

For Information Only

Public Sale for Tax Arrears Under the Municipal Act - September 26, 2018

Presented To:	City Council
Presented:	Tuesday, Aug 14, 2018
Report Date	Wednesday, Jul 25, 2018
Type:	Correspondence for Information Only

Resolution

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Relationship to the Strategic Plan / Health Impact Assessment

This report refers to operational matters.

Report Summary

This report deals with a public tax sale for properties in tax arrears under the authority of Part XI of the Municipal Act of Ontario. On Wednesday, September 26, 2018 the City of Greater Sudbury will offer approximately thirty five (35) properties for sale in accordance with the rules and procedures governing a public tax sale.

Financial Implications

There are no financial implications associated with this report.

Signed By

Report Prepared By

Kyla Bell
Manager of Taxation
Digitally Signed Jul 25, 18

Division Review

Ed Stankiewicz
Executive Director of Finance, Assets
and Fleet
Digitally Signed Jul 25, 18

Financial Implications

Jim Lister
Manager of Financial Planning and
Budgeting
Digitally Signed Jul 25, 18

Recommended by the Department

Kevin Fowke
General Manager of Corporate
Services
Digitally Signed Jul 25, 18

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Jul 25, 18

Executive Summary

Part XI of the Municipal Act provides the authority for a municipality to collect property tax arrears through tax registration and public sale. On Wednesday, September 26, 2018, the City of Greater Sudbury will conduct a public tax sale in accordance with this legislation. Approximately thirty five (35) properties will be offered for sale. Tenders will be accepted until 3:00 pm on the day of the sale and tenders will be opened at 3:30 pm.

Background

On September 26, 2018, the City of Greater Sudbury will conduct a public sale for properties with tax arrears, under the authority of the Municipal Act. The Finance Division will be coordinating the public sale in accordance with the Rules and Procedures as outlined in Provincial Legislation.

Approximately thirty five (35) properties will be offered for sale on September 26, 2018 and full payment in certified funds by the current property owner will be accepted up until 3:00 pm, after which tenders will be opened at 3:30 pm the same day and a successful bidder declared.

Over the past few years, the number of properties offered for tax sale was approximately twenty (20) on average. A majority of these properties have their outstanding taxes paid off prior to the deadline, resulting in only approximately five (5) to ten (10) properties proceeding to the tax sale.

The following outlines the procedures undertaken with respect to the collection of tax arrears:

- Regularly throughout each year, arrears notices are sent to the assessed owners of all properties on which realty taxes remain unpaid.
- Under the authority of the Municipal Act, for those properties which are two (2) years in arrears, a notice of upcoming legal action is sent to the owner.
- If payment is not received or if satisfactory repayment arrangements are not made, a tax arrears certificate representing a lien against the property is registered on title in accordance with the Municipal Act. Notices are sent by registered mail to the assessed owner and all parties having an interest in the property. An administration charge representing costs of collection is levied on the property.
- The property owner has one (1) year from the date of registration to pay the taxes and administration fee in full or enter into a tax extension agreement with the municipality.
- A final notice is sent by registered mail to the assessed owner and all interested parties 280 days after the lien is registered.
- If taxes still remain unpaid after the redemption period (one year), the Municipal Act authorizes the Treasurer of the municipality to offer the property for public sale. For all of the properties proceeding to tax sale, the one year redemption period has expired.
- A notice is sent to the assessed owner by registered mail advising of pending tax sale action.
- All affected properties are advertised for sale in accordance with procedures outlined in the Municipal Act.