Guidance Manual
Real Property Tax Auctions
United States Virgin Islands

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INTRODUCTION

A. Background

The Legislature of the Virgin Islands signed Bill No. 27-0008, Act No. 6976, on December 22, 2008, which transferred all real property tax collection responsibilities from the Department of Finance to the Office of the Lieutenant Governor.

The Lieutenant Governor discharges his duty to collect through the Office of the Tax Collector. The Tax Collector and collection staff are responsible for collecting all delinquent taxes owed to the Government of the United States Virgin Islands. 33 V.I.C. § 2541 permits the Lieutenant Governor to proceed pursuant to relevant statutes, to collect by the attachment and sale of the property of a delinquent taxpayer, any taxes and public sewer system user fees which are not paid within the prescribed statutory period.

The Tax Collector Office is responsible for collecting all delinquent property taxes and issuing tax-clearance letter that validates the fact that a property has no taxes due and owing. In addition to preparing routine tax clearance letters, the Virgin Islands Code empowers the Tax Collector to employ various means to collect delinquent taxes which include, sending past due notices to taxpayers; executing payment plans; recording general liens against real property, sending certified mail to taxpayers, and listing the names of delinquent taxpayers in local newspapers and online. Samples attached as Exhibits 1 (past due notice), 2 (payment plans) and 3 (sample general lien). Only as a last resort does the Tax Collector conduct public auctions to sell delinquent property for unpaid taxes.

B. Authority

In accordance with Section 11 of the Organic Act of March 3, 1917, as amended by the Revised Organic Act of 1954; the provisions of Chapter 3, title 3 of the Virgin Islands Code (as amended by Act No. 2431, dated February 12, 1969); and Executive Order No. 306-1987 as authorized by Act No. 2431, the Lieutenant Governor of the Virgin Islands is vested with certain duties and powers, including the following: supervise the assessment of real property; provide for and supervise the filing and recording of deeds and other records of real property transactions and all other instruments required by law to be filed or recorded. Specifically, "for the purpose of directing the work of the assessment of property … and the collection of the taxes, the Lieutenant Governor in addition to his other duties, shall have the direction and supervision of the assessment of property … and to publish such instructions as may be necessary for the guidance of taxpayers…. The Lieutenant Governor … shall administer and enforce all laws relating to the assessment, levy and collection of real property taxes and to attachment and sale of real property for the non-payment of real property taxes." 33 V.I.C. § 2361.

Under this clear mandate, the Office of the Lieutenant Governor is authorized to publish guideline materials that informs taxpayers about the process used to enforce the government's rights to collect delinquent real property taxes. Thus, pursuant to the legislative directive contained in 33 V.I.C. § 2361, the Tax Collector issues the following **Guidance Manual** for the attachment and sale of property for non-payment of real property taxes.

I. PRE AUCTION PROCEDURES

A. WHEN DO REAL PROPERTY TAXES BECOME DELINQUENT?

1. *Tax Bills Are Due And Payable By June 30th Each Year*. 33 V.I.C. § 2494. Sample Bill attached as Exhibit 4.

2. *60-Day Grace Period Before Taxes Become Delinquent On August 30th Each Year*
   - As per 33 V.I.C. § 2494, taxes and public sewer system user fees "**Such taxes and public sewer system user fees shall become delinquent if not paid by August 30th of each year**, unless the Lieutenant Governor, or his authorized representative, has arranged a quarterly installment schedule or any other method of collection…." This gives taxpayers sixty (**60**) days after the due date before they become eligible to be placed on a delinquency list.

3. *Additional 60-Day Period Within Which To Publish Notice Of Delinquency List*
   - Even after the August 30th deadline, there is still a period of an additional sixty (**60**) days within which the Tax Collector is authorized to prepare unpaid real estate taxes for delinquency listing, and eventual auction. What this means is that the Tax Collector has from September 1st to October 30th of each year in which he may publish a delinquency list. Specifically, 33 V.I.C. § 2496 provides that:

     > Within sixty (**60**) days after the date on which taxes and public sewer user fees become delinquent, **the Lieutenant Governor shall publish the names of all delinquent real property tax owners once in a different newspaper of general circulation in each island district, and such publication shall be deemed as notice to the taxpayer of the impending sale of the real property at public auction.** Said general notice shall state that **unless such delinquent taxes** and public sewer system user fees, together with the interest provided for by section 2494 of this title, **are paid within a period of 30 days** from the publication date of the said notice, **the property of the taxpayer will be attached and sold** in the manner provided in this subtitle.

4. *Additional 30-Day Period Before Attachment of Property*
   - By law the delinquency listing should be published by no later than October 30th each year. After the publication of the Notice of Delinquency listing, the Tax Collector must wait an additional thirty (**30**) days before delinquent property may be seized and sold. The law uses the term "attachment" of property and that phrase is the equivalent to "seizing" the property. If the Tax Collector adheres to the outer limits of the timeframe set out in the Virgin Islands Code, then November 30th each year is the latest time at which the Tax Collector may attach (or seize) a property in anticipation of sale.

5. *Additional 21-Day Minimum Period To Advertise Property For Sale*
    - Once property has been seized, the Tax Collector must advertise the sale for three weeks in a newspaper of general circulation. Even after the advertisement has gone out, the minimum time that the Tax Collector must wait is three (3) weeks before the property may be offered at auction.

6. *Tax Collector Sometimes Extends Time Period Before Auction*
    - Notwithstanding the generous amount of time given to cure real property tax delinquencies, as a general matter, the Tax Collector usually adheres to a more generous timeframe before properties are seized and sold at auction. Given the small interconnected nature of the Virgin Islands community, this extra time is a recognition of the fact that the Tax Collector understands that life happens—a little extra time sometimes is all that well-intentioned taxpayers need to be able to fulfill their obligations.
        i. **NOTE**: Interest continues to accrue at the rate of 1% per month for every month of delinquency, and caps out at 25% so that "extra time" does not come for free.
            1. **But note**: as per 33 V.I.C. § 2494 the Lieutenant Governor, for good cause shown in writing, may waive some or all the penalties and interest.

SUMMARY: The Virgin Islands Has A Generous Collection Timeframe!

- When looking at Virgin Islands law in a liberal light, taxpayers have a total of one hundred seventy-one (171) days or five-and-a-half (5 and 1/2) months to pay their tax bills each year before property may be seized and sold. If the Tax Collector follows the timeline set forth in the Virgin Islands Code, auctions are legally allowed to begin just before the Christmas holiday!

- Although tax collection begins to run from **June Due Date → December Auction Sale Date**, the Tax Collector usually allows additional time for payment of delinquent property taxes before an auction is scheduled. Quite often the collection timeframe gets extended to ensure due diligence to vet the properties that will go for auction, and to give taxpayers more time to comply.

- ***The combination of a generous collection timeframe, coupled with the ability for the Lieutenant Governor to waive some or all taxes and interest means that no Virgin Islands property owner ever should fear losing property through seizure and sale.***

B. <u>HOW MAY A TAXPAYER CURE A DELINQUENCY</u>

- In addition to the very generous timeframe for payment, the Tax Collector has very several options for helping taxpayers to pay their delinquent real property taxes. As with any other creditor, the first step is to ensure that a taxpayer communicates with the Office of the Tax Collector to see what remedies are available. <u>Taxpayers facing financial hardship are urged to contact the Tax Collector to enter a payment plan</u>.

1. *Taxes May Be Paid Up Until The Day Before Auction*

- Up until 3 p.m. the day before auction day, taxpayers may make full payment for all outstanding taxes, interest, penalties and fees, either in person at the Office of the Lieutenant Governor Cashier window, or by credit card online.
    i. Certified check, money order, credit cards and cash are acceptable forms of payment. Payment options are available to the taxpayer up until 3 p.m. on the day before the property tax sale.

2. *Taxes May Be Paid To Redeem Property After Auction*

- After the auction, delinquent taxpayers have up to one year from the date of sale to redeem the property by paying the full amount of all taxes and public sewer system user fees for which the property was offered at public auction plus interest at the rate of twelve percent per annum computed on the full amount of the purchase money to the date 30 days after tender is made to the Office of the Lieutenant Governor, together with all penalties, costs incurred, and administrative fees. 33 V.I.C. § 2581.

3. *Payment Plans Are Available To Taxpayers*

- Prior to the Notice of Attachment being levied, taxpayers may establish a plan for the payment of delinquent taxes.
- The payment plan will require a sizeable down payment with the balance to be paid out in 12 installments to have the entire obligation paid within a year.
- Depending on the amount of taxes owed, and at the discretion of the Lieutenant Governor, it is possible for some payment plans to be extended for as long as 36 months.
- If a taxpayer has outstanding property taxes for multiple prior years, the Tax Collector will sit with the taxpayer to establish the total delinquency amount to include taxes, interest, penalties, and fees.
- During the course of the monthly installment plan, the taxpayer may pay additional amounts to liquidate a tax bill earlier than the payoff date. **There is no penalty for an early payoff**.
    i. **NOTE**: enrollment in an installment plan automatically stops the accrual of penalties and interest on the delinquent amount.
    ii. **NOTE 2**: If a taxpayer fails to abide by a payment plan, he or she may petition the Tax Collector to refinance the defaulted payment plan for a fee of

$25.00. It is within the discretion of the Tax Collector whether to allow a refinance on a defaulted installment plan.

iii. NOTE 3: If a taxpayer requests a payment plan after a Notice/Certificate of Attachment has been prepared, the payment plan will be for the entire amount calculated on the Notice/Certificate of Attachment, which includes taxes, interest, penalties, and the costs of preparation for the auction.

4. *Taxpayers May Petition For A Waiver of Penalties and Interest*

- Under compelling circumstances, a taxpayer may direct a written request to the Lieutenant Governor to waive some or all penalties and interest on a case by case basis. The waiver of 100% of penalties rests within the firm discretion of the Lieutenant Governor and is usually allowed only under exceptional circumstances. See Sample Petition attached as Exhibit 5.

C. WHAT HAPPENS IF A TAXPAYER CANNOT CURE THE DELINQUENCY?

Top 2 Reasons For Non-Payment.

There are many reasons why a taxpayer is unable to cure real property tax delinquency. Two of the most common reasons that the Tax Collector encounters are:

1. Absent owners who have left the Territory and subsequently abandoned their property.
2. Death of owner(s) with no heirs, or heirs who do not probate the property to establish a new owner of record.

When property taxes become delinquent they are assessed monthly penalties and interest on the amount owed to the Government of the Virgin Islands. By statute, the Tax Collector "shall collect an additional sum of one percent of the amount due for each month or fraction thereof for which the taxes and public sewer system user fees are delinquent not to exceed 25 percent of the amount due." 33 V.I.C. § 2496.

Sometimes Auction Is The Only Option.

Quite often delinquent assessments, penalties and fees are significant, and, if a taxpayer chooses not to establish a payment plan, that taxpayer faces the risk of the property being sold at auction.

II. AUCTION PROCESS

A. VETTING DELINQUENT PROPERTY BEFORE AUCTION

- The Tax Collector must keep track of all delinquencies. After publication of the delinquency list, but prior to creating the seizure notices, the Tax Collector must engage in certain steps to verify the accuracy of the information related to each property.

1. *ARC-GIS Verification of Property*

The Tax Collector forwards the delinquency listing to the GIS Division to map the location of the various listed properties, and to ascertain the features of the delinquent properties.

2. *Prepare Status Reports*

The Tax Collector prepares status reports to list the delinquent taxes, penalties and interests, and the years for which those taxes are due. The status reports are useful to ascertain the final dollar amounts that will be included in the opening bid at auction. A sample status report is attached as Exhibit 6.

3. *Title and Encumbrance Certificate*

The Tax Collector often prepares a Title and Encumbrance Certificate in conjunction with the Recorder of Deeds. The Title and Encumbrance Certificate gives pertinent title information about a given property. Using the Title and Encumbrance Certificate, the Tax Collector can gather a history of transactions regarding the property, to include the current name of the property owner and any past or current liens. Sample Title and Encumbrance attached as Exhibit 7.

❖ Manual Search of Property Title

As a part of the Title and Encumbrance Certificate, a manual search is made of the real property by the following:

a. Address
b. Estate Number
c. Legal Description

- A manual search involves searching through the Auxiliary books on the related property address.
- Auxiliary books to the property list all liens and encumbrances recorded prior to 1999, such as mortgages, court orders, judgments, IRS and IRB liens, etc.
- From the year 1999 forward, all encumbrances and liens against real property have been computerized. A computerized search for the name of owner and the property's legal description should display all liens against the property from 1999 to present.
- The manual auxiliary search and the computerized search results are then listed on the Encumbrance Statement.

4. *Cadastral Verification of Property Boundaries*

Step 1. Tax Collector derives auction list with owner's name, property identification number, and legal property description

Step 2. The auction list must be forwarded to the Cadastral Unit to verify the acreage and boundary descriptions. Before a delinquent property is sold, the Cadastral Unit will check the property description against the registered maps to ensure that no boundary changes with the property have occurred.

Step 3. The Cadastral Unit will generate and print a map to hand over to the Appraisal team for actual views of the properties.

5. *Actual View of Delinquent Properties Scheduled for Auction*

Step 1. Before a delinquent property is auctioned, the Appraisal section will visit each property to establish that the description of the property listed in the real property database matches the location, description and property data that will be inserted into the *Notice of Attachment*.

Step 2. The Appraisal team and the Tax Collector, or the Chief Enforcement Officer, will perform the physical inspection of the properties. The physical inspection of the property is to verify what will be sold at auction.

Step 3. The appraisers will take photos of the property as part of the verification process, and may perform other quality checks as necessary.

6. *Verification That Parcel Identification is Active and Correctly Reflected on the Tax Rolls*

The Tax Collector circulates the listing of delinquency properties to verify that the parcels are indeed active, have not been retired from the tax rolls, and are capable of being sold.

7. *Verification That Parcel Is Not in Probate*

Although the Tax Collector may petition the probate court to sell a property for unpaid taxes, quite often the approach is to check with the Court Clerk's Office to verify the name of the executor/administrator and to arrange with that individual to keep current on the annual real property taxes of a probate property.

B. SEIZURE OF PROPERTY FOR AUCTION SALE

- Quite often the Tax Collector must take properties to auction. But auctions should not be viewed as a negative thing, especially in a jurisdiction where properties become abandoned or fall into economic disrepair because of the large number of absent owners and un-probated properties.
  - One advantage of the auction process is that it helps to restore real property to economic usefulness. This is especially true if it is a property that is vacant or long abandoned—the auction is one way to spur the redevelopment of the property.
    - **Before a property may be sold, however, the Tax Collector must adhere to the requirements of the Virgin Islands Code as set forth below.**

1. *Due Process Must Be Satisfied*

Notice to the property owner is a mandatory step in every collection action. The Notice process is designed to satisfy the due process element that prevents the government seizure of property where there is no compliance with the constitutional requirements of notice as set forth in the due process clause of the Fourteenth Amendment to the United States Constitution. In addition, providing notice can reinforce the alert of pending seizure and motivate the property owner to pay.

2. *Collection Attempts Prior to Compilation of Delinquency List*

The Tax Collector makes attempts to put taxpayers on notice and to collect on outstanding real property tax obligations. As a matter of practice, the Tax Collector allows a liberal timeframe (sometimes years, even!) for the attempts at collection to take place. The Tax Collector utilizes a variety of methods to contact taxpayers to inform them of their delinquency. Such methods include: preparing status reports on delinquent amounts at taxpayer request, mailing "past due" notices, making phone calls to negotiate payment amounts and dates, and attending closings to collect payments.

3. *Delinquency List Must Be Published For 30 Days*

After exhausting collection methods, the Tax Collector then prepares a list of delinquent properties to be published in a newspaper of general circulation for at least thirty (30) days. This list is known as a *Notice of Delinquent Taxes*, or a delinquency list for short. Sample attached as Exhibit 8.

By law, the delinquency list is publishable as late as 60 days after the August 30th due date for the payment of property taxes. The delinquency list contains the following information:

- Name of Property Owner
- Parcel Identification Number (commonly referred to as a "PID")
- Amount of Taxes Owed

Once the list has been compiled, the next step is to publish the delinquency list on each island in a news publication of general circulation.

Even after the delinquency listing is published property owners who are delinquent in paying their property taxes may still make payment in full, or establish a payment plan. This is because the delinquency list is **not** the final auction list, it is a public notice and reminder to delinquent taxpayers that there is still time to fulfill their tax obligation. Thus, the *Notice of Delinquent Taxes* keeps the taxpayer informed of the property's tax status, which can motivate payment and results in a more cost effective and timely collection of delinquent taxes.

4. *After Expiration of Delinquency List, Notice of Attachment Prepared*

Consistent with the Constitution's requirement that no property owner be deprived of life, liberty or property without due process of law, the Tax Collector **must** prepare a written *Notice of Attachment* of the delinquent real property that is signed by the Lieutenant Governor or a designee. The *Notice of Attachment* will also serve as the *Certificate of Attachment* that will be filed with the Recorder of Deeds.

The Tax Collector will complete a *Notice/Certificate of Attachment* to be filed with the Recorder of Deeds in each jurisdiction. The *Notice/Certificate of Attachment* is prepared by the Tax Collector and signed by the Lieutenant Governor.

At a minimum, the *Notice/Certificate of Attachment* **must** contain:

1. Notice of Lien Language - "THIS IS TO NOTIFY YOU THAT A LIEN HAS BEEN FILED WITH RESPECT TO DELINQUENT REAL PROPERTY TAXES"
2. Name of Delinquent Taxpayer
3. Amount of Delinquent Taxes And Public Sewer System User Fees (if applicable)
4. Amount of Interest
5. Amount of Penalties
6. Amount of Fees and Costs
7. Statement that if monies due are not paid before the date of auction, then property will be sold
8. Date and Place of the auction at which property will be sold
9. Date of Expiration of the property owner's right to redeem the property (365 days after sale date)
10. Description and Situation of the approximate boundaries of the delinquent property
11. Parcel Identification Number
12. Assessed Value of the Property

Every *Notice/Certificate of Attachment* has the force and effect of a judgment and an execution duly levied against all the real and personal property of the delinquent property owner. The *Notice/Certificate of Attachment* informs the taxpayer and the world that a property has been seized and will be put up for sale. Sample *Notice/Certificate of Attachment* attached as Exhibit 9.

5. *Once Prepared, Notice/Certificate of Attachment Must Be Personally Served on the Property Owner*

Because of the serious legal consequences inherent in the *Notice of Attachment*, courts have strictly construed tax statutes in favor of the taxpayer. As such, the United States Supreme Court, and Courts of the Virgin Islands have held that strict compliance with the law is a prerequisite before the Tax Collector may sell a property at auction.

The completed *Notice/Certificate of Attachment* will be served personally on the property owner. If the property owner cannot be found within the Territory, then service by publication will be effectuated as per the Virgin Islands Code.

Once the *Notice/Certificate of Attachment* has been prepared, it should be served on the property owner personally following the steps outlined below.

1st Step: The Tax Collector will use a process server to serve the *Notice of Attachment* on the property owner.
2nd Step: If the property owner is not available for service of process, the law directs the process server to serve the *Notice of Attachment* on any member of the property owner's family, or attendants of legal age.

3rd Step: If the debtor, a member of the debtor's family, or attendants of legal age cannot be found, the process server must leave the notice with two neighbors of the debtor who shall be witnesses of the service of the notice, as certified by an affidavit.

4th Step: If no witnesses can be found willing to receive the *Notice of Attachment* as certified by affidavit, then the *Notice of Attachment* must be served by publication as outlined below:

(1) mailed to the debtor's last known address via certified mail, and
(2) published in a newspaper of general circulation once a week for four (4) consecutive weeks for each district, and
(3) posted in the post office nearest to the attached property, and
(4) posted on the bulletin board of the local and federal courts of the Virgin Islands on the island of the attached property, and
(5) posted in whichever place is reasonably calculated to apprise the debtor of the attachment, such as on the property itself.

All these steps ensure that the Tax Collector takes additional reasonable measures to provide notice to the property owner before selling the property, especially if it is practicable to do so. *See Jones v. Flowers,* 547 U.S. 220, 225, 126 S. Ct. 1708, 1713 (2006).

6. *Notice of Attachment Serves as Certificate of Attachment to be Filed With Recorder of Deeds*

After the *Notice of Attachment* has been properly served, the *Notice of Attachment* must be filed with the Recorder of Deeds for each District. IF THE DELINQUENT TAXES ARE PAID BEFORE THE

SALE, THE NOTICE OF ATTACHMENT MUST BE CANCELLED IN THE SAME MANNER IT WAS RECORDED.

7. *Advertisement of Sale*

An individual cannot be divested of his property against his consent until the Tax Collector has complied with every substantial requisite of the law including the time of sale set forth in the Virgin Islands Code. Accordingly, as per 33 V.I.C. § 2546, "the Lieutenant Governor shall proceed to advertise the property for sale. The advertisement shall be published at least once in a different newspaper of general circulation in each island district," with the cost of advertising to be collected as part of the costs of the sale. Sample Advertisement of Sale attached as Exhibit 10.

The Tax Collector will publish the Notice of Sale for three (3) consecutive weeks in various public media prior to the date of auction.

The Notice of Sale will contain a statement that suits to contest the validity must be made within ninety (90) days of recording of the certificate of purchase.

8. *Other Lien Holders Must Be Notified 2 Weeks Prior to Auction Sale*

In all cases where real property is attached and is to be sold for the payment of taxes and public sewer system user fees the Tax Collector must notify all persons having a mortgage or other lien of record on said property at least two weeks prior to the sale of any seized property. Sample Notice to Other Interested Lien Holders attached as Exhibit 11.

C. AUCTION DAY

1. *Pre-Auction Registration*

1. A registration fee will be charged to auction attendees. See Sample Registration Form attached as Exhibit 12.
2. There will be a charge of $50.00 if potential bidders register in advance by completing a registration form up to 3:00 pm on the day prior to the auction. Registration forms may be obtained from the Tax Collector's Office or from the Lieutenant Governor's website.
3. For pre-registrants, cash, credit cards, money orders, bank drafts or other certified funds will be accepted for registration payments. No personal checks are accepted.
4. A potential bidder will incur a late fee of an additional $50.00 if the potential bidder registers on the day of the auction. On the day of auction, only money orders, bank drafts or other certified funds will be accepted for registration payments. No cash, checks, or credit cards.
5. The only persons exempted from a registration fee are members of the press, Lieutenant Governor personnel helping with the auction, and other government employees functioning in an official capacity at the auction.
6. Lieutenant Governor staff appointed to verify identification will make take a copy of driver's license, passport, or other official government identification of each registrant.
7. Registrants will be given a package with the listing of all properties up for auction and a map of the location of the property.

2. *Ground Rules for Auction*

- The auction will be video-taped for historical purposes, and to ensure transparency of the process.
- Anyone attending the auction on behalf of another individual, must present a notarized letter or Power of Attorney along with a copy of their identification, as well as copies of the identification of the person(s) being represented.
- Only the highest bidder will be recognized as the winning bidder.
- Winning bidders have until the end of the auction day at 4:00 pm to pay 10% of the winning bid, and ten (10) calendar days to pay the balance. If the ten (10) calendar days falls on a weekend or holiday, payment will be due by 4:00 pm on the day the Cashier's Window reopens.
- No payments will be taken at the auction. Winning bidders must make payment at the Cashier's Window at the Office of the Lieutenant Governor in the form of credit card, cashier's check, money order, bank check, or other certified funds.
- If the winning bidder defaults on payment, the property goes back to auction.

3. *Conducting the Auction*

- The public auction will be held at the time and location set forth in the Notice of Sale.
- The auction will be conducted by a private auctioneer retained for the sale.

- Pursuant to Title 33, Section 2549 the Terms of Sale must be read out aloud to announce the following:
    a. That the sale shall be by public auction;
    b. That the sale will terminate upon acceptance of the highest bid amount;
    c. That bids must be equal to or greater than all taxes, fees, penalties and costs;
    d. That there must be a cash deposit of 10%;
    e. That if the bidder fails to pay the balance, the deposit is forfeited.
    f. The auctioneer will announce the opening bid amount and the bidding increments.

- If a property does not sell at an auction, OR if a bidder fails to pay the 10% deposit, OR if a bidder pays the deposit but fails to pay the 90% balance by 4:00 pm on the 10th day after the auction as required by law, the property must be offered at a subsequent auction.

- Auction sale day may be continued at the discretion of the Lieutenant Governor, but not to exceed sixty (60) days. Continuations must be advertised.

- The Lieutenant Governor must pay damages to the injured party if a sale is improperly conducted. The sale shall be void upon a determination that an auction was irregular as per 33 V.I.C. § 2549.

- **THE LIEUTENANT GOVERNOR, HIS AGENTS OR EMPLOYEES OR IMMEDIATE MEMBERS OF AN EMPLOYEE'S FAMILY MAY NOT PURCHASE PROPERTIES AT THE AUCTION SALE.**

III. POST AUCTION PROCESS

A. AUCTION PROCEEDS

1. *Costs of Auction Apportioned Among Each Property*

By law, the Tax Collector must apportion the auction fees and costs among all properties seized and listed for auction, whether sold or not. These fees and costs for administration of the auction will be divided equally among all properties, and must be included in the opening bid price. Examples of the administration fees and costs include some of the following: publication fees, facility rental fees, process server fees, and other administrative costs associated with the preparation for and execution of the auction process.

2. *Certificate Of Purchase*

The winning bidder will be issued a **Certificate of Purchase** within 10 days of sale. Sample attached as Exhibit 13. The **Certificate of Purchase** must contain the following information:

i. Name and Residence of buyer
ii. Date of sale
iii. Sale Amount
iv. A statement that the buyer paid the sale amount to include taxes; public sewer system fees, penalties, costs, and administrative fees
v. Legal description pursuant to Section 2451
vi. Folio and volume where the sold property is recorded
vii. Statement that if right of redemption is not exercised in a timely manner, property shall vest in buyer free from all liens, mortgages or other encumbrances

3. *Deposit And Transfer Of Sale Proceeds*

Step 1. All sale proceeds will be deposited into an escrow account with the Department of Finance
Step 2. Taxes, penalties, interest, and fees should be deducted from the escrow account and remitted to the General Fund of the Treasury.
Step 3. Proceeds of the sale in excess of taxes, penalties, interest and costs will be credited to the property owner and will remain in the escrow account until former owner of record files a claim.
Step 4. Send a *Notice of Excess Proceeds* to the former owners of record. There is no statute of limitations on excess proceeds. Sample Excess Proceeds Notice to Former Owner attached as Exhibit 14.

4. *Record Cancellation of Notice/Certificate of Attachment of Lien*

Once all taxes, penalties interest, costs and applicable fees have been deducted from the winning bid proceeds, the Tax Collector will cause a Cancellation of Notice/Certificate of Attachment to be filed with the Recorder of Deeds for each district. Sample Cancellation attached as Exhibit 15.

B. <u>RIGHT OF REDEMPTION BY OWNER</u>

- The owner (or other persons having an interest in the property sold) has the statutory right to redeem the property at any time from the date of sale of the property until 365 days thereafter. During the period of redemption, the winning bidder is forbidden by law from providing any improvements to the property until the time of expiration of the right of redemption.

To redeem an auction property, the former owner must pay the full amount necessary to satisfy the redemption statutes. Accordingly, the Tax Collector must do the following:

Step 1. Determine the redemption amount to include, taxes, statutory interest, penalties, costs and administrative fees, including recording fees.

Step 2. Collect the entire redemption amount from the owner. Redemption payment must be made by cash, certified check, money order or credit card payable to "Government of the Virgin Islands."

Step 3. Notify the winning bidder that the property was redeemed via letter notice after all redemption obligations are satisfied by the taxpayer. Sample Letter of Redemption to Successful Bidder attached as Exhibit 16.

Step 4. Prepare a reimbursement request for a redemption amount to include the amount due at the tax sale and any interest computed from the date of the tax sale to the date of the redemption payment. Interest is calculated at a monthly rate of 1% and that rate applies even to a partial month. The reimbursement request is forwarded to the Department of Finance for processing.

Step 5. Prepare and file a Certificate of Redemption, to be forwarded to the Recorder of Deeds. The Certificate of Redemption operates as a release of the real property tax lien, but the property remains subject to all liens and legal claims against it to the same extent and manner as though the property had not been sold for real property taxes and public sewer system user fees. Sample Certificate of Redemption attached as Exhibit 17.

- Note: If the property is redeemed by a mortgagee/bank lender, the redemption money shall be added to the mortgage lien at the same rate of interest as the mortgage.
    - Note 2: Property may be redeemed by a tenant or lessee as per 33 V.I.C. § 2581. In the case where property has been redeemed by a mortgagee, tenant or lessee, title remains in the name of the original owner, while the Certificate of Redemption merely evidences the interest of the redeeming party.

OFFICE OF THE LIEUTENANT GOVERNOR

OFFICE OF THE TAX COLLECTOR

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5049 Kongens Gade • Charlotte Amalie, Virgin Islands 00802 • 340.776-8505 • Fax 340.779.7825

PAST DUE ACCOUNT NOTIFICATION

PARCEL NUMBER	
LEGAL DESCRIPTION	
OWNER'S NAME	
AMOUNT PAST DUE	

This is the Final Notice that outstanding taxes are due for the property described above. Failure to remit payment may result in your property being forfeited.

Taxpayers may choose to either pay the balance in full OR enter into an installment agreement with the Office of the Tax Collector.

Please make your certified check or money order payable to the Government of the Virgin Islands.

Payments may be mailed, or may be made in person at any of our property tax cashier locations.

If you require any additional information, please contact Choose your name. at Choose your telephone number. or Choose your email.

Sincerely,

Final Notice

____
Tax Collector

____
Date:

EXHIBIT 1
Past Due Account Notification

OFFICE OF THE LIEUTENANT GOVERNOR
OFFICE OF THE TAX COLLECTOR

1105 King Street • Christiansted, Virgin Islands 00820 • 340.773.6449 • Fax 340.719.2355
5049 Kongens Gade • Charlotte Amalie, Virgin Islands 00802 • 340.776-8505 • Fax 340.779.7825

Installment Payment Agreement for Delinquent Property Taxes

This Agreement made this ___________ day of ____________________, 20____ by and between the following parties:

Office of the Lieutenant Governor	Payor of Real Property Tax ("PAYOR")
Tax Collector Division Prepared by:	Name:
Parcel Number:	
Legal Description:	
Owner's Name:	
Residential Address:	
Mailing Address:	
Home Phone Number:	
Mobile Phone Number:	
Email Address:	
SSN/TAX ID.:	
Alternate Contact (Name and Telephone Number):	

EXHIBIT 2

Installment Payment Plan

WHEREAS, the above-mentioned real property is located in the St. Thomas and St. John District and;

WHEREAS, said real property is subject to first-priority, non-dischargeable liens for real property taxes, and;

WHEREAS, the **PAYOR** is desirous of entering into an installment payment agreement to repay delinquent property taxes on the above-mentioned parcel, and;

WHEREAS, the **PAYOR** understands that no tax clearance letter will be issued until this installment agreement has been paid in full; and

WHEREAS, the **PAYOR** understands that the Tax Collector, by accepting payments of outstanding taxes, does not guarantee **PAYOR** any right, title or interest in the subject property;

NOW THEREFORE, the parties agree as follows herein:

I. DEFINITIONS

(a) For the purposes of this installment agreement, "eligible delinquent taxes" means all delinquent taxes (which include penalties and interests) that have accrued against a parcel as of the date on which an installment agreement is issued;

(b) "Amount due" under this installment agreement shall be the eligible delinquent taxes (which include penalties and interest) that remains outstanding on the date on which each payment is to be made.

II. AMOUNT

The total amount due under this agreement is $________________________________.

III. TERM

The term of this Agreement shall be__________ months.

IV. GOOD FAITH DEPOSIT

The amount necessary to execute this agreement is a down payment in the amount of $_________________________, which leaves a remaining balance of $______________________.

V. INSTALLMENT TERMS

Each installment of $__________________shall be due on the 15th of the month in which it is to be paid. If any installment is not paid by the 15th of the following month PAYOR will be in default.

VI. DEFAULT

a) PAYOR shall be in default under this agreement upon the occurrence of one of the following events:
   1) non-payment of any installment within thirty days from the payment due date;
   2) non-payment of any tax, special ad valorem levy or special assessment which is levied subsequent to the signing of the agreement by a tax district and which is not paid prior to the expiration of the warrant of the collection officer;

b) In the event of a default, the Lieutenant Governor shall have the right to demand the entire unpaid balance, with interest and late charges, to be paid in full. The Lieutenant Governor shall also have the right to enforce the collection of the delinquent tax lien pursuant to the applicable sections of the Real Property Tax Law, and shall be entitled to all attorney's fees and costs incurred.

c) Upon default by the PAYOR, the Lieutenant Governor's failure to declare the entire balance due and owing or to commence foreclosure proceedings shall not constitute a waiver of the right to do so.

VII. DESTRUCTION AND CONDEMNATION

In the event the property that is the subject of this Agreement is damaged or destroyed, or is partially or totally condemned through the process of eminent domain, the PAYOR shall pay to the Lieutenant Governor from any property and casualty insurance proceeds or condemnation award, the balance remaining unpaid under this Agreement at the time. Any waiver of this provision by the Lieutenant Governor shall be in writing and shall not be deemed to continue or apply to any subsequent event or circumstance.

VIII. TAX LIENS

This Agreement shall not affect the tax lien against the property except that the lien shall be reduced by the payments made under this Agreement. The Lieutenant Governor agrees that the lien shall not be foreclosed during the term of this agreement provided that PAYOR is not in default as set forth in paragraph V.

IX. MODIFICATIONS

Acceptance of this Agreement is conclusive of the assessment of value and constitutes a waiver of the right to appeal or challenge the assessment. This Agreement shall not be modified except in writing.

X. SPECIAL CONSIDERATIONS:

____

____

IN WITNESS WHEREOF, the parties have executed this Agreement on the date first above written.

_____________________________________ _____________________________________

Name of PAYOR (Print Name) Name of Payor (Signature)

________________________________ _____________________________________

Name of PAYOR (Print Name) Name of Payor (Signature)

_Ludence A. Romney______________ ___/s/ Ludence A. Romney_____________

Tax Collector (Signature)

1st Payment Due Date: ______________

OFFICE OF THE LIEUTENANT GOVERNOR

OFFICE OF THE TAX COLLECTOR

1105 King Street • Christiansted, Virgin Islands 00820 • 340.773.6449 • Fax 340.719.2355
5049 Kongens Gade • Charlotte Amalie, Virgin Islands 00802 • 340.776-8505 • Fax 340.779.7825

GENERAL REAL PROPERTY TAX LIEN

This will certify that, pursuant to 33 Virgin Islands Code 2541, on March 30, 2017, the Office of the Lieutenant Governor, Real Property Tax Division, the listed properties were attached for non-- payment of taxes, penalties and interest as set forth below.

Parcel ID	Legal Description	Owner	Amount Owed
X-XXXXX-XXXX-XX	XXXX RED HOOK QUARTERS	JOE & JANE DOE	$150,000.00
X-XXXXX-XXXX-XX	XXXX NORTHSIDE QUARTERS	JOE & JANE DOE	$120,000.00
X-XXXXX-XXXX-XX	XXXX FISH BAY QUARTERS	JOE & JANE DOE	$110,000.00
X-XXXXX-XXXX-XX	XXXX CORAL BAY QUARTERS	JOE & JANE DOE	$100,000.00
X-XXXXX-XXXX-XX	XXXX RED HOOK QUARTERS	JOE & JANE DOE	$140,000.00
X-XXXXX-XXXX-XX	XXXX RED HOOK QUARTERS	JOE & JANE DOE	$130,000.00
X-XXXXX-XXXX-XX	XXXX NORTHSIDE QUARTERS	JOE & JANE DOE	$160,000.00
X-XXXXX-XXXX-XX	XXXX SOUTHSIDE QUARTERS	JOE & JANE DOE	$180,000.00
X-XXXXX-XXXX-XX	XXXX EASTSIDE QUARTERS	JOE & JANE DOE	$190,000.00
X-XXXXX-XXXX-XX	XXXX WESTSIDE QUARTERS	JOE & JANE DOE	$170,000.00

IN WITNESS WHEREOF, I hereunto affix my signature as executed this 30th day of March 2017.

Tax Collector/ Tax Collector Designee

EXHIBIT 3
General Real Property Tax Lien

GOVERNMENT OF
THE UNITED STATES VIRGIN ISLANDS
OFFICE OF THE LIEUTENANT GOVERNOR
TAX ASSESSOR'S OFFICE

Pay Online: **propertytax.vi.gov**

NOTICE OF CHANGE OF ASSESSMENT AND REAL PROPERTY TAX BILL

Dear Property Owner,
Your 2016 **Notice of Change of Assessment and Real Property Tax Bill** has been prepared in a two-part format. **If you had an overpayment from your 2015 tax bill, this bill reflects a prepayment. Please pay Balance Due listed below. If there is still an overpayment the additional credit will be applied towards the 2017 tax bill.** Wastewater User Fees charges and any outstanding property taxes are explained on the reverse side of this bill.

You may now pay your property tax bill online at http://propertytax.vi.gov; or, a return envelope is enclosed for your convenience. If you choose to pay your bill by mail, tear off the lower portion of the tax bill and return it in the enclosed return envelope with your check or money order made payable to the GOVERNMENT OF THE UNITED STATES VIRGIN ISLANDS. **DO NOT SEND CASH**.

You may also pay in person by cash, check, money order, or credit card (MasterCard or Visa). The Tax Collector's Office will retain the lower section of your bill.

YOUR 2016 PROPERTY TAX BILL IS DUE ON JULY , 2016. PAY BEFORE SEPTEMBER , 2016 TO AVOID BECOMING DELINQUENT AND INCURRING LATE PAYMENT CHARGES OF ONE (1) PERCENT PER MONTH.

According to VIC, T. 33, § 2451, if aggrieved with this assessment, you have until **SEPTEMBER , 2016** to appeal to the Board of Tax Review; no claim will be considered after this period. You are also invited to visit the Tax Assessor's office in your district where you can file for an informal review of your property assessment.

PROPERTY SOLD: 2016 Real Property Tax Bills are sent to the owner as of January 1, 2016. If you have sold this property since January 1, 2016, you may need to forward this bill to the new owner.

Mailing Address: It is the responsibility of the property owner to notify the Tax Assessor's Office of any change in their mailing address.

2016 **NOTICE OF CHANGE OF ASSESSMENT AND REAL PROPERTY TAX BILL** **2016**
GOVERNMENT OF THE UNITED STATES VIRGIN ISLANDS

DESCRIPTION OF PROPERTY							PARCEL NUMBER		
ASSESSED LAND	ASSESSED IMPROVEMENT	ASSESSED TOTAL	AMOUNT OF TAX	LESS CREDITS	TAX AMOUNT DUE	WASTEWATER USER FEE	**AMOUNT DUE**	PREPAYMENTS	**BALANCE DUE**

TAX RATE:

TAX CREDITS APPLIED
REMAINING CREDIT

Remittance Copy

2016 **NOTICE OF CHANGE OF ASSESSMENT AND REAL PROPERTY TAX BILL** **2016**
GOVERNMENT OF THE UNITED STATES VIRGIN ISLANDS

DESCRIPTION OF PROPERTY							PARCEL NUMBER		
ASSESSED LAND	ASSESSED IMPROVEMENT	ASSESSED TOTAL	AMOUNT OF TAX	LESS CREDITS	TAX AMOUNT DUE	WASTEWATER USER FEE	**AMOUNT DUE**	PREPAYMENTS	**BALANCE DUE**

TAX RATE:

TAX CREDITS APPLIED
REMAINING CREDIT

EXHIBIT 4
Sample Tax Bill

OUR RECORDS INDICATE THAT YOU ARE DELINQUENT IN FULFILLING YOUR PROPERTY TAX OBLIGATIONS FOR THE FOLLOWING YEARS AND AMOUNTS. PLEASE VISIT OR CALL THE OFFICE OF THE TAX COLLECTOR TO MAKE ARRANGEMENTS FOR PAYMENT. IF YOU HAVE ALREADY PAID, KINDLY PROVIDE PROOF OF PAYMENT (PAYMENT RECEIPT) SO THAT WE CAN UPDATE OUR RECORDS ACCORDINGLY. THANK YOU.

Outstanding amount reflects interest as of the date of issuance and therefore is subject to change.

TAX YEAR	AMOUNT OUTSTANDING

TITLE 23, VIRGIN ISLANDS CODE, SECTION 321 REQUIRES OWNERS TO AFFIX THE STREET NUMBER OF EACH HOUSE IN A CONSPICUOUS PLACE. PLEASE BE SURE THE PHYSICAL ADDRESS OF YOUR PROPERTY IS CLEARLY VISIBLE FROM THE STREET TO HELP LOCATE YOUR PROPERTY IN THE EVENT OF AN EMERGENCY.

The Wastewater User Fee (WUF) is calculated based on the number of Equivalent Residential Units (ERU) assessed to a property. The ERU represents a single user of the wastewater system, such as a single family residence. Multiple ERUs are assessed to properties that contain multiple residences or commercial establishments. Effective on the 2014 Property Tax bill, the WUF **has been** increased to $110.77 per Equivalent Residential Unit (ERU). A complete chart of the Territorial Wastewater ERU Equivalencies is available online at www.viwma.org.

Examples: Church – 1 Unit; Offices – 1 unit for each 30 employees; Hotel, motel resort – 1 unit per room; Food Service Facility – 1 unit for each 10 seats or portion thereof; Rented Room – 0.25 units per room.

Wastewater User Fee questions only: St. Thomas/St. John: 340-715-9100 St. Croix: 340-712-4962

Please fold and tear payment coupon along perforation and remit with payment in the envelope provided.

Control Number: Invoice Number:

If paying by credit card, please complete the following information: ☐ Visa ☐ MasterCard Parcel Number:

Cardholder authorizes the payment of this invoice by the issuer identified below and agrees to comply with the obligations set forth in the Cardholder agreement with the issuer.

Credit Card Number:____ Expiration Date: ___________ (month/year)

email:_________________________________

Cardholder Name: (Please Print) ____ Payment Amount: **$** ______________ Daytime Phone Number:(____)________________

Cardholder Signature: ____

MUST INCLUDE COPY OF EITHER PASSPORT OR DRIVER'S LICENSE

YOU MAY NOW PAY ONLINE!
http://propertytax.vi.gov

Address Correction or Change of Address Information Requested *(Please Print)*

Street ____ City ______________________ State _____ Zip ______________

email ____

EXHIBIT 4
Sample Tax Bill

OFFICE OF THE LIEUTENANT GOVERNOR

OFFICE OF THE TAX COLLECTOR

1105 King Street • Christiansted, Virgin Islands 00820 • 340.773.6449 • Fax 340.719.2355
5049 Kongens Gade • Charlotte Amalie, Virgin Islands 00802 • 340.776-8505 • Fax 340.779.7825

TAXPAYER REQUEST FOR WAIVER OF PENALTY AND/OR INTEREST

TO: Ludence A. Romney
Tax Collector

FROM: ________________
Name of Taxpayer and/or Taxpayer Representative:

DATE: January 11, 2016

Tax Year(s) Requested: **2008-2015**

Percentage of Interest
And Penalties Requested: **50%**

Parcel Number: **1-xxxx-xxxx-00**

Legal Address: ________________________________

REASON FOR
WAIVER REQUEST: Economic Hardship
(Attach Supporting Documentation)

____

____

____

____

____

(attach additional pages if necessary)

EXHIBIT 5
Request for Waiver of Penalties & Interest

Office of the Lieutenant Governor
REAL PROPERTY TAX
No. 5049 Kongens Gade
St. Thomas, VI 00802-6487
http://ltg.vi.gov

OFFICE OF THE TAX COLLECTOR
Tel. (340) 776-8505 X 4349
Fax. (340) 779-7825
ludence.romney@lgo.vi.gov

STATUS

REAL PROPERTY TAXES

REQUESTED BY: ______________________

PHONE NO: ______________________

PROPERTY: ______________________

PARCEL NUMBER: ______________________

PROPERTY OWNER: ______________________

TAX YEAR	TAXES DUE	PENALTY DUE	COST	TOTAL DUE	Penalty %
2016	-	-	-	-	4.0%
2015	-	-	-	-	12.0%
2014	-	-	-	-	17.0%
2013	-	-	-	-	25.0%
2012	-	-	-	-	25.0%
2011	-	-	-	-	25.0%
2010	-	-	-	-	25.0%
2009	-	-	-	-	25.0%
2008	-	-	-	-	25.0%
2007	-	-	-	-	25.0%
2006	-	-	-	-	25.0%
2005	-	-	-	-	25.0%
2004	-	-	-	-	25.0%
2003	-	-	-	-	25.0%
2002	-	-	-	-	25.0%
2001	-	-	-	-	25.0%
2000	-	-	-	-	25.0%
1999	-	-	-	-	25.0%
1998	-	-	-	-	25.0%
1997	-	-	-	-	25.0%
1996	-	-	-	-	25.0%
Totals:	-	-	-	-	

Note: **Penalty assessed to:** 1/31/2017

Please make checks payable to the GOVERNMENT OF THE U.S VIRGIN ISLANDS
Once paid, contact the Tax Collector to process your Tax Clearance Letter.
Accepted payments: Cash, Check, Credit card (within 6 months of receipt date)

Prepared by: LUDENCE A. ROMNEY 1/5/2017
Title: TAX COLLECTOR

EXHIBIT 6
Sample Status Report

OFFICE OF THE LIEUTENANT GOVERNOR

OFFICE OF THE TAX COLLECTOR

1105 King Street • Christiansted, Virgin Islands 00820 • 340.773.6449 • Fax 340.719.2355
5049 Kongens Gade • Charlotte Amalie, Virgin Islands 00802 • 340.776-8505 • Fax 340.779.7825

May 23, 2017

THIS IS A TITLE & ENCUMBRANCE STATEMENT NOT A TITLE SEARCH

TO WHOM IT MAY CONCERN:

This is to certify that according to the records in the Office of the Recorder of Deeds, Parcel No.________________________________ Cruz Bay Quarter, St. John, Virgin Islands, is registered in the name of:

John Doe and Jane Doe

The following encumbrance(s} is listed against the above described property:

1. *Mortgage recorded on 9/1/2004 in the amount of $100,000.00 between the **BANK** OF NOVA SCOTIA and JOHN DOE and JANE DOE.*

2. *Notice of Lis Pendens recorded an 7/27/2016: Bank of Nova Scotia Against* JOHN DOE AND JANE DOE. *Recorded as Document number 2016000000.*

3. *Notice of Lis Pendens recorded on 8/1/2016: Bank of Nova Scotia Against JOHN DOE AND JANE DOE. Recorded as Document number 2016000001.*

4. *JUDGMENT recorded 12/12/2006: Action for Quiet Title and Reformation; Case No. ST 03-CV-000: Peter Piper, a/k/a Piper Peter (plaintiff)- vs. Harry Doe, Leroy Doe, John Doe and Jane Doe, et al. Recorded as Document number 2016000001.*

Sincerely,

Erica Dover
Recorder of Deeds

EXHIBIT 7
Sample Title & Encumbrance Certificate

OFFICE OF THE LIEUTENANT GOVERNOR
OFFICE OF THE TAX COLLECTOR

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5049 Kongens Gade • Charlotte Amalie, Virgin Islands 00802 • 340.776-8505 • Fax 340.779.7825

Publication of Notice of Real Property Taxes Due

The following list is being published pursuant to Virgin Islands Code Title 33 Section 2496, which states: "the Lieutenant Governor shall publish the names of all delinquent real property tax owners once in a different newspaper of general circulation in each island district, and such publication shall be deemed notice to the taxpayer of the impending sale of the real property at public auction." … "Unless such delinquent taxes and public sewer system user fees, together with the interest provided for by [Virgin Islands Code Title 33] section 2494, are paid within a period of 30 days from the publication date of the said notice, the property of the taxpayer will be attached", or have a lien placed on it by the Government of the Virgin Islands. After the levy of attachment, the Lieutenant Governor shall proceed to advertise the property for sale in accordance with Virgin Islands Code Title 33 Section 2546. For more information, contact the Office of the Tax Collector at (340) 776-8505 on St. Thomas, 773-6449 on St. Croix.

Please note: All property owners, residential or commercial, who are delinquent in paying their property taxes, are urged to pay their taxes immediately or secure a payment plan right away. All delinquent properties will be listed this year and scheduled for auction.

PROPERTY OWNER	PARCEL NUMBER	AMOUNT DUE
AARON, RUDOLPH & OTHERS	4-07609-0336-00	933.44
ABOTT, MILTON & MARJORIE	1-05803-0233-00	3,068.73
ABRAHAM, JOHN	3-06004-0215-01	4,597.93
ABRAHAM, OSWIN & M. A	1-03204-0172-05	5,529.16
ABRAHAM, OSWIN & M. A	1-05604-0238-00	2,106.60
ABRAMSON, IRENE	1-05201-0330-00	1,276.27
ABTS, RONALD & THERESA	1-05402-1032-KH	974.04
ABUBAKER, EVARISTE & URSULA	4-07815-0162-00	12,055.16
ACEVES, LESLIE L	1-05402-1030-FB	1,057.27
ACORN DEVELOPMENT LLC	1-05501-0213-00	508,839.57
ACOSTA, CHRISTINE J	2-06900-0121-01	11,542.27
ADAMS, JEROME & DENISE B	1-05402-1032-YX	1,051.82
ADAMS, PHILBERT & ASSELETA	2-06700-0462-00	1,041.83
ADVANCE OFFICE SUPPLIES	1-05204-0501-97	22,563.33
AFF REALTY INCORPORATED	1-05401-5107-00	954.74
AFF REALTY INCORPORATED	1-05401-5121-00	537.91
AGEMA INCORPORATED INC	1-05202-0419-00	94,914.24

EXHIBIT 8
Sample Delinquency Listing

OFFICE OF THE LIEUTENANT GOVERNOR
OFFICE OF THE TAX COLLECTOR
1105 King Street • Christiansted, Virgin Islands 00820 • 340.773.6449 • Fax 340.719.2355
5049 Kongens Gade • Charlotte Amalie, Virgin Islands 00802 • 340.776-8505 • Fax 340.779.7825

NOTICE AND CERTIFICATE OF ATTACHMENT

THE LIEUTENANT GOVERNOR OF THE VIRGIN ISLANDS HEREBY NOTIFIES YOU THAT THIS CERTIFICATE OF ATTACHMENT HAS BEEN FILED IN THE RECORDER OF DEEDS WITH RESPECT TO DELINQUENT REAL PROPERTY TAXES AS NOTED BELOW:

NAME OF PROPERTY OWNER:	John Doe
LEGAL ADDRESS:	xx-x-xx Estate Peterborg, St. Thomas,
VI PID:	1-xxxx-xxxx-00
ASSESSED VALUE:	$500,000
TAXES:	$1,000
PUBLIC SEWER USER FEES:	$1,000
INTEREST:	$500
PENALTIES:	$ 5
FEES & COSTS:	$500
DATE OF AUCTION:	June 22, 2017
PLACE OF AUCTION:	
REDEMPTION EXPIRATION:	

IF ALL TAXES AND PUBLIC SEWER SYSTEM USER FEES, PENALTIES AND COSTS IN THE AMOUNT OF _________ARE NOT PAID BY 3:00 P.M. ON JUNE 21, 2017, THE PROPERTY HEREIN DESCRIBED SHALL BE SOLD AT PUBLIC AUCTION ON JUNE 22, 2017. YOU HAVE 365 DAYS TO REDEEM THE PROPERTY FROM THE DATE OF THE AUCTION NOTED HEREIN.

LIEUTENANT GOVERNOR,
OR DESIGNEE

____

____
DATE

EXHIBIT 9
Sample Notice and Certificate of Attachment

OFFICE OF THE LIEUTENANT GOVERNOR

OFFICE OF THE TAX COLLECTOR

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5049 Kongens Gade • Charlotte Amalie, Virgin Islands 00802 • 340.776-8505 • Fax 340.779.7825

GOVERNMENT OF THE UNITED STATES VIRGIN ISLANDS
OFFICE OF THE LIEUTENANT GOVERNOR, PROPERTY TAX DIVISION

NOTICE OF PROPERTY SALE

In compliance with Title 33, Chapter 89, Virgin Islands Code, the Office of the Lieutenant Governor, Property Tax Division will sell at public sale to the highest and best bidder at 9:00 a.m. on June 5th, 6th and 7th, 2012 at the Virgin Islands Cardiac Center, 4007 Estate Diamond Ruby,, Christiansted, St. Croix, the following real properties.

NAME OF OWNER	PARCEL NUMBER	LEGAL DESCRIPTION
Forbes, Keith & Winston	2-03300-0465-00	56 HOPE CARLTON HILLS & COTTON VALLEY
Huggins, Petra & Others	2-04903-0902-00	10 NORTH STREET
Fredericks, Eunice A.	4-09301-0101-00	UNIT 29 74-A WHIM
Grassy Point Estate	2-05500-0310-00	12 TURNER HOLE
Lyle Realty Trust	2-05100-0208-00	6 LOWRY HILL
Prince, Zelda	2-04902-0213-00	185 RICHMOND
Johnson, Harold & Others	2-06800-0358-00	394 WORK & REST
Villafane, J. A. R.	2-04907-0202-00	31 COMPANY STREET
Hillery, Lorraine	4-09308-0308-00	124-I WHIM
Clarke, Seymour	2-04907-0912-00	15-A HILL STREET
Phaire, Eulalia A.	2-04904-0401-00	5 QUEEN CROSS STREET
Fredericks, Raymond	2-05207-0209-00	42 TIPPERARY
King, David & Ruth	2-06600-0201-00	31 ESTATE DIAMOND
Harris, Dudley & Norma	4-09501-0202-00	130 WILLIAMS DELIGHT
Henderson, Godfrey & David	2-04814-0110-00	5 BEESTON HILL
Stith, Vera & Marie A.	2-05100-0266-00	7 LOWRY HILL
Baady, Frank E.	4-09304-0107-00	40C WHIM
Hartman, Geo & Kooz	4-09400-0409-00	43 CARLTON
Phillip, Clemencia&Mcclaptin	2-04907-1301-00	37 EAST STREET
Phillip, Clemencia&Mcclaptin	2-04907-1302-00	36 EAST STREET
Mickens, Hayward & Vertelle	2-05100-0298-00	44 LOWRY HILL
Daniel, Johanna & Others	2-04907-0626-00	39DA-DB & 40A FISHER STREET
Banister, Clementina	2-04907-1201-00	4A & 4B WEST STREET
Wade, Florence	4-09412-0207-00	17 CAIN ESTATE
Tyler, Thomas	2-04900-0436-00	293 HERMON HILL

EXHIBIT 10

Sample Advertisement of Auction Sale

OFFICE OF THE LIEUTENANT GOVERNOR

OFFICE OF THE TAX COLLECTOR

1105 King Street • Christiansted, Virgin Islands 00820 • 340.773.6449 • Fax 340.719.2355
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Thomas, John & June	4-09300-0123-00	REM 105-E & 106-A WHIM
Rein, Michael D.	2-06900-0216-00	93 BUGBY HOLE
Atcherson, Larry	4-07605-0405-00	47-A PRINCE STREET
Hendricks, Ralph & Ashmore E.	2-04901-0407-00	214 RICHMOND
Swenson, Margaret & Others	2-01300-0160-00	48 ESTATE SALT RIVER
Daubenspeck, Robert V.	2-04903-2420-00	10 ABCD QUEEN STREET
Clarke, Seymour L.	2-04907-0913-00	15 HILL STREET
Gaskin, Brenda	4-06207-0217-00	31-A GROVE PLACE

The Office of the Lieutenant Governor, Property Tax Division’s sale will be conducted in accordance with the provisions of 33 V.I.C. §2542 et. seq and the terms of sale, the full text of which can be reviewed at the Office of the Tax Collector.

DATED: May 4, 2012

The Honorable Gregory R. Francis
Lieutenant Governor of the Virgin Islands

EXHIBIT 10

Sample Advertisement of Auction Sale

OFFICE OF THE LIEUTENANT GOVERNOR
OFFICE OF THE TAX COLLECTOR
1105 King Street • Christiansted, Virgin Islands 00820 • 340.773.6449 • Fax 340.719.2355
5049 Kongens Gade • Charlotte Amalie, Virgin Islands 00802 • 340.776-8505 • Fax 340.779.7825

NOTICE TO OTHER LIEN HOLDERS

TO: POSSIBLE LIEN HOLDER
FROM: OFFICE OF THE TAX COLLECTOR
DATE: JUNE 1, 2017
RE: Auction Sale of Real Property

PARCEL NUMBER	
LEGAL DESCRIPTION	
OWNER NAME	

Please be advised that pursuant to Title 33, Chapter 89, Section 2541 et seq., the above-referenced property has been seized and will be sold at auction for the non-payment of real property taxes, interests, penalties and costs in the amount of $________.

The public record indicates that you may have a lien against this property. You are hereby being notified that the auction will be conducted as follows:

Date:
Time:
Place:

For more information, contact the Office of the Tax Collector at (340) 776-8505 on St. Thomas, or 773-6449 on St. Croix.

EXHIBIT 11
Sample Notice to All Interested Lien Holders

OFFICE OF THE LIEUTENANT GOVERNOR
OFFICE OF THE TAX COLLECTOR
1105 King Street • Christiansted, Virgin Islands 00820 • 340.773.6449 • Fax 340.719.2355
5049 Kongens Gade • Charlotte Amalie, Virgin Islands 00802 • 340.776-8505 • Fax 340.779.7825

UNITED STATES VIRGIN ISLANDS REAL PROPERTY TAX AUCTION
BIDDER REGISTRATION FORM

Name of Bidder:		
Address:		
Home/Work Phone #:	Cell Phone #:	Email Address:

NOTE: If you intend to bid on behalf of another person or entity, then you must submit identification for both yourself and the other person, along with notarized letter or power of attorney.

GOVERNMENT-ISSUED PHOTO ID	NUMBER
Driver's License	
Passport	
Birth Certificate	
Passport Card	
OTHER (explain)	

__ I have no outstanding real property or other US Virgin Islands tax obligations.
__ I am aware that failing to follow through with purchase(s), may be grounds for being barred from future auction sales.
__ I have paid the pre- registration fee of $50
__ I am registering the day of the auction and have paid the late registration fee of $100

I declare, under penalty of perjury and the laws of the United States Virgin Islands that all information contained in this Registration Form, and any accompanying documents, are true and correct, with full knowledge that all statements made herein are subject to investigation and that any false or dishonest answer may be grounds for penalties pursuant to the fraudulent claims statute as set forth in 14 V.I.C. § 843.

Bidder Signature: ______________________________ Date: ________________

Notes (Staff only):	BIDDER NUMBER ASSIGNED

EXHIBIT 12
Registration Form

OFFICE OF THE LIEUTENANT GOVERNOR
OFFICE OF THE TAX COLLECTOR
1105 King Street • Christiansted, Virgin Islands 00820 • 340.773.6449 • Fax 340.719.2355
5049 Kongens Gade • Charlotte Amalie, Virgin Islands 00802 • 340.776-8505 • Fax 340.779.7825

Certificate of Purchase

I, **OSBERT POTTER**, Lieutenant Governor of the Virgin Islands by virtue of the powers vested in me by law do hereby grant and convey unto ____________________of ____________St. Croix, Virgin Islands 00851, her heirs, successors and assigns the following described property which was sold at public auction on the **22nd** day of **June, 2017** at **________________, Christiansted, St. Croix** for the sum of **$57,000.00**, which sum has been paid by the purchaser, the aforesaid real property having been sold for non-payment by the owner thereof, **John & Jane Doe**, for taxes, interest, penalties and fees in the amount of **_________________________.**

xxx Par of St John**,**
consisting of 0.50 Acres, more or less
as shown on P.W.D Drawings XXXX

THIS DEED is issued pursuant to the sale of the above described property in accordance with the provisions of 33 V.I.C. 2551 for delinquent taxes for the year(s) 1999-2010 and when recorded in the Office of the Recorder of Deed, vests title in the purchaser, free from all mortgages, liens or other encumbrances in accordance with Title 33, Section 2551 of the Virgin Islands Code.

TO HAVE AND TO HOLD the said purchaser, his heirs, successors and assigns, the above described premises, with all the appurtenances thereto forever.

LIEUTENANT GOVERNOR

[Space for gold seal]

____
OSBERT POTTER

Subscribed and sworn to before me, IN WITNESS WHEREOF I hereunto affix my hand and official seal.

________________________ ______________________
Date Notary Public

EXHIBIT 13
Certificate of Purchase

OFFICE OF THE LIEUTENANT GOVERNOR

OFFICE OF THE TAX COLLECTOR

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NOTICE OF EXCESS PROCEEDS FROM THE SALE OF TAX-DEFAULTED PROPERTY

PARCEL NUMBER	
LEGAL DESCRIPTION	
OWNER'S NAME	
DATE SOLD	

The property referenced above was seized and sold for the non-payment of taxes. As per 33 V.I.C. Section 2547(c) after receipt of any purchase money, the Lieutenant Governor shall deduct therefrom the sums due for taxes and public sewer system user fee, penalty and costs. The excess shall be held in trust by the Lieutenant Governor, and in due course shall be paid to the taxpayer, or in the event of redemption, shall be paid to the purchaser.

The property shall remain subject to all mortgages, liens, encumbrances, and legal claims against it to the same extent and in the same manner as though said property had not been sold for taxes and public sewer system user fees.

Our records indicate that you may be a party of interest with title of record to all or any portion of the property. If you consider yourself to be a party of interest in the sale of the above referenced property, please contact the Office of the Tax Collector at (340) 773-6449 on St. Croix, or (340) 776-8505 on St. Thomas.

If there are any questions, please contact the Office of the Tax Collector at (340) 773-6449 on St. Croix, or (340) 776-8505 on St. Thomas.

Sincerely,

____
Tax Collector

____
Date

EXHIBIT 14
Notice of Excess Proceeds

OFFICE OF THE LIEUTENANT GOVERNOR
OFFICE OF THE TAX COLLECTOR

1105 King Street • Christiansted, Virgin Islands 00820 • 340.773.6449 • Fax 340.719.2355
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CANCELLATION OF NOTICE/CERTIFICATE OF ATTACHMENT

This will certify that the attachment duly made on the below listed property pursuant to Title 33 Section 2541 of the Virgin Islands Code is hereby cancelled by reason of payment of the delinquent taxes with penalties and cost as set forth below.

This certificate operates only to cancel the Notice/Certificate of Attachment and no other lien. The property shall remain subject to all mortgages, liens, encumbrances, and legal claims against it to the same extent and in the same manner as though said property had not been sold for taxes and public sewer system user fees.

PARCEL NUMBER	
LEGAL DESCRIPTION	
OWNER NAME	

YEAR	STATUS	DATE PAID
2002	$761.81	10/29/2015
2001	$768.44	10/29/2015
2000	$777.50	10/29/2015
1999	$786.56	10/29/2015
1998	$798.23	10/29/2015
1997	$816.41	10/29/2015

(Situation): BUILDING ONLY (Approximate Boundaries): _____

Certificate of Attachment was recorded on 08/25/2011 in Protocol 1281 Page 372, Sub No. 2011003180 and noted in the Real Property Register for Quarter No. (Auxiliary) , Page .

Recorder's Endorsement

____
Recorder

____
Tax Collector or Designee

____
Date

EXHIBIT 15

Cancellation of Certificate of Attachment

OFFICE OF THE LIEUTENANT GOVERNOR
OFFICE OF THE TAX COLLECTOR
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5049 Kongens Gade • Charlotte Amalie, Virgin Islands 00802 • 340.776-8505 • Fax 340.779.7825

NOTICE OF REDEMPTION OF PROPERTY

You are hereby notified that the winning bid purchase you made on the below-listed property is hereby canceled because it has been redeemed by the Taxpayer/Owner.

As you were notified before the purchase of the property, a defaulting taxpayer has the right to return and redeem his/her real property within one (1) year from the date of the delinquent tax sale by paying delinquent taxes, assessments, penalties and costs with interest. The taxpayer was successful in doing so. The property being redeemed is described as follows:

PARCEL NUMBER	
LEGAL DESCRIPTION	
OWNER NAME	

Pursuant to the redemption herein described, the Tax Collector will cause to be filed upon the public record a Cancellation of the Certificate of Purchase and will process the refund of all purchase monies expended on this property. The property shall remain subject to all mortgages, liens, encumbrances, and legal claims against it to the same extent and in the same manner as though said property had not been sold for taxes and public sewer system user fees.

If you have questions, please contact the Office of the Tax Collector at (340) 773-6449 on St. Croix, or (340) 776-8505 on St. Thomas.

Sincerely,

____
Tax Collector

____
Date

EXHIBIT 16

Sample Redemption Letter to Successful Bidder

OFFICE OF THE LIEUTENANT GOVERNOR

OFFICE OF THE TAX COLLECTOR

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Certificate of Redemption

This will certify that, pursuant to 33 Virgin Islands Code, Section 2581, on ______________ [date], the Office of the Lieutenant Governor received from _____________________ [name of Redemptioner] of ____________________ [address of Redemptioner], the amount of $____________________ in full redemption of property from the sale of same to _______________ [name of Purchaser] on ______________ [date of purchase]. The property redeemed is described as follows:

PARCEL NUMBER	
LEGAL DESCRIPTION	
OWNER NAME	

In support and proof of the right to redeem, the Redemptioner produced the following documents:

[description of documents in support of statutory right]

The property shall remain subject to all mortgages, liens, encumbrances, and legal claims against it to the same extent and in the same manner as though said property had not been sold for taxes and public sewer system user fees, and the same shall be recorded with the Office of the Recorder of Deeds.

IN WITNESS WHEREOF, I hereunto affix my signature as executed this ______ day of _________, in the year ______.

____
Lieutenant Governor

Subscribed and sworn to me, the undersigned Notary Public, that on this _____ day of _______

____
Notary Public

EXHIBIT 17

Redemption Certificate