



ACT NOW TO KEEP YOUR PROPERTY OUT OF THE SALE

90 DAY NOTICE OF INTENTION TO SELL TAX AND WATER LIENS

PROPERTY ADDRESS:

BOROUGH BLOCK LOT

Department of Finance and Department of Environmental Protection (DEP) records show **you owe** _____ in property taxes, water and/or sewer and other property related charges. These charges are listed below as liens against your property. You must pay or resolve this debt by **May 17, 2012**, or the City will sell the debt to an authorized buyer. **If the debt is sold, you will owe the amount below plus a 5% surcharge, accrued interest and administrative fees.**

Property Tax Lien Amount:

Property Related Charges Lien Amount:

Water Board Lien Amount:

TOTAL LIEN AMOUNT:

To keep your property out of the sale, you must **pay the amount due** or enter into a **payment agreement** by **May 17, 2012**. See pages B1 and B2 for complete details.

If you are a **Senior Citizen**, a **veteran** (or a relative of a veteran), or have a **disability**, you may qualify for a property tax exemption in future years and may **avoid having your debt sold**. If you are on **active military duty** (or a relative of someone on active military duty) you may also qualify to be excluded from the sale. Refer to the "Exemptions Eligibility Checklist" on page B5.

001060.04

Pay today the easy way at nyc.gov/payonline.

Please include this original coupon with your payment.



Amount due by May 17, 2012

Amount paid: \$

Mail payment to:
NYC Department of Finance
59 Maiden Lane, 19th Floor
New York, NY 10038-4502

Borough, Block & Lot:





90 DAY NOTICE OF INTENTION TO SELL TAX AND WATER LIENS

PAYMENT INSTRUCTIONS FOR: Property Taxes and Property Related Charges

PAY ONLINE by Electronic Funds Transfer (Free), E-Check (\$2 convenience fee) or Debit or Credit Card (2.49% convenience fee) at nyc.gov/payonline.
PAY IN PERSON by cash, official bank check, personal check or money order at Finance Business Centers, open weekdays from 8:30 to 4:30 at the following locations:

- Bronx 3030 Third Avenue – 2nd fl
 - Manhattan 66 John Street – 2nd fl
 - Queens 144-06 94th Avenue – 1st fl
 - Staten Island 350 St. Marks Place – 1st fl
- The Brooklyn Business Center is temporarily closed for renovations.

PAYMENT INSTRUCTIONS FOR: Water Board charges (water and/or sewer charges)

PAY ONLINE by Electronic Funds Transfer (Free) at nyc.gov/dep or by E-Check (\$2 convenience fee) or Debit or Credit Card (2.49% convenience fee) at nyc.gov/payonline.
PAY IN PERSON by official bank check, personal check or money order at the Finance Business Centers listed above or the DEP Borough Offices (open weekdays from 9 to 5 PM) listed below:

- Bronx 1932 Arthur Avenue – 6th fl
- Brooklyn 250 Livingston Street – 8th fl
- Manhattan 1250 Broadway – 8th fl
- Queens 96-05 Horace Harding Exp – 1st fl
- Staten Island 60 Bay Street – 6th fl

SPECIAL NOTICE FOR RECORD OWNERS AND/OR THE PROPERTY THAT IS THE SUBJECT OF A BANKRUPTCY CASE UNDER TITLE 11 OF THE UNITED STATES CODE (THE "BANKRUPTCY CODE")

The intended sale of the lien as set forth herein is not an act of collection. The proposed purchaser of the lien, a trust structured by the City for the ownership, among other things, of the liens (the "Purchaser"), has been specifically directed, unless authorized by the Bankruptcy Court, to refrain from any acts of collection during the time that the record owner and/or the property is the subject of a bankruptcy proceeding as set forth in the Bankruptcy Code (the "Restrained Acts"). The Restrained Acts include the application of the 5% surcharge, any statutory interest rate increases, notification costs, and any penalty amounts or any act to enforce the liens by act of foreclosure or other legal means without first obtaining appropriate judicial relief. In addition, for properties with an assessed value of \$250,000 or less, interest will accrue at the rate of 9 percent per annum, compounded daily. For properties with an assessed value of over \$250,000, interest will accrue at the rate of 18 percent per annum, compounded daily. Additionally, any time period which commences upon the sale of the Bankruptcy Tax Liens shall be tolled during the time the related property owner is in bankruptcy. The Purchaser will reserve its rights, upon removal of the record owner and/or the property from the protections set forth in the Bankruptcy Code, to take all appropriate legal actions.

The Restrained Acts set forth herein apply only as to those liens that attached prior to the date of any petition in bankruptcy. Any taxes and related charges, as well as any interest at the statutory rate, which became due and payable after the filing date of any petition in bankruptcy are liens as set forth in both the Administrative Code and Section 362(b)(18) of the Bankruptcy Code, and will be subject to the 5% surcharge. The City will not seek to enforce the post-petition liens by act of foreclosure or other legal means, until either the removal of the record owner and/or the property from the protections set forth in the Bankruptcy Code, or first obtaining appropriate judicial relief from the Bankruptcy Court.



Borough, Block & Lot:





2012 NOTICE OF INTENTION TO SELL LIENS DO NOT LOSE YOUR HOUSE OR PROPERTY

WHAT IS A LIEN SALE?

A lien is a legal claim against real property for unpaid property taxes, water, sewer or other property charges, including the interest due on the taxes and charges.

The sale is the transfer of the lien to an authorized buyer. It is not a sale of the property, but if the taxes and/or charges are not paid or resolved, the lienholder can begin a foreclosure proceeding in court.

WHAT DOES THIS NOTICE MEAN?

It means that the City's records show that you owe:

- Property taxes and accrued interest to the Department of Finance (Finance), and/or
- Water and sewer charges and accrued interest to the Department of Environment Protection (DEP), and/or
- Emergency Repair Program (ERP) or Alternative Enforcement Program (AEP) charges and accrued interest, which are assessed by the Department of Housing Preservation and Development (HPD) and billed by Finance.

WHAT DO YOU NEED TO DO?

To prevent the sale of a lien on your property, you must resolve your debt by **May 17, 2012**. You may do this by paying the full amount of your debt, arranging a payment agreement, or disputing the charges to correct the City's records if you think you do not owe the money.

See the following two pages for more information.

CAN ANYONE BUY LIENS?

The City only sells liens to a single authorized buyer, and not to the general public. Please do not contact us about purchasing liens.

HOW TO PAY

All payments must be received by May 17th.

PROPERTY TAXES AND RELATED CHARGES

PAY ONLINE by electronic funds transfer, electronic check, or credit/debit card. Convenience fees apply to credit/debit card and electronic check payments. Visit Finance's website at nyc.gov/liensale.

PAY BY MAIL by **May 4th**. Make your check or money order payable to NYC Department of Finance. Write the property's borough, block, and lot number (which can be found in the upper right hand corner of the first page of this notice) on the memo line. Also, state if payment is for specific charges, e.g., ERP or AEP. Mail to:

**NYC Department of Finance
P.O. Box 680
Newark, NJ 07101-0680**

PAY IN PERSON – Finance offices listed on page B2 accept cash, official bank checks, personal checks, and money orders. For payments made **after May 4th**, we recommend using an official bank check or money order to ensure timely processing and to prevent the sale of the lien(s). You do not have to pay in the borough where the property is located.

WATER / SEWER CHARGES

PAY ONLINE at nyc.gov/dep to pay water/sewer charges for free by electronic funds transfer or at nyc.gov/payonline to pay by credit/debit card or electronic check.

PAY BY PHONE by calling 1-866-622-8292 for a free electronic funds transfer.

PAY BY MAIL by **May 4th**. Make your check or money order payable to the NYC Water Board. Write your water account number on the memo line and mail to:

**NYC Water Board
P.O. Box 371488
Pittsburgh, PA 15250-7488**

PAY IN PERSON – DEP offices listed on page B2 accept official bank checks, personal checks, and money orders. For payments made **after May 4th**, we recommend using an official bank check or money order to ensure timely processing and to prevent the sale of the lien(s). You do not have to pay in the borough where the property is located. You may also pay water/sewer charges at Finance Business Centers.

For **financial counseling** regarding any of these taxes and charges, call HPD's Tax Lien Sale Hotline, 212-836-5300.

This notice is also available upon request in **Chinese, Korean, Russian, and Spanish**. Call 311.

WHEN THE CITY CAN SELL A LIEN ON A PROPERTY

Depending on your type of property, there can be as many as four conditions that make your property eligible for the sale. Use this table to understand the rules that apply to your property. If the last column says "YES" read Note 2 to see how your property could be excluded from the sale.

Type of Property	Property Tax Debt		Water/Sewer Debt		AEP Debt		ERP Debt		May Be Excluded (Note 2)
	Minimum Amount	Years Overdue	Minimum Amount	Years Overdue	Minimum Amount	Years Overdue	Minimum Amount	Years Overdue	
1-Family House	\$1,000	3	(Note 1)		N/A	N/A	N/A	N/A	YES
2-Family House	\$1,000	3	\$2,000	1	N/A	N/A	N/A	N/A	YES
3-Family – Owner Occupied	\$1,000	3	\$2,000	1	N/A	N/A	N/A	N/A	YES
3-Family – Non-Owner Occupied	\$1,000	3	\$2,000	1	\$1,000	1	N/A	N/A	NO
Residential Condominium	\$1,000	3	\$1,000	1	N/A	N/A	N/A	N/A	YES
Residential Cooperative Building	\$1,000	3	\$1,000	1	N/A	N/A	N/A	N/A	NO
Vacant Lot Zoned Residential	\$1,000	3	N/A	N/A	N/A	N/A	N/A	N/A	NO
Small Store or Office with 1 or 2 Apartments Above	\$1,000	3	\$2,000	1	N/A	N/A	N/A	N/A	YES
Housing Development Fund Corp. (HDFC) Rental Building	\$5,000	2	\$5,000	2	\$5,000	2	\$5,000*	2	NO
All other	\$1,000	1	\$1,000	1	\$1,000	1	\$1,000*	1	NO

*Only charges posted on or after Jan. 1, 2006, may be included.

Note 1: If you own a **1-family house** and only owe **water/sewer charges** but not property taxes, the City may NOT sell a lien on your property. Although the water/sewer debt may not be sold, DEP may terminate your water/sewer service if charges remain delinquent.

Note 2, Exclusion Rules: We will not sell the liens if your property is a 1- to 3-family house or a residential condominium, if it is owner-occupied and if you qualify for one or more of the following benefits:

- Senior Citizen Homeowners Exemption: Homeowners who are age 65 or older who meet income requirements.
- Disabled Homeowners Exemption: People with disabilities who meet income requirements.
- Certain Veteran Exemptions: If you have an "Old Law" Veteran Exemption, you are excluded from the lien sale only if you purchased the property with payments received as prisoner of war compensation from the U.S. Government. All Veteran Exemptions of the "combat" or "disability" benefit type are excluded from the lien sale. If you are not sure of your benefit type, you can go to nyc.gov/finance and click "Property Tax Benefit Information" in the right-hand column.

Those who received the State Real Property Tax Credit for Homeowners ("Circuit Breaker" credit) in Tax Year 2011 will also be excluded.

Active military duty personnel may request an exclusion from the lien sale by completing an affidavit available at nyc.gov/liensale.

If you think you are eligible for an exclusion, fill out the Exemption Eligibility Checklist.

ANSWERS TO COMMONLY ASKED QUESTIONS ABOUT THE CITY'S LIEN SALE PROCESS

■ **WHAT KINDS OF DEBT ARE SOLD IN A LIEN SALE?**

- Property taxes
- Sewer or water charges, surcharges
- Other property-related fees and charges, including Emergency Repair Program and Alternative Enforcement Program charges
- Accrued interest on all taxes and charges listed above

■ **CAN MY LIEN BE SOLD EVEN IF I AM IN THE PROCESS OF DISPUTING THE TAX OR CHARGE?**

Yes. If you are in the process of contesting the assessed value of your property tax, or the amount of your other charges, you must pay the taxes and/or charges in full or enter into a payment agreement to prevent the sale. If your dispute is successful, you will be entitled to a refund of any overpayments you made.

■ **WHAT HAPPENS AFTER A LIEN IS SOLD?**

Within 90 days after lien sale date, the City notifies all property owners by mail of:

- The terms and conditions under which the lien was sold
- The name of the new lienholder
- The name of the lienholder's authorized representative whom the property owner should contact. The representative will also contact the property owner by mail to discuss payment arrangements.

When the City of New York bills your property for new taxes and charges, you must continue to pay them to the City.

*Property owners should **not** deal with, or make payments to, anyone other than the new lienholder or their authorized representative named in the letter sent by the City.*

■ **WHAT ADDITIONAL CHARGES WILL RESULT FROM THE SALE?**

Once a lien is sold, the property owner then owes the taxes, charges, and accrued interest to the new lienholder, not to the City. The amount owed increases once the lien is sold. The lienholder is entitled to charge:

- A 5% surcharge on the entire lien amount
- Interest, compounded daily and payable semi-annually
- Administrative costs associated with the lien sale, including an estimated \$300 to cover the costs of any advertisements and notices

■ **CAN THE NEW LIENHOLDER SELL MY PROPERTY?**

Yes, but not at first. Foreclosure can begin 6 months after the lien sale date if you have not:

- Paid the semi-annual interest within 30 days of the payment due date
- Arranged some other payment schedule
- Remained current on property taxes or related charges that come due to the City after the lien sale

Foreclosure can also begin within 1 year after the lien sale date if you have not paid the lien in full or entered into a payment agreement with the new lienholder.

LEGAL BASIS FOR THE LIEN SALE

The sale of the tax lien for continued default on payment of the amount due on the property is provided for in section 11-319 of the New York City Administrative Code. The law also requires Finance to send notices 90, 60, 30 and 10 days prior to the date of the lien sale, and to send a Notice of Sold Lien within 90 days after delivery of the tax lien sale certificate.

This Checklist can be used only if your property has been included in the Lien Sale. If not, and you wish to apply for personal exemptions, please use the Exemption Application for Owners, available at nyc.gov/finance or by calling 311.

SENIORS, VETERANS, ACTIVE DUTY MILITARY PERSONNEL AND PEOPLE WITH DISABILITIES

Who Own and Live in 1- to 3-Family Houses or Residential Condos

Our records show that you owe property taxes and/or water charges. If you do not contact us by May 17, 2012, the City could sell a lien on your property.

If you are a senior, person with a disability or veteran (or a relative of a veteran), or if you or a relative is on active military duty, you may qualify for a property tax exemption in future years and may avoid having your debt sold.

Your property may also be excluded from the sale if you received the New York State Real Property Tax Credit for Homeowners (the "Circuit Breaker" credit) for Tax Year 2011.

**PLEASE FILL OUT THE FORM
ON THE REVERSE AND MAIL TODAY!**

For questions about property tax exemptions, please call **311** (outside New York City call 212-639-9675).

EXEMPTIONS ELIGIBILITY CHECKLIST

Please fill out parts A and B below. If we think you may be eligible for a senior, disabled homeowner, or veteran exemption or meet the "Circuit Breaker" credit or active duty military requirements, we will send an application.

If we approve you for a senior, disabled homeowner or a combat- or disability-level veteran exemption or verify you meet the "Circuit Breaker" credit or active military duty requirements, we will remove your property from the lien sale.

A. Check ALL of the following statements that apply to you.

- My property is a 1- to 3-family house or residential condominium.
- I own the property listed below and use it as my primary residence.
- By December 31, 2012, my spouse or I will be at least 65 years old and the total combined income for all owners is less than \$37,400.
- One of the owners receives disability benefits and the total combined income for all owners is less than \$37,400.
- My spouse or I are active duty military personnel.
- I am a veteran or a Gold Star parent.
- I received the New York State Property Tax Credit (the "Circuit Breaker" credit) for Tax Year 2011.

B. You MUST fill in the following information below:

If you do not fill in items 1 through 6, we will not be able to send you an exemption application. Item 8 is optional. Please print all information.

1. OWNER'S NAME: _____
2. PHONE NUMBER: (_____) _____ ■ _____
3. STREET ADDRESS: _____
4. CITY: _____
5. STATE: _____ 6. ZIP CODE: _____
7. BOROUGH: _____ BLOCK: _____ LOT: _____
8. EMAIL ADDRESS: _____

Mail to NYC Department of Finance, Lien Sale Exemptions Unit, 59 Maiden Lane, 22nd Floor, New York, NY 10038