

REPORT (MISC. #19246)

September 5, 2019

BY: Commissioner Nancy Quarles, Chairperson, Legislative Affairs and Government Operations Committee

IN RE: MR #19246 – BOARD OF COMMISSIONERS – SUPPORTING HOUSE BILL 4219 – DISTRIBUTION OF REVENUE FROM SALE OF FORECLOSURE PROPERTY

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

The Legislative Affairs and Government Operations Committee, having reviewed the above-referenced resolution on August 26, 2019, reports with the recommendation that the resolution be adopted.

Chairperson, on behalf of the Legislative Affairs and Government Operations Committee, I move the acceptance of the foregoing report.



Commissioner Nancy Quarles, District #17
Chairperson, Legislative Affairs and Government
Operations Committee

LEGISLATIVE AFFAIRS AND GOVERNMENT OPERATIONS COMMITTEE VOTE:

Motion carried on a roll call vote with Taub voting no and Gingell absent.

MISCELLANEOUS RESOLUTION #19246

#1D ANGELO POWELL William no. 118 #14 #21 Janet Jackson #5 Kristen Nelson

BY: Commissioners Bob Hoffman, District #2; David Woodward, District #19;
IN RE: BOARD OF COMMISSIONERS – SUPPORTING HOUSE BILL 4219 – DISTRIBUTION OF REVENUE FROM SALE OF FORECLOSURE PROPERTY

To the Oakland County Board of Commissioners
Chairperson, Ladies and Gentlemen:

WHEREAS the collection of delinquent real property taxes and the administration of the delinquent tax revolving fund by the county treasurer under The General Property Tax, 1893 PA 206, as amended, MCL 211.1 to 211.157, is important in assuring that Oakland County (the "County") and local tax collecting units within the County actually receive taxes levied in a timely manner, that tax delinquent properties in the County are returned to productive use, and that a favorable credit rating for the County is maintained; and WHEREAS the intent of the General Property Tax Act, 1893 PA 206, is to provide a continuing need to strengthen and revitalize the economy of this state and its municipalities by encouraging the efficient and expeditious return to productive use of property returned for delinquent taxes; and

WHEREAS the General Property Tax Act also prescribes the authority of a "Foreclosing Governmental Unit" to that of the County Treasurer and, of which, that foreclosing governmental unit may seek judgement of foreclosure for property delinquent in the collection of property taxes; and

WHEREAS House Bill 4219 of 2019, as introduced by the Michigan House of Representatives ("HB 4219") would clarify the process for collecting delinquent real property taxes; and

WHEREAS HB 4219 would rebalance the fee simple title vested in the foreclosing governmental unit, providing those homeowners who have secured equity in their home the rights to those proceeds through amending the process where the sale of delinquent tax property above the minimum established bid will be remitted back to the individual owner who has owned and occupied the property as a principal residence; and


WHEREAS House Bill 4219 is aimed at amending the tax foreclosure process to allow those homeowners who have built up equity in their home be reimbursed the excess proceeds upon the sale of the property, above what is owed through liens and the tax foreclosure process; and

WHEREAS the Oakland County Board of Commissioners, for the purposes of revitalizing the economy by returning property to its productive use, supports HB 4219 and its provisions of remitting the built-up equity to those owners who claimed the property as a Principle Residence Exemption before the entry of judgement.

NOW THEREFORE BE IT RESOLVED the Oakland County Board of Commissioners hereby supports the passage and enactment of House Bill 4219 of 2019.

BE IT FURTHER RESOLVED that the Oakland County Clerk/Register of Deeds is requested to forward copies of this adopted resolution to the members of the Michigan House Local Government and Municipal Finance Committee, the Oakland County members of the Michigan legislature, the Michigan Association of Counties, and the government relations consulting firm representing the interests of the Oakland County Board of Commissioners.

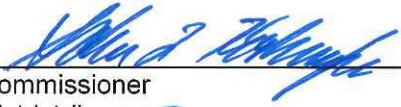
Chairperson, I move the adoption of the foregoing resolution.

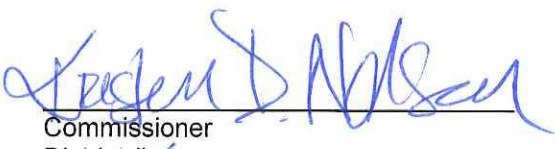



Commissioner Bob Hoffman
District #2




Commissioner David Woodward
District #19


Commissioner
District # 15

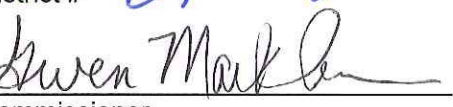

Commissioner
District # 5


Commissioner
District # 11


Commissioner
District # 14


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Resolution #19246

July 18, 2019

The Chairperson referred the resolution to the Legislative Affairs and Government Operations Committee.
There were no objections.

Moved by Hoffman seconded by Quarles the resolution be adopted.

Moved by Quarles seconded by Hoffman the Legislative Affairs and Government Operations Committee Report be accepted.

A sufficient majority having voted in favor, the report was accepted.

Discussion followed.

Moved by Hoffman seconded by Long the resolution be amended as follows:

Amending the following language to the NOW THEREFORE BE IT RESOLVED clause:

NOW THEREFORE BE IT RESOLVED the Oakland County Board of Commissioners hereby supports the passage and enactment of House Bill 4219 of 2019, ***provided that governmental units may recoup their costs.***

Discussion followed.

Vote on amendment:

AYES: Kowall, Kuhn, Long, Luebs, Markham, McGillivray, Middleton, Miller, Nelson, Powell, Quarles, Spisz, Taub, Weipert, Woodward, Zack, Gershenson, Hoffman, Jackson, Kochenderfer. (20)

NAYS: None. (0)

A sufficient majority having voted in favor, the amendment carried.

Vote on resolution, as amended:

AYES: Kuhn, Long, Luebs, Markham, McGillivray, Middleton, Miller, Nelson, Powell, Quarles, Spisz, Taub, Weipert, Woodward, Zack, Gershenson, Hoffman, Jackson, Kochenderfer, Kowall. (20)

NAYS: None. (0)

A sufficient majority having voted in favor, the resolution, as amended, was adopted.

**RESOLUTION TO BECOME EFFECTIVE
WITHOUT COUNTY EXECUTIVE
SIGNATURE**

STATE OF MICHIGAN)
COUNTY OF OAKLAND)

I, Lisa Brown, Clerk of the County of Oakland, do hereby certify that the foregoing resolution is a true and accurate copy of a resolution adopted by the Oakland County Board of Commissioners on September 5, 2019, with the original record thereof now remaining in my office.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of the Circuit Court at Pontiac, Michigan this 5th day of September, 2019.


Lisa Brown, Oakland County