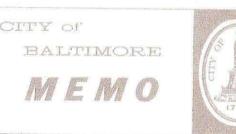
5	NAME &	Henry J. Raymond, Deputy Director 1100
О В	AGENCY NAME & ADDRESS	Finance Department 100 Holliday Street, Room 454
ш	SUBJECT	CC 12-0065 Tax Lien Certificates – Verifications Required Before Issuance for Water Bills



TO

DATE:

September 13, 2012

Honorable President and Members of the City Council Attention: Karen Randle, Executive Secretary Room 409, City Hall

City Council Bill Number 12-0065, Tax Lien Certificates would require that before the Chief Clerk issues a tax lien certificate including water or sewer charges, the Chief Clerk must obtain a certification that the charges are based upon certain verified information; correcting, clarifying and conforming related provisions; and generally relating to tax lien certificates.

During the June 7, 2012 hearing on this bill, it was agreed that adoption of proposed Rules and Regulations governing the treatment of estimated single meter water bills and their inclusion in tax sale would supersede the need for consideration of CC 12-0065. The proposed Rules and Regulations are attached.

The lead sponsor of the bill, Councilwoman Mary Pat Clarke, has reviewed the proposed regulations and agrees that the proposed regulations achieve the intended purpose of CC 12-0065.

The proposed Rules and Regulations essentially outline the process used during the 2012 tax sale where all delinquent single meter accounts only with estimated bills that were eligible for tax sale were reviewed by the Departments of Finance and Public Works to determine if the accounts should be included or excluded from the tax sale. The process was initiated pursuant to CC 12-0032R — Water Bill Tax Lien Moratorium. A report was provided to the Council on April 25, 2012 (excerpt attached) that documented the review process. The Council was pleased with the results of this process and the report that was produced.

The proposed Rules and Regulations outline the process for the Finance Department to annually prepare a report using the process outlined above and report the data to the Council prior to each tax sale.

In closing, the Finance Department opposes CC 12-0065, since the proposed Rules and Regulations will govern the process.

Cc: Harry E. Black
Andrew Kleine
Angela Gibson
Janice Simmons



Comments

RULES AND REGULATIONS - WATER CHARGES IN TAX SALE

Adopted under the general powers granted to the Director of Finance pursuant to §§ 5 through 18 of Article VII, "Executive Departments", of the Charter of Baltimore City; Subtitle 8, "Collection", of Title 14, "Procedure", of the Tax - Property Article of the Annotated Code of Maryland; and Subtitle 8, "Tax Sales", of Article 28, "Taxes", of the Baltimore City Code.

The authority to promulgate these rules and regulations is necessary and inherent to the powers granted to the Director of Finance to collect property taxes pursuant to § 12 of Article VII of the Baltimore City Charter and § 14-808 of the Tax - Property Article of the Maryland Code.

I. Background

State law requires the City to conduct periodic sales of unpaid liens, which it usually does at an annual tax sale lien auction online in May. Among the liens collected are unpaid water charges. The Director of Finance seeks to determine the validity of the unpaid water charges before they are subject to sale.

Erroneous or incompletely documented water charges may result in inconvenience, annoyance, and confusion to water account customers. Moreover, the customers may be compelled to pay invalid charges or face foreclosure. Tax sale certificate purchasers also have an interest in not wasting resources on properties whose certificates may be voided after the tax sale.

II. Definitions

- A. The Director adopts and incorporates the terms as used in Title 14 of the Tax Property Article of the Maryland Code.
- B. In addition, the terms as used in these rules and regulations have the following definitions:
 - 1. "Estimated water charges" mean that an account has at least one estimated reading in the last eighteen histories in the water system records available to the Department of Finance.
 - 2. "History" means one of the eighteen events occurring on a water account and recorded in the water system records available to the Department of Finance. Histories include, but are not limited to, data related to meter readings and adjustments.
 - 3. "Informal conference" means a meeting conducted through the Department of Public Works to determine whether water charges to a water account should be abated.
 - 4. "Water charges" mean the charges for water consumption, sewer connection, bay restoration fees, interest, and any other charges levied on a water account for a property by the Department of Public Works.

III. Procedure

A. To determine whether water charges are valid, the Bureau of Revenue Collections will examine the list of the properties eligible for tax sale. The examination will occur after the final publication required by § 14-813 of the Tax – Property Article of the Maryland Code and before

the final list of properties eligible for tax sale is completed by the Bureau. The examination only will involve properties eligible for tax sale solely as a result of metered water charges with no other liens.

- B. The Bureau will remove from the list of properties eligible for tax sale all properties:
 - 1. with at least one estimated reading in the last eighteen histories,
 - 2. with known estimated water charges although not identified as such,
 - 3. in an active bankruptcy proceeding,
 - 4. for which an informal conference has been requested but not yet held,
 - 5. awaiting the results of a pending meter investigation or adjustment after an informal conference has been held,
 - 6. whose liens have been paid so that the balance is below the threshold defined in § 14-849.1 of the Tax Property Article of the Maryland, and
 - 7. any other reason that would render the water charges invalid.
- C. No property will be removed from a list of properties eligible for tax sale for the same factual reason that it was removed from any prior tax sale list. For example, if a property was removed for an estimated water charge that occurred on October 1st, then it will not be removed from a later list for the same October 1st charge unless an adjustment of the charge was made but not recorded on the account. However, it will be removed if another water charge was estimated after the date of the prior tax sale.
- D. The Bureau will compile and provide to the President and each member of the City Council a report delineating all water accounts examined pursuant to these rules and regulations, by councilmanic district. The fields of information will include:
 - 1. water account number,
 - 2. service address with the block and lot,
 - 3. last bill date,
 - 4. current balance,
 - 5. last payment date,
 - 6. whether the property has been removed from or is still on the list, and
 - 7. reason for the removal or inclusion.

These rules and regulations are effective this day of with the City of Baltimore Department of Legislative Reference.	, 2012, and have been filed
Issued and Approved:	
Harry E. Black, Director	Date
Department of Finance	



Finance Department City Hall, Room 454

POLICE.

CC 12-0032R Water Bill Tax Lien Moratorium





DATE:

April 25, 2012

Honorable President and Members of the City Council Attention: Karen Randle, Executive Secretary Room 409, City Hall

At the City Council's Committee of the Whole hearing of March 21, 2012, on water bill moratoriums, the City Council requested a report prior to tax sale of the disposition of all 2,325 properties intended for tax sale because of Water/Waste Water liens, a request to which the Departments of Public Works and Finance agreed.

The detailed disposition report is attached per the agreement. The fields of information include: 1) water account number; 2) service address; 3) last bill date; 4) current balance as of; 5) last payment date; 6) amount of last payment; 7) in tax sale; and 8) reason for removal/inclusion.

The matrix below provides a summary of the 2,325 accounts that were reviewed. Of the total reviewed, 1,562 accounts (67.2%) will not be in the tax sale. The remaining 763 accounts (32.8%) will be in the tax sale since these accounts had no estimated bills, no requested conferences or no adjustments pending. Explanations are provided to document tax sale removal/inclusion.

Explanation	Overall	Not in TS	In TS
5			
One or more estimated bills in billing history - not in			
TS	1,466	1466	0
No estimated bills, requested conference or pending adjustment-In TS	758	0	758
One or more estimated bills but not flagged on report-Not in TS	5	5	0
Open bankruptcy-Not in TS	1	1	0
Pending investigation-Not in TS	2	2	0
Balance after adjustment-5 in TS, 4 not in TS	9	4	5
Payment in full or payment to reduce balance below threshold-Not in TS	52	52	0
Pending Adjustment-Not in TS	14	14	0
Requested informal conference-not in			
TS	11	11	0
Water payment agreement-Not in TS	7	7	0
momit r			
TOTAL	2,325	1,562	763

If there are any questions, please contact me at 410-396-4676 or henry.raymond@baltimorecity.gov.

Water Moratorium Report as of April 13, 2012

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Water Moratorium Report as of April 13, 2012

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3818 FOSTER AVE 1/2/29/2011 991.92 9/15/2006 45.17 N EST 1843A 011 3818 FOSTER AVE 1/27/2012 625.9 2/14/2012 100.00 N EST 1758 015 234 S PATTERSON PK AVE 1/19/2011 948.32 8/5/2011 100.00 N EST 1758 016 406 S CHAPEL ST 2/16/2012 618.13 3/2/2011 400.00 N EST 1773 058 3015 HUDSON ST 2/2/2012 748.85 3/2/2011 1198.54 N EST 1880 056 2915 FAIT AVE 1/30/2012 677.54 12/20/2011 200.00 N EST 1869 041 400-02 S EDEN ST 1/30/2012 750.53 5/23/2011 0.64 N EST 1837 060 237 S BROADWAY 2/16/2012 1,178.81 2/10/2012 1,178.01 2/10/2012 3/56.77 N EST 1753 016	06349863008 621 S POTOMAC ST	1/18/2012	846.11	1/31/2011	150.00	>-	\	1729	022	01
234 S PATTERSON PK AVE 1/2/1/2012 625.9 2/14/2012 1/00.00 N EST 6435 015 234 S PATTERSON PK AVE 11/9/2011 948.32 8/5/2011 100.00 N EST 1758 018 406 S CHAPEL ST 2/16/2012 618.13 3/2/2011 400.00 N EST 1773 058 610 S EATON ST 1/27/2012 677.54 12/20/2011 1198.54 N EST 1880 056 2915 FAIT AVE 1/30/2012 852.95 3/30/2010 258.06 N EST 1869 041 605 S MONTFORD AVE 1/30/2012 750.53 4/11/2011 0.64 N EST 1869 041 400-02 S EDEN ST 2/17/2012 750.53 5/23/2011 111.00 N EST 1837 060 237 S BROADWAY 2/16/2012 1,178.81 2/10/2012 376.77 N EST 1753 016		12/28/2011	991.92	9/15/2006	45.17	z	EST	1843A	011	01
406 S CHAPEL ST 2/16/2012 618.13 8/5/2011 400.00 N EST 1773 058 3015 HUDSON ST 2/2/2012 748.85 3/29/2011 400.00 N EST 1773 058 610 S EATON ST 1/27/2012 748.85 3/29/2011 1198.54 N EST 1880 056 2915 FAIT AVE 1/30/2012 677.54 12/20/2011 200.00 N EST 1869 041 605 S MONTFORD AVE 1/30/2012 625.83 4/11/2011 0.64 N EST 1837 060 400-02 S EDEN ST 2/17/2012 750.53 5/23/2011 111.00 N EST 1432 001 237 S BROADWAY 2/16/2012 1,178.81 2/10/2012 376.77 N EST 1753 016	234 S PATTEBEONI DIV	112112012	6229	2/14/2012	100.00	z	EST	6435	015	01
3015 HUDSON ST 2/16/2012 618.13 3/2/2011 400.00 N EST 1773 058 3015 HUDSON ST 2/2/2012 748.85 3/29/2011 1198.54 N EST 1880 056 2915 FAIT AVE 1/30/2012 677.54 12/20/2011 200.00 N EST 6434 025F 605 S MONTFORD AVE 1/30/2012 625.83 4/11/2011 0.64 N EST 1869 041 400-02 S EDEN ST 2/17/2012 750.53 5/23/2011 111.00 N EST 1432 001 237 S BROADWAY 2/16/2012 1,178.81 2/10/2012 376.77 N EST 1753 016	AGE CHARFT ST	11/9/2011	948.32	8/5/2011	100.00	z	EST	1758	018	0.1
5015 HOLDSON ST 2/2/2012 748.85 3/29/2011 1198.54 N EST 1880 056 610 S EATON ST 1/27/2012 677.54 12/20/2011 200.00 N EST 1880 056 2915 FAIT AVE 1/30/2012 852.95 3/30/2010 258.06 N EST 1869 041 605 S MONTFORD AVE 1/30/2012 625.83 4/11/2011 0.64 N EST 1837 060 400-02 S EDEN ST 2/17/2012 750.53 5/23/2011 111.00 N EST 1432 001 237 S BROADWAY 2/16/2012 1,178.81 2/10/2012 376.77 N EST 1753 016		2/16/2012	618.13	3/2/2011	400.00	Z	EST	1773	058	0.1
2915 FAIT AVE 1/27/2012 677.54 12/20/2011 200.00 N EST 6434 025F 2915 FAIT AVE 1/30/2012 852.95 3/30/2010 258.06 N EST 1869 041 605 S MONTFORD AVE 1/30/2012 625.83 4/11/2011 0.64 N EST 1837 060 400-02 S EDEN ST 2/17/2012 750.53 5/23/2011 111.00 N EST 1432 001 237 S BROADWAY 2/16/2012 1,178.81 2/10/2012 376.77 N EST 1753 016	-	2/2/2012	748.85	3/29/2011	1198.54	Z	EST	1880	056	01
605 S MONTFORD AVE 1/30/2012 852.95 3/30/2010 258.06 N EST 1869 041 400-02 S EDEN ST 2/17/2012 750.53 6/23/2011 111.00 N EST 1432 001 237 S BROADWAY 2/16/2012 1,178.81 2/10/2012 376.77 N EST 1753 016		1/2//2012	677.54	12/20/2011	200.00	z	EST	6434	025F	01
400-02 S EDEN ST 2/17/2012 625.83 4/11/2011 0.64 N EST 1837 060 237 S BROADWAY 2/16/2012 1,178.81 2/10/2012 1,178.81 2/10/2012 376.77 N EST 1753 016		1/30/2012	852.95	3/30/2010	258.06	Z	EST	1869	041	04
237 S BROADWAY 2/16/2012 1,178.81 2/10/2012 376.77 N EST 1753 016		1/30/2012	625.83	4/11/2011	0.64	z	EST	1837	090	01
2/16/2012 1,178.81 2/10/2012 376.77 N EST 1753 016		2/17//2012		5/23/2011	111.00	z	EST	1432	001	01
		2/16/2012	1,178.81	2/10/2012	376.77	z	EST	1753	016	0.1

Water Moratorium Report as of April 13, 2012

AMOUNT OF LP IN TS	IN BLOCK LOT DISTRICT	4131 042 14	4132 016 14	4128 001C 14	4138 017 14	4137 064 14		4133 023 14	4114B 043 14	4123A 051 14	4123A 076 14	4080 012A 14	4071 027 14	3881 001 14	3530 077H 14	3657 010 14	3651 012 14		018	058	023	
CUR BAL LAST PAYMENT AMOUNT OF LP 1,237.24 2/8/2011 400.00 548.55 2/4/2010 68.65 1,773.83 10/22/2010 68.65 610.72 6/22/2010 65.38 948.98 7/22/2010 600.00 634.38 3/5/2012 150.00 820.6 12/21/2010 87.43 763.73 6/10/2010 128.00 1,804.75 3/5/2012 500.00 2,090.15 7/28/2010 66.42 778.49 10/25/2011 66.42 5,628.42 4/15/2011 362.64 1,908.87 2/6/2012 200.00 1,712.57 8/25/2010 100.00 2,347.77 11/15/2011 317.73 1,653.99 11/23/2011 400.00 658.11 3/2/2012 4/14/2011 9/7/2010 161.57	REASON	>	EST	>	EST	>	>	>	EST	>	^	>	EST	EST	EST	EST	EST	EST	EST	EST	EST	FOT
CUR BAL 1,237.24 1,237.24 1,773.83 610.72 1,948.98 634.38 680.98 680.98 680.98 680.98 763.73 1,804.75 778.49 5,628.42 5,628.42 1,908.87 1,712.57 1,653.99 658.11	N TS	>	z	>	Z	>	>	>	Z	>	>	٨	Z	Z	z	z	z	z	z	z	z	z
CUR BAL 1,237.24 1,237.24 1,773.83 610.72 1,948.98 634.38 680.98 680.98 680.98 680.98 763.73 1,804.75 778.49 5,628.42 5,628.42 1,908.87 1,712.57 1,653.99 658.11	AMOUNT OF LP	400.00	68.65	-825.67	65.38	00.009	150.00	128.00	87.43	100.00	200.00	66.42	192.67	600.00	362.64	200.00	100.00	317.73	150.00	400.00	920.40	161.57
	LAST PAYMENT	2/8/2011	0102/4/2	0102/22/01	0/22/2010	//22/2010	3/5/2012	12/21/2010	8/13/2010	6/10/2010	3/5/2012	//28/2010	10/25/2011	4/15/2011	5/17/2011	2/6/2012	8/25/2010	11/15/2011	11/23/2010	3/2/2012	4/14/2011	9/7/2010
12/30/2011 12/30/2011 12/30/2011 12/30/2011 12/30/2011 12/30/2011 12/30/2011 12/30/2011 12/30/2011 12/30/2012 12/30/2011 12/30/2012 12/30/2012 12/30/2012 1/4/2012 1/30/2012 1/30/2012 1/2/30/2012 2/29/2012 2/29/2012 2/29/2012 3/7/2012	1237 24	548 55	1 773 82	840 72	010.12	040.00	024.38	0.020	762 72	100.13	1,004.70	2,080.15	7/8.49	2,020.42	2 004.40	1,900.87	1,712.57	2,347.77	1,653.99	658.11	1,078.32	/98.13
	12/30/2011	12/30/2011	12/30/2011	1/4/2012	12/30/2011	12/30/2011	1/4/2012	12/30/2014	12/30/2014	1/4/2012	12/20/2014	1/30/2011	1/1/2012	12/8/2014	3/8/2017	2102/0/10	210202012	44/04/0044	11/2/12/11	2/29/2012	2/29/2012	21172017