

ANACONDA-DEER LODGE COUNTY TREASURER

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County Treasurer



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ATTN: Private Investor

ANACONDA-DEER LODGE COUNTY CANNOT PROVIDE LEGAL ADVICE OR ASSISTANCE IN THIS PROCESS.

The following is a brief description of the assignment process or the tax lien sale purchase. This is not an auction of the property.

Anaconda-Deer Lodge County places a lien on all properties not purchased that have entered into a delinquent status. This process occurs yearly in July (MCA 15-17-122 & MCA 15-17-211). It is advertised for 3 weeks in the Anaconda Leader starting approximately 1 month prior to the sale.

Assignment of Anaconda-Deer Lodge County's tax lien can be issued at any time during the year (MCA 15-17-323). Prior to purchase, you must notify the property owner of record by certified mail of your possible intention to purchase he/she's tax lien from the county. Your letter must state the current date, the tax code number, and the legal description. You must allow the property owner 2 weeks from the date of the letter to pay delinquent taxes, (MCA 15-17-212(1) & (3) and MCA 15-17-323 (5)). If he/she fails to bring taxes current, you may take an assignment on this property by paying delinquent taxes plus a \$75.00 assignment fee. You must provide proof of the certified mailing of this letter to the county at this time. A personal check, cash or cashier's check is accepted for payment.

Once the tax sale certificate reaches maturity, which is 36 months for property with improvements or 24 months for certain unimproved property (MCA 15-18-111), the assignee may start tax deed action. Tax deed action requires the assignee to conduct a title search and notify all interested parties of the "Final 60 Day Notice" or redemption period with concurrent notification to interested parties i.e. certified mail and publication in the Anaconda Leader (MCA 15-18-212). Within 30 days of publication, a proof of notice must be filed with the Anaconda-Deer Lodge County Clerk & Recorder's Office (MCA 15-17-123). Copies of all documents created during tax deed action must be submitted to the Treasurer's Office.

Redemption will include the original amount paid, the \$75.00 assignment fee plus and annual 10% interest to the date of redemption and any receipted costs (MCA 15-17-121). Receipts must be submitted to the Treasurer's Office.

If the lien has not been redeemed by the time period allowed by law, and all tax deed action statutes have been strictly adhered to, Anaconda-Deer Lodge County will issue you a tax deed (MCA 15-18-211). After the tax deed is issued, quiet title action is strongly recommended but not required. The County will not assist you with the tax deed action (foreclosure) or quiet title action. We recommend you retain legal counsel to ensure all processes are completed per statute before investing time and money in the hopes of obtaining a tax deed.

Anaconda-Deer Lodge County cannot provide legal help or advice to assignees. We advise all assignment holders to seek legal advice from his/her private attorney.

We offer an uncollected tax report at the counter in our office for viewing. The book is not available outside of our office. If you wish to purchase a printed uncollected tax report, call our office for pricing. To purchase an electronic uncollected tax report, the fee is \$25.00. Any uncollected tax report purchase requires a signed disclaimer prior to purchase.

The Montana Statutes are published and distributed by the Montana Legislative Services Division, Capitol Bldg. Rm. 110, 1301 E. 6th Avenue, P.O. Box 201706, Helena, MT 59620-1706, phone 406-444-3064; internet <http://leg.mt.gov>. Assignment/tax deed Statutes may be found at: http://www.data.opi.mt.gov/bills/mca_toc/index.htm, Montana Code Annotated, Title 15, Chapters 17 & 18.