

# MAINE STATE LEGISLATURE

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# 122nd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2005

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Legislative Document

No. 1212

H.P. 830

House of Representatives, March 10, 2005

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**An Act To Amend the Laws Governing the Effect of Foreclosure of  
a Tax Lien on Time-share Estates**

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Reference to the Committee on Judiciary suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative COLLINS of Wells.  
Cosponsored by Senator NASS of York and  
Representatives: BIERMAN of Sorrento, CLARK of Millinocket, CLOUGH of Scarborough,  
McCORMICK of West Gardiner, PINEAU of Jay, SEAVEY of Kennebunkport, WATSON of  
Bath, Senator: COURTNEY of York.

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

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**Sec. 1. 33 MRSA §593, sub-§7** is enacted to read:

7. Effect of foreclosure. A governmental entity that acquires ownership of a unit for reasons of tax delinquency, including, but not limited to, the automatic foreclosure of a tax lien, may not be assessed for its share of common expenses chargeable to any unit during the period the governmental entity owns the time share. Such expenses or assessments become common expenses collectable from all other unit owners. When a purchaser of a foreclosed unit obtains title to the unit from the governmental entity, such an acquirer of title and the acquirer's heirs, successors and assigns are not liable for the entire unpaid share of the common expenses or assessments by the association of unit owners chargeable to the unit. Those charges become due prior to the acquisition of title to the unit. Such expenses or assessments are common expenses collectable from all of the unit owners, including such an acquirer and the acquirer's heirs, successors and assigns.

**Sec. 2. Application.** This Act applies to property owned or acquired by a governmental entity on or after April 1, 2005.

**SUMMARY**

This bill provides that a governmental entity that acquires ownership of a time-share unit for reasons of tax delinquency may not be assessed for its share of common expenses chargeable to any unit during the period the governmental entity owns the time share. Such expenses or assessments become common expenses collectable from all other unit owners. When a purchaser of a foreclosed unit obtains title to the unit from the governmental entity, such an acquirer of title and the acquirer's heirs, successors and assigns are not liable for the entire unpaid share of the common expenses or assessments by the association of unit owners chargeable to the unit. Those charges become due prior to the acquisition of title to the unit. Such expenses or assessments are common expenses collectable from all of the unit owners, including such an acquirer and the acquirer's heirs, successors and assigns.