5 p.m. of the next business day in accordance with [1-1-307](#).

(b) If taxes on property qualifying under the property tax assistance program provided for in [15-6-305](#) are paid within 20 calendar days of the date on which the taxes are due, the taxes may

be paid without penalty or interest. If a tax payment is made later than 20 days after the taxes were due, the penalty must be paid and interest accrues from the date on which the taxes were due.

(5) (a) A taxpayer may pay current year taxes without paying delinquent taxes. The county treasurer shall accept a partial payment equal to the delinquent taxes, including penalty and interest, for one or more full tax years if taxes for both halves of the current tax year have been paid. Payment of taxes for delinquent taxes must be applied to the taxes that have been delinquent the longest. The payment of taxes for the current tax year is not a redemption of the property tax lien for any delinquent tax year.

(b) A payment by a co-owner of an undivided ownership interest that is subject to a separate assessment otherwise meeting the requirements of subsection (5)(a) is not a partial payment.

(6) The penalty and interest on delinquent assessment payments for specific parcels of land may be waived by resolution of the city council. A copy of the resolution must be certified to the county treasurer.

(7) If the department revises an assessment that results in an additional tax of \$5 or less, an additional tax is not owed and a new tax bill does not need to be prepared.

(8) The county treasurer may accept a partial payment of centrally assessed property taxes as provided in [76-3-207](#).

EXAMPLES

11/21/14
11:44:22

ROOSEVELT COUNTY
Roosevelt County Treasurer
Betty K. Romo
400 2nd Avenue South Suite 118
Redemption Receipt

Page:
Date Redm: 11/21/14
Tax ID: 392609244
Assn. #: 400238

Assigned to: PACIFIC LAND HOLDINGS LLC
Redeemed by: ANTHONY ROBERTS

Name & Address	TW Rang SC	Description
ROBERTS RAY P	27N/54E /03	ACRES 20, W2SENE UND 1/1134
ROBERTS RAY P		INT PATENT IN FEE
780 LOCUST ST		25-2011-0021
DENVER CO 80220-5367	27N/54E /09	ACRES 29.25, LOT 1 UND 1/189
		INT PATENT IN FEE
		25-2011-0014
	28N/54E /27	ACRES 200, N2NE SWNE S2NW
		UND 2/567 INT PATENT IN FEE
		25-2011-0009
		Geo: 3926-03-1-04-02-6011

Year	Tax Date	Tax Amount	Penalty	Interest	Total Amount
11	11/30/11	4.79	0.09	0.61	5.49
11	05/31/12	0.21	0.00	0.02	0.23
Total for 11		5.00	0.09	0.63	5.72
12	11/30/12	4.79	0.09	0.44	5.32
12	05/31/13	0.21	0.00	0.01	0.22
Total for 12		5.00	0.09	0.45	5.54
13	11/30/13	4.37	0.07	0.37	4.81
13	05/31/14	0.63	0.00	0.03	0.66
Total for 13		5.00	0.07	0.40	5.47
Total for all years		15.00	0.25	1.48	16.73

CERTIFICATE OF REDEMPTION

I, Betty K. Romo, the Treasurer of Roosevelt County, State of Montana, hereby certify that the following tax lien assignment has been redeemed.

Witness my hand and official seal of office this 21st day of November, 2014.

Betty K. Romo
Betty K. Romo
Roosevelt County Treasurer



Interest Amount on Assignment \$ 1.62

Costs:

Assignment Fee \$ 50.00

Certified Postage \$ 5.75

Total Costs \$ 55.75

Total Redemption \$ 74.10

406417 NOTICE Pages: 1
STATE OF MONTANA ROOSEVELT COUNTY
RECORDED: 11/21/2014 12:18 KOI: NOTICE
Cheryl A Hansen CLERK AND RECORDER
FEE: \$0.00 BY: *Jan Rankins deputy*
TO: ROOSEVELT COUNTY TREASURER

10773

ROOSEVELT COUNTY
 Roosevelt County Treasurer
 Betty K. Romo
 400 2nd Avenue South Suite 118
 A101 Receipt

Page: 1
 11/21/14
 11:53:59

Receipt #: A101 31103 Receipt \$: 74.10 Oper: dave
 Check #: 5469 Check \$ 74.10 Currency \$ 0.00 Coin \$ 0.00
 Receipt From: ANTHONY ROBERTS Posting Date: 11/21/14
 Receipt Desc.: REDEMPTION OF ASSIGNMENT TAKEN BY
 PACIFIC LAND HOLDINGS LLC-MICHAEL WOLFE
 TAX ID #392609244 ASSIGNMENT #400238

Receipt Type	Receipt \$	Fund	Account	For Internal Use			
				Cash/Proj.	Schl School	Schl Fund	Schl Acct Offset
REDEMPTION	74.10	7150	212500	101000			

11/21/14
 11:59:55

ROOSEVELT COUNTY
 Treasurers Disbursement Details
 For the Accounting Period: 11/14

Page: 1 of 1
 Report ID: L101

Doc #/ Line #	Vendor/ Invoice #/Description	Document \$ Line \$	Debit Fund Account	Object	Credit Account	Org	Project
13190	PACIFIC LAND HOLDINGS LLC-MICHAEL	74.10					
	REDEMPTION OF ASSINGMENT BY ANTHONY ROBERTS TAX ID# 392609244 ASSIGNMENT #400238						
1	REDEMPTION OF ASSIGNMNT 400238	74.10	7150 212500		101000		
	Total:	74.10					