

RESOLUTION NO. 3402

A RESOLUTION ESTABLISHING PROCEDURES FOR THE BILLING OF SPECIAL ASSESSMENTS, PROVIDING FOR THE NOTIFICATION AND COLLECTION OF DELINQUENT ASSESSMENT ACCOUNTS AND REPEALING RESOLUTION NO. 2466.

WHEREAS, the City of Albany finances improvement projects under the "Bancroft Bonding Act" ORS 223.205-223.295, and

WHEREAS, the benefited property owners have agreed to pay for the assessment by installment payments over a period elected by the property owners of five, ten, fifteen or twenty years, and

WHEREAS, some benefited property owners have been delinquent in payment of the required installments thus incurring a late penalty, and

WHEREAS, the enforcement of delinquent assessment collections occurs after a period of one year from the time the assessment became due, if bonded, or after 60 days from the time entered in the lien docket, if not bonded, and

WHEREAS, the city will proceed to collect the unpaid liens by advertisement and sale of real property as provided by ORS 223.505-223.650.

NOW, THEREFORE, BE IT RESOLVED, that the billing, delinquent notification, and collection schedule for special assessment accounts, Schedule "A", is hereby adopted.

DATED THIS 24TH DAY OF AUGUST, 1994.



ATTEST:

Maurice R. Austin
Council President

Norm C. Witham
City Recorder

SCHEDULE A

SPECIAL ASSESSMENT FORECLOSURE TIMETABLE

ASSESSMENTS:

Day 1: Assessment passed by City Council (original assessment month).

Day 10: Last date assessment may be paid in full without interest.

Day 10: AND, signed installment application is due at the latest on this date in the Finance Department.

THE FOLLOWING TIME PERIODS ARE MEASURED FROM THE FIRST DAY OF THE ORIGINAL ASSESSMENT MONTH.

BONDED ASSESSMENTS UNDER MID-MONTH BILLING CYCLE:(Payments due the 1st)

5 Months 12 Days	First billing processed and mailed.
6 Months 12 Days	Billing considered delinquent - past due notices mailed.
10 Months 12 Days	First foreclosure notice mailed.
11 Months 12 Days	Second billing processed - 10% penalty notification.
12 Months 11 Days	All billings must be paid by this date to avoid 10% penalty.
12 Months 12 Days	10% penalty added - Second foreclosure notices mailed.
13 Months 12 Days	Mail first certified 30-day foreclosure letter.
14 Months 12 Days	Send second certified foreclosure letter.
15 Months 12 Days	Third foreclosure notices mailed - third certified letter.
16 Months 12 Days	Submit accounts to Council Finance Committee for foreclosure proceedings to begin.
17 Months 11 Days	Last date to bring assessment current, with interest & penalty - after this date the assessment must be paid in full.
17 Months 12 Days	Prepare resolution and 10-day acceleration letter - Property is subject to foreclosure - payment in full required for satisfaction, final foreclosure notice sent certified mail.

UNBONDED ASSESSMENTS: (If financing applications are not received within 15 days from the council date assessing the parcel, then set up the assessment as unbonded, mid-month billings.)

1 Month 12 Days	Final bill, amount due must be received within 30 days to avoid 10% penalty.
2 Months 11 Days	Last day to pay assessment in full without 10% penalty.
2 Months 12 Days	Assessment is delinquent, 10% penalty added, notice sent.
3 Months 12 Days	Assessment, interest, & penalty due & payable - first foreclosure notice mailed & first certified letter requesting full payment within 30 days.
4 Months 12 Days	Submit accounts to Council Finance Committee for foreclosure proceedings to begin.

BONDED ASSESSMENTS - COUPON PAYMENTS:

9 Months	Past due letters sent.
10 Months	All delinquent coupons must be brought current or a 10% penalty could be charged & property could be subject to foreclosure.
11 Months	Delinquent accounts will be charged a 10% penalty in 30 days.
12 Months	10% penalty added to past interest - second foreclosure notice mailed certified.
15 Months	Third foreclosure letter sent certified mail.
16 Months	Submit accounts to Council Finance Committee for foreclosure proceedings to begin.
17 Months	Last date to bring assessment current, with interest & penalty - after this date the assessment must be paid in full.
17 Months 15 Days	Prepare resolution and 10-day acceleration letter - Property is subject to foreclosure - payment in full required for satisfaction, final foreclosure notice sent certified mail.