

Function: Corporate Services - 03
Department: Assessment & Taxation - 010
Policy No.: 006



Disposal of Tax Recovery Properties

Effective Date: June 9th, 2016

Review Date: June 9th, 2021

References:

Cancel:

Resolution #: 459-16

CAO Signature: 

Purpose: This policy establishes the process the disposal of tax recovery properties that fail to sell at public auction. The goal is to expedite returning these properties to a taxable status.

Guidelines:

1. Council directs that tax recovery properties that fail to sell at public auction will be disposed of as outlined below. Further, Council authorizes the sale of these properties within the guidelines below. Administration is responsible to ensure that all aspects of the MGA and Tax Recovery Regulations are followed in the execution of this policy.
2. Action plan for properties that went to public auction less than 15 years ago:
 - a. Compile an electronic listing of all properties offered for sale but not sold at a public auction for each year of the action plan
 - b. By acquiring a copy of the property title from Alberta Land Titles, each property will be reviewed for encumbrances.
 - c. Properties will be forwarded to a contracted real estate agent for assessment and a report of the market value of the property.

- d. The properties will be listed with a contracted real estate agent as available for sale at or above the estimated market value of the property.
 - e. Listed properties will not be open to offers for the first 14 days following initial listing.
 - f. All offers must be made conditional to the County making application for title under section 424 of the MGA and that the title is not revived by the previous owner prior to the sale.
 - g. Proceeds of the sale net of those items listed in section 427(2) of the MGA will be held in trust in accordance to 427 and 428 of the MGA
 - h. The properties will be advertised as available for public sale. This will continue until the property is sold or 15 years from the date of the public auction.
3. Action plan for properties that went to public auction more than 15 years ago:
- a. Compile an electronic listing of all properties offered for sale but not sold at a public auction for each year of the action plan
 - b. By acquiring a copy of the property title from Alberta Land Titles, each property will be reviewed for encumbrances.
 - c. A request will be made to the Registrar to cancel the title and reissue in the name of the municipality under section 428.2 of the MGA.
 - d. The properties will be listed as available for sale at a rate not exceeding the greater value of the amount owing on the roll or 50% of the assessed value of the property, using a contracted real estate agent.
 - e. Listed properties will not be open to offers for the first 14 days following initial listing.

- f. Proceeds of sale are applied to the tax roll, with any amounts exceeding the amount owing on the roll being forwarded to general revenue. Any amounts remaining on the tax roll after the proceeds of sale are applied will be cancelled.