

***CITY OF WORCESTER***

***Tax Title Assignment Auction***

***March 9, 2017***

***2:00 P.M.***



***Thomas F. Zidelis***  
***Acting Treasurer & Collector of Taxes***  
***City of Worcester***

# City of Worcester

## Sale for Assignment of Tax Title's

### Regulations for Assignment Auction

1. The liens being offered in an Assignment of Tax Title Auction have **NOT** been foreclosed by the City of Worcester.
  2. The Tax Collector reserves the right to reject any and all bids.
  3. The minimum bid is the amount due for redemption on this date.
  4. **The purchaser must pay a deposit of at least 10% of the price**, at the time of the auction. Such deposit shall be made in the form of cash or a check made payable to the "City of Worcester".
  5. The Balance must be paid by cash, certified check or teller's check no later than **Friday, March 24, 2017**. After full payment is received, the Treasurer will issue an Instrument of Assignment and Purchaser's Statement for each lien assigned.
  6. If the successful bidder fails to comply with paragraph 5 above, then the ten percent deposit shall become the property of the Collector, as liquidated damages.
  7. Any error, misstatement or omission in the description of the property shall not annul the assignment or be grounds for any abatement or compensation.
  8. Purchaser must pay for all recording fees. The Instrument of Assignment and the name of the person or agent authorized to release the lien (purchaser's statement) must be recorded at the Worcester District Registry of Deeds **within 60 days from its date** as required by G.L. Chapter 60 § 52. Failure to record the instrument of assignment within the prescribed time frame may cause the bidder to lose the full amount of the bid.
  9. Purchaser must keep future taxes current until he/she forecloses with the Massachusetts Land Court.
  10. Purchaser must be current with his/her/its taxes and other charges to the City of Worcester otherwise the purchaser shall be ineligible to acquire any lien.
  11. Any person who previously was the successful bidder at a City of Worcester Public Auction and who defaulted on the purchase is ineligible to acquire any lien.
  12. If the tax lien is currently subject to an active Land Court complaint, the purchaser must file a Notice of Appearance, substituting itself in place of the City in the proceedings and provide notice in accordance with the Land Court rules. All liens with active complaints are noted.
  13. To be eligible to be the successful bidder any entity that is not a natural person (e.g., corporation, LLC, LLP, etc.) must be qualified to do business in the Commonwealth of Massachusetts, and provide documentation to that effect.
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## **MASSACHUSETTS GENERAL LAW CHAPTER 60 §52**

Cities and towns may make regulations for the possession, management and sale of land purchased or taken for taxes, not inconsistent with law, regulations promulgated by the department of revenue or the right of redemption. The treasurer of any city or town holding 1 or more tax titles may assign and transfer such tax title or titles, individually or bundled, to the highest bidder after a public auction, after having given 14 days' notice of the time and place of such public auction by publication, which shall conform to the requirements of §40, and having posted such notice in 2 or more convenient and public places in said city or town, provided that the sum so paid for such assignment is not less than the amount necessary for redemption, and may execute and deliver on behalf of the city or town any instrument necessary therefor. The treasurer shall send notice of the intended assignment to the owner of record of each parcel at his last known address not less than 10 days prior to the assignment, but failure to receive such notice shall not affect the validity of the assignment. The instrument of assignment shall be in a form approved by the commissioner and shall be recorded within 60 days from its date and if so recorded shall be prima facie evidence of all facts essential to its validity. The instrument of assignment shall, for each parcel assigned thereunder, state the amount for which the tax title on the parcel could have been redeemed on the date of the assignment, separately stating for each parcel the principal amount and the total interest accrued until the date of assignment. The principal amount shall be the sum of the amounts for which the parcel was taken and amounts subsequently certified under §61. Except as hereinafter otherwise provided, all provisions of law applicable in cases where the original purchaser at a tax sale is another than the city or town shall thereafter apply in the case of such an assignment, as if the assignee had been a purchaser for the original sum at the original sale or at a sale made at the time of the taking and had paid to the city or town the subsequent taxes and charges included in the sum paid for the assignment. Any extension of the time within which foreclosure proceedings may not be instituted granted by a city or town treasurer prior to assignment shall be binding upon the assignee

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### **PLEASE NOTE**

No Assignee of a Tax Title has the right of possession of the Real Estate unless and until the Massachusetts Land Court has entered a Judgment of Foreclosure of the Right of Redemption.

The amount necessary to redeem is comprised of two parts, Principal and accrued statutory interest. Interest accrues on the principal amount only, at the statutory rate of 16%.

According to the Massachusetts Department of Revenue, no amount bid in excess of the amount due for redemption becomes part of the principal, or accrues interest. Such an excess amount (or premium, or overbid, so called) does not become part of the amount necessary to redeem. Specifically, the amount for which the property was taken by the tax collector, all amounts subsequently certified to the tax title account, plus accrued tax title interest to the redemption date. Reasonable attorney fees may be charged with Court approval

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# CITY OF WORCESTER



## Premium Policy As of 7/25/13

Premiums paid by a purchaser at a public auction are refunded to the purchaser upon redemption by a person entitled to redeem, only if all applicable statutes and rules of the City Treasurer have been followed.

- Upon written request within 60 days of the date of redemption, and
- Accompanied by a detailed accounting of the amount collected by the holder of the lien for redemption, and
- A copy of the check submitted for payment by the redeemer, and
- A recorded copy of the Release

**If it is determined that fees are collected not in accordance with M.G.L. the Treasurer shall deny the refund of any premium either in whole or in part.**

The purpose of this policy is to encourage redemption between the taxpayer and the lien holder in the same manner that the taxpayer could have redeemed from the City. If the premium or interest thereon or any other fee not provided for in the statutes (i.e. legal fees not authorized by order of the Land Court) has been collected by the holder of the Tax Collector's Deed or Instrument of Assignment, the Treasurer shall deduct that amount from the premium and refund it to the person redeeming and may impose a ban on the future participation in City auctions for any party collecting unauthorized or excessive fees.

ESTATE TO BE  
ASSIGNED  
FOR UNPAID TAXES

The Commonwealth of Massachusetts  
**City of Worcester**  
Office of the Treasurer and Collector of Taxes

To the owners of the hereinafter described parcel of land situated in the City of Worcester in the County of Worcester and the Commonwealth of Massachusetts and to all concerned:

You are hereby notified that on Thursday **March 9, 2017** at 2:00 o'clock P.M. local time in the Worcester City Hall Levi Lincoln Chamber 3<sup>rd</sup> Floor, 455 Main Street, Worcester Massachusetts 01608, pursuant to the provisions of General Laws, Chapter 60 §52 and by virtue of the authority vested in me as Treasurer, it is my intention to assign and transfer the Tax Title held by the City of Worcester covering the following described parcels to the highest bidder at public auction, for all taxes thereon with interest and all necessary and intervening charges of any balance of said taxes, unless the same has been paid in full before that date.

All Bidders will be required to register prior to the commencement of said Auction, registration will close promptly at 1:45 p.m., to download a printable form visit our website at [www.worcesterma.gov/finance/treasurer/public-auctions](http://www.worcesterma.gov/finance/treasurer/public-auctions)

Thomas F. Zidelis  
Acting Treasurer & Collector of Taxes  
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**PLEASE NOTE**

Any Assignee of a Tax Title has no right to possession of the Real Estate until the Massachusetts Land Court has entered a Judgment of Foreclosure of the Right of Redemption.

The amount necessary to redeem is comprised of two parts, Principal and accrued statutory interest. Interest accrues on the principal amount only, at the statutory rate of 16%.

According to the Massachusetts Department of Revenue, any amount bid in excess of the amount due for redemption does not become part of the principal, and does not accrue interest. Further such an excess amount (or premium, or overbid, so called) does not become part of the amount necessary to redeem.

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1)	<u>M/B/L</u> 0701600033	<u>Property Location</u> 217 CANTERBURY ST
	<u>FY17 Value</u> \$1,400	<u>Class/Description</u> 132/UNDEVELOPABLE RESIDENTIAL LAND
	<u>Current Owner(s)</u> BOUCHER, ROBERT R. + SANDRA R.	<u>Min Bid</u> \$1,754.81

A TAX LIEN PERFECTED ON 4/24/2002 SECURING ABOUT 2,573 SQ FT OF LAND LOCATED AT 0217 CANTERBURY ST BEING DESIGNATED ON ASSESSOR'S PLAN AS MAP 07 BLOCK 016 LOT 00033 AND NOW OR FORMERLY OWNED BY SAID BOUCHARD, ROBERT R. + SANDRA R.

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