

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 332

H.P. 241

House of Representatives, February 5, 1991

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative OTT of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

**An Act Concerning the Requirement of Notification of Municipal Tax
Liens to Mortgagees of Record.**



Be it enacted by the People of the State of Maine as follows:

2
4 Sec. 1. 36 MRSA §942, 4th ¶, as amended by PL 1977, c. 630, §8, is further amended to read:

6 At the time of the recording of the tax lien certificate in
8 the registry of deeds, in all cases the tax collector shall file
10 with the municipal treasurer a true copy of the tax lien
12 certificate and shall send by certified mail, return receipt
14 requested, to each ~~record~~ holder of a mortgage on said real
16 estate who is registered with the tax collector, to ~~his~~ the
mortgage holder's last known address, a true copy of the tax lien
certificate. If the real estate has not been assessed to its
record owner, the tax collector shall send by certified mail,
return receipt requested, a true copy of the tax lien certificate
to the record owner.

18 Sec. 2. 36 MRSA §943, 5th ¶, as amended by PL 1983, c. 407,
20 §4, is further amended to read:

22 The municipal treasurer shall notify the party named on the
24 tax lien mortgage and each ~~record~~ holder of a mortgage on the
26 real estate who is registered with the tax collector not more
28 than 45 days nor less than 30 days before the foreclosing date of
the tax lien mortgage, in a writing left at ~~his~~ the mortgage
holder's last and usual place of abode or sent by certified mail,
return receipt requested, to ~~his~~ the mortgage holder's last known
address of the impending automatic foreclosure and ~~indicating~~
the exact date of foreclosure. For sending this notice, the
municipality ~~shall--be~~ is entitled to receive \$3 plus all
certified mail, return receipt requested, fees. These costs
shall-be are added to and become a part of the tax. If notice is
not given in the time period specified in this section to the
party named on the tax lien mortgage or to any ~~record~~ registered
holder of a mortgage, the person not receiving timely notice
shall-have has the right to redeem the tax lien mortgage until 30
days after the treasurer ~~does--provide~~ provides notice in the
manner specified in this section.

40 Sec. 3. 36 MRSA §943, 7th ¶ is amended to read:

42 After the expiration of the 18-month period for redemption,
44 the mortgagee ~~of--record~~ of said real estate who is registered
with the tax collector or ~~his~~ the mortgagee's assignee and the
46 owner of record if the said real estate has not been assessed to
48 ~~him~~ the owner or the person claiming under ~~him~~ the owner shall,
in the event the notice provided for said mortgagee and said
owner has not been given as provided in section 942, have the
right to redeem the said real estate within 3 months after
50 receiving actual knowledge of the recording of the tax lien
certificate by payment or tender of the amount of the tax lien

2 mortgage, together with interest and costs, and the tax lien
3 mortgage shall must then be discharged by the owner thereof in
4 the manner provided.

6 **STATEMENT OF FACT**

8 This bill provides that, in the municipal tax lien process,
9 a municipal tax collector need only notify those mortgagees that
10 have registered with the tax collector. Currently all mortgagees
11 of record must be notified.
12