



July 22, 2020
Revenue Interim Committee
Montana State Capitol
1301 E. 6th Avenue
Helena, MT 59601

RE: Overview of the Montana County Treasurer's Association

Good Morning Mr. Chair and Members of the Committee,

My name is Kevin Larkin and I have been in the Park County Treasurer's Office for the past 19 years and serving as the Treasurer for the past 15 years.

The Montana County Treasurers Association would like to take this opportunity to personally thank you for your service to the people and the State of Montana in your role as leaders and lawmakers of our Great State of Montana.

Our roll is a bit of a challenge as we not only work with our local governments, cities and towns, school districts, Fire Districts and Special districts (Soil & Water, TV, Irrigation ect.), but we also work very closely with state government. We are considered the frontline for Department of Justice (Motor Vehicle) DOR, and OPI.

I will highlight the process of Tax Liens and Tax Assignments followed by Roosevelt County Treasurer Betty Romo who will cover some specific concerns the Montana County Treasures Association has pertaining to SB253.

1. As of June 1st property taxes for the prior year become delinquent as taxes are collect 6 months in the rears. On or by the last Monday of June we MUST publish a notice in our local newspaper that if taxes are not paid in full by July 31st the county will attach a tax lien to the property and it may be assigned to a third party. If this is not done we are not able to proceed and would need to do two separate processes the following year.
2. By July 15th we MUST send a letter to each taxpayer stating if taxes are not paid by July 31st the county will attach a tax lien to the property and it may be assigned to a third party. The notice also MUST provide information pertaining to assistance programs available with DOR.
3. On the 1st day of August the county will attach a tax lien and prepare the tax lien certificate for all delinquent properties.
4. All created tax liens need to be FILED with the Clerk and Recorders office.
5. After the tax lien has been FILED you have to send another letter to the property owner letting them be aware the County has placed a lien on the property.
6. Another letter from the Treasurer's office is sent with an updated balance owing on the property.



7. August 15th is the first day any third party can mail out the Notice of Pending Assignment. No earlier.
8. If taxpayer has not paid the taxes any time after August 30th an assignment may be sold on a tax lien if all the proper notification has been done.
9. If an assignment has been taken by a third party the Treasurer Must send a copy to the property owner.
10. If an assignment has been taken the assignee can pay the next years taxes as a subsequent payment ONLY after June 1st. If the assignment is on a PTAP program they have to wait until after June 20th as PTAP's (personal property tax assistance) have an extra 20 day due date.
11. Each year the tax bill is made it references the property has an assignment or delinquency so the property owner is aware.
12. At any time the property owner(s), lien holder or a non-recorded interested party can request a payoff of the assignment and the costs. If they wish to pay it off the payment is send to the Treasurer to be processed and the lien release to be FILED with the Clerk and Recorder.
13. Between January 1st and January 31st the Treasurer SHALL notify the assignee of the obligation to give notice and MAY be sent by certified mail, return receipts requested to the assignee the address contained on the assignment certificate.
14. If the Notice of Obligation is not sent by the assignee and RECORDED by the Clerk and Recorders office the County Treasurer SHALL cancel the assignment process and the Assignee loses all their investment.
15. If the tax assignment has not been paid off, between May 1st and May 30th of the year in which the redemption period expires, a Notice of Obligation is mailed out to both the property owner and the assignee.
16. If property is not redeemed by expiration date of certificate and assignee has RECORDED proper processes the County Treasurer would then issue a TAX DEED. However with SB 253 this final process changes to an auction process in which the Roosevelt County Treasurer will speak on.

In closing, I feel the State of Montana has made every effort in safeguarding property owners from losing their property. In order for someone to lose their property it takes a maximum of 4 years being delinquent before the property is lost to delinquent taxes, much longer than any mortgage company's policy.

Again I thank you for your time in this matter and look forward to working with you. If you should have any questions please call me at 406-222-4119 or email at lockecreek@hotmail.com.

Sincerely,

Kevin J Larkin
Park County Treasurer