



Mackenzie County

# REQUEST FOR DECISION

<b>Meeting:</b>	<b>Regular Council Meeting</b>
<b>Meeting Date:</b>	<b>December 12, 2017</b>
<b>Presented By:</b>	<b>Karen Huff, Director of Finance</b>
<b>Title:</b>	<b>Tax Recovery Public Auction</b>

## BACKGROUND / PROPOSAL:

Council directed Administration to offer the twelve tax forfeiture properties for sale by Public Auction on December 12, 2017 at 1:00 pm in the Council Chambers located at 4511 – 46 Avenue, Fort Vermilion in accordance with the Municipal Government Act section 418(1).

The properties are being offered for sale as authorized under section 418 of the Municipal Government Act:

### Offer of parcel for sale

**418(1)** *Each municipality must offer for sale at a public auction any parcel of land shown on its tax arrears list if the tax arrears are not paid.*

The following properties are being considered for public auction due to tax arrears:

Roll	Zone	Legal	Outstanding	Reserve Bid	Notes
074458	A	NW 34;108;12 W5	\$2,782.51	\$150,000	AGREEMENT SIGNED
106122	HR-1	11; 11; 2938RS	\$1,371.12	\$22,000	AGREEMENT SIGNED
106124	HR-1	13; 11; 2938RS	\$1,331.12	\$19,000	AGREEMENT SIGNED
076796	HR-1	09; 06; 580KS	\$0.00	\$55,000	PAID IN FULL
106031	HR-1	26; 06; 2938RS	\$0.00	\$25,000	PAID IN FULL
229969	MHS-2	20; 01; 8420527	\$0.00	\$30,000	PAID IN FULL
181069	HR-1	07; 08; 7521580	\$4,361.04	\$230,000	PAID DEC 12/17 \$2000
076073	A	NW 01;110;18 W5	\$5,657.03	\$295,000	MINISTERIAL ORDER
296347	HR-1	52; 05; 8921752	\$7,037.77	\$35,000	MINISTERIAL ORDER
300574	F	24; 02A; 9022917	\$10,629.95	\$320,000	MINISTERIAL ORDER
077071	HG1	02; 05; 8821687	\$23,514.55	\$25,000	ADMINISTRATION RECOMMENDS TO INVESTIGATE

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Terms of sale: 25% down payment must be made by cash, certified cheque or draft within 24 hours of the auction with payment in full due within 30 days of the auction.

**OPTIONS & BENEFITS:**

1. Administration is recommending that the following property be removed from the 2017 Tax Recovery Auction List due to the owners entering into an Outstanding Tax Payment Agreement.
  - Tax Roll 074458
  - Tax Roll 106122
  - Tax Roll 106124
  
2. Administration is recommending that the following properties be removed from the 2017 Tax Recovery Auction List due to property taxes being paid and removed from notification.
  - Tax Roll 076796
  - Tax Roll 106031
  - Tax Roll 229969
  - Tax Roll 106123
  - Tax Roll 181069
  
3. Administration is recommending that the following properties be removed from the 2017 Tax Recovery Auction List as per legal advice and that Administration apply for Ministerial Orders to extend the tax notification period as per the Municipal Government Act Section 417(2)(a) and 418(2). Once ministerial orders are received these properties will be added to the next auction list.
  - Tax Roll 076073
  - Tax Roll 296347
  - Tax Roll 300574

**417(2)(a)** *That if the tax arrears in respect of the parcel of land are not paid before March 31 in the next year, the municipality will offer the parcel for sale at a public auction*

**418(2)** *Unless subsection (4) applies, the public auction must be held in the period beginning on the date referred to in section 417(2)(a) and ending on march 31 of the year immediately following that date.*

**418(4)** *The municipality may enter into an agreement with the owner of a parcel of land shown on its tax arrears list providing for the payment of the tax arrears over a period not exceeding 3 years, and in that event the parcel need not be offered for sale under subsection (1) until*  
*(a) The agreement expired, or*  
*(b) The owner of the parcel breaches the agreement, whichever occurs first.*

- ~~4. Administration is recommending that Council proceed with the public auction for the following properties:~~

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- Tax Roll 077074
- Tax Roll 106122
- Tax Roll 106123
- Tax Roll 106124
- Tax Roll 181069

5. Administration is recommending that Council remove the following property for administration to investigate amounts transferred to the tax roll for spill clean-up.

- Tax Roll 077071

**COSTS & SOURCE OF FUNDING:**

If a property is sold, the County would recover taxes and other costs incurred regarding the property. The remaining proceeds will be dealt with as mandated by section 427(2) of the Municipal Government Act.

**COMMUNICATION:**

All current owners of the sold properties will be notified as to the results of the auction by letter.

**RECOMMENDED ACTION:**

Motion 1:

- Simple Majority       Requires 2/3       Requires Unanimous

That the following property be removed from the 2017 Tax Recovery Auction List due to the owners entering into an Outstanding Tax Payment Agreement.

- Tax Roll 074458
- Tax Roll 106122
- Tax Roll 106124

Motion 2:

- Simple Majority       Requires 2/3       Requires Unanimous

That the following properties be removed from the 2017 Tax Recovery Auction List due to property taxes being paid and removed from notification.

- Tax Roll 076796
- Tax Roll 106031
- Tax Roll 229969
- Tax Roll 106123
- Tax Roll 181069

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Motion 3:

Simple Majority       Requires 2/3       Requires Unanimous

That the following properties be removed from the 2017 Tax Recovery Auction List and that Administration apply for Ministerial Orders to extend the tax notification period as per section 417(2)(a) and 418(2) of the Municipal Government Act and that the properties be added to the next tax recovery auction list following receipt of the Ministerial Orders.

- Tax Roll 076073
- Tax Roll 296347
- Tax Roll 300574

Motion 4:

Simple Majority       Requires 2/3       Requires Unanimous

~~That Council proceeds with the public auction for the following properties:~~

- ~~• Tax Roll 077071~~
- ~~• Tax Roll 181069~~

Motion 5:

Simple Majority       Requires 2/3       Requires Unanimous

~~That the following offers be accepted subject to meeting the terms of sale.~~

<b>Property Description</b>	<b>Reserve Bid</b>	<b>Buyer/Price</b>
<del>Tax Roll 077071 02; 05; 8821687</del>	<del>\$25,000</del>	
<del>Tax Roll 181069 07; 08; 7521580</del>	<del>\$230,000</del>	

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Motion 6:

Simple Majority       Requires 2/3       Requires Unanimous

~~That Mackenzie County requests the Registrar to cancel the existing Certificate of Title for the following parcels of land and issue new Certificates of Title in the name of Mackenzie County.~~

- ~~• Tax Roll \_\_\_\_\_~~
- ~~• Tax Roll \_\_\_\_\_~~

Motion 7:

Simple Majority       Requires 2/3       Requires Unanimous

~~That the following properties remain in the current owners name and that the County continues to attempt to collect property taxes.~~

- ~~• Tax Roll \_\_\_\_\_~~
- ~~• Tax Roll \_\_\_\_\_~~

Motion 8:

Simple Majority       Requires 2/3       Requires Unanimous

That the following property be removed to investigate amounts transferred to the tax roll for spill clean-up.

- Tax Roll 077071