



House Bill 1496

Tax Sales - Property Maintenance and Nuisance Condition Violation Judgments

MACo Position: **SUPPORT**

To: Ways and Means Committee

Date: March 9, 2017

From: Barbara Zektick

The Maryland Association of Counties (MACo) **SUPPORTS** HB 1496. This bill gives local governments clear authority to use tax sale procedures to collect on judgments for property maintenance and nuisance condition violations.

MACo supports this bill as a means to provide local governments with the tools necessary to abate nuisance conditions and property maintenance violations, without having to pass those costs onto other taxpayers. The tax sale process, or more specifically the potential for a property to go to tax sale, presents a much-needed tool of last resort to ensure that property owners remit payment for their fair share of taxes and charges connected to public services. While difficult at times, tax sale procedures enable local governments to collect revenues fairly and equitably.

Local governments often must step in to address the adverse conditions when landowners cause nuisances or allow their property to fall into a state of disrepair. Those landowners' neighbors already have to deal with the negative impacts of the offending activity or neglect; they should not also have to bear the costs for abatement through their own tax dollars. Local governments should not have to choose between spending public funds to abate nuisances on private property, or leaving these adverse conditions to continue unaddressed, negatively affecting their citizens' property values and quality of life. This bill provides a tool to allow local governments to hold property owners accountable, without having to pass the costs along to law-abiding taxpayers or make cuts to essential public services.

On a clarifying note and assuming it aligns with the applicable intent, MACo suggests that the "or" on page 2, line 8 of the bill be replaced with an "and," so that it reads:

(1) "Tax" means any tax, or charge of any kind due to the State or any of its political subdivisions, or to any other taxing agency, that by law is a lien against the real property on which it is imposed or assessed.

(2) "Tax" includes:

(I) interest, penalties, and service charges; ~~OR~~ AND

(II) A JUDGMENT IN FAVOR OF A POLITICAL SUBDIVISION FOR REAL PROPERTY MAINTENANCE OR NUISANCE CONDITION VIOLATIONS OF LOCAL LAW, IF THE JUDGMENT IS INDEXED AND RECORDED IN ACCORDANCE WITH THE MARYLAND RULES.

For these reasons, MACo recommends a **FAVORABLE** report on HB 1496.