

# PROPERTY TAX FORECLOSURE

The property tax foreclosure process can be confusing. We want to help you answer any questions, and develop a payment strategy to pay off the debt.

## FREQUENTLY ASKED QUESTIONS

**Q. *What is a delinquent tax?***

**A.** A delinquent tax is a tax bill that was forwarded on March 1st from the local municipality to the county treasurer for collection after the year it was due.

**Q. *What happens after the property taxes are forwarded to the county treasurer?***

**A.** The county treasurer adds a one time required 4% administration fee and 1% interest per month in the first year of delinquency.

**Q. *What does it mean for my property to be in forfeiture?***

**A.** Forfeiture is the second year of delinquency and is the beginning of the foreclosure process. If your property reaches this stage, you still have 13 months before it will be foreclosed. The interest rate increases to 1.5% per month, retro to the date when the taxes became delinquent. Minimum fees of \$300 are added. A Notice of Forfeiture is recorded in the Register of Deeds.

**Q. *What is Foreclosure?***

**A.** Foreclosure is the loss of your property. It occurs the third year of delinquency on March 31st – after the circuit court judgment is entered.

**Q. *Can I get my property back if it is foreclosed?***

**A.** NO – foreclosure is final!

**Q. *What if I can't pay the full amount?***

**A.** The county treasurer will work with you by setting up a payment plan. This will prevent the property from being foreclosed if consistent monthly payments are made.

**Q. *If my property is foreclosed and sells at tax sale, do I have any recourse?***

**A.** Per MCL 211.78t, a party of interest can file a Notice of Intention to Claim Interest in Foreclosure Sales Proceeds (Form 5743) to claim any remaining proceeds from the transfer of sale of foreclosed property with the County Treasurer by July 1st of the auction year.

For additional assistance, contact the **Berrien County Treasurer's** office at:

**269-983-7111 Ext. 8569**

**[BerrienCounty.org/Treasurer](http://BerrienCounty.org/Treasurer)**