



Dear Potential Applicant:

In response to your inquiry regarding the Montgomery County Land Bank's **Tax Foreclosure Acquisition Program**, I have enclosed the following documents:

1. Program Description – contains information about the requirements to acquire a vacant, tax delinquent property and a summary of the process.
2. Fee Schedule – contains details and terms on the fee charges per property.
3. Application form and Applicant Affidavit Agreement – contains information about you and the proposed property, and formal acknowledgement of adherence to the required qualifications. **Please complete and have notarized.** You can mail it to me or make arrangements to deliver it to the Land Bank Office. Please include a copy of your Driver's License.

We very much appreciate your interest in the Tax Foreclosure Acquisition Program and look forward to working with you.

Best Regards,

Anita Schmaltz  
**Program Assistant**  
**(937) 531-7052**  
[aschmaltz@mclandbank.com](mailto:aschmaltz@mclandbank.com)



# TAX FORECLOSURE ACQUISITION PROGRAM DESCRIPTION

## INTRODUCTION

The Montgomery County Land Bank's (MCLB) Tax Foreclosure Acquisition Program allows qualified applicants to acquire vacant lots and abandoned residential properties for the purposes of:

- Yard or home expansion
- Building renovation for sale or lease
- Building demolition for lot sale or lease
- New construction

This program helps to transform vacant and blighted properties into productive assets, thereby stabilizing property values and revitalizing streets and neighborhoods.

## APPLICANT QUALIFICATIONS

- No building, housing, or zoning code violations during the last 2 years on any properties you own
- Real estate taxes and assessments are current during the last 2 years on all properties you own
- In addition to real estate taxes, local, state, and federal taxes must be paid current
- No foreclosure actions during the last 2 years on any properties you own
- Not involved in any bankruptcies during the last 2 years
- Must currently live or own property in Ohio
- Authorizes the running of a credit report/background check and any other investigations that MCLB deems necessary to establish applicant's eligibility.
- Applicant cannot, at any time, have more than 3 properties in process with the Land Bank's tax foreclosure acquisition program or recently acquired through the Land Bank's tax foreclosure program and still remain unimproved. It will be the opinion of the Land Bank's staff what defines unimproved.

## PROPERTY QUALIFICATIONS

Properties must meet the following requirements in order to be eligible:

- 1-4 unit residential
- Taxes delinquent at least 1 year
- "Unoccupied" per Ohio Revised Code 323.65 (Unoccupied means the property is physically uninhabited, there is an absence of utility connections, it is not being actively marketed and no person or business is visibly present)

Properties cannot be involved in the following:

- Included in bankruptcy proceedings
- Involved in a probate case
- Encumbered by Federal Tax Liens
- Involved in a strategic redevelopment program or intended for use by the community
- Actively being marketed for sale or lease
- Other reasons under the Ohio Revised Code that prohibit processing
- An active application



# TAX FORECLOSURE ACQUISITION PROGRAM DESCRIPTION

## FEES

Fee must be paid to MCLB in full, at the time the completed application is submitted, via check or money order, as follows:

- **Adjoining owner** (lives next door to property) \$2,000 per property
- **Owner/occupant** (plans to rehab and use as primary residence for at least 1 year) \$3,000 per property
- **Investor** (plans to rehab, then rent or sell property) \$4,000 per property

## PROCESS

1. Interested party finds a tax delinquent property which s/he has confirmed as vacant with 2 out of the 3 utilities (water, gas, electric) inactive.
2. MCLB reviews the eligibility of both the interested party and the property.
  - a. MCLB will research the eligibility of up to 5 properties.
3. Interested party completes an application/affidavit form and submits it along with fee payment and a copy of their Ohio Driver's License to MCLB. Please make sure to read the affidavit entirely!
4. MCLB submits property for tax foreclosure. This is a legal process that takes approximately 12 months, but can take longer.
5. If the property is rejected from the process, a partial refund is provided to the applicant. The applicant may resubmit their application if/when they believe the property qualifies.
6. If the tax foreclosure is successful, MCLB receives recorded Sheriff's Deed.
7. MCLB deeds property to Applicant/New Owner.
8. New Owner is responsible for real estate taxes beginning with the next tax bill. Tax bills are typically due in February and July.

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# TAX FORECLOSURE ACQUISITION PROGRAM FEE SCHEDULE

**Payment:** Fee must be paid to Montgomery County Land Bank (MCLB) in full, at the time the completed application is submitted, via money order, cashier's check, or personal check.

<b><u>Type of Applicant</u></b>	<b><u>Fee Per Property</u></b>
1. Adjoining owner (lives next door to property)	\$2,000
2. Owner/occupant (plans to rehab as primary residence)	\$3,000
3. Investor (plans to rehab, then rent or sell property)	\$4,000

## **PAYMENT BY MONEY ORDER, CASHIER'S CHECK OR PERSONAL CHECK.**

### **Terms:**

If during initial review, the property is found to be ineligible for this program, the fee minus \$250 per property will be returned to the applicant.

If after submission of the property into the tax foreclosure process it fails to meet the program's criteria, or due to circumstances out of the control of the applicant, the property will be removed from the foreclosure process, and MCLB *may* return a portion of the unused fee to the applicant.

If, in the sole opinion of MCLB, the applicant is found to have falsified statements on the application or fails to fulfill his/her obligations for any reason, the entire fee will be forfeited.

If the applicant changes his/her mind, the entire fee will be forfeited. The applicant CANNOT change his/her mind once the property has been submitted by MCLB into the tax foreclosure process.



# TAX FORECLOSURE ACQUISITION PROGRAM Application Form

1. PROPERTY ADDRESS: \_\_\_\_\_  
NUMBER STREET NAME CITY ZIP CODE

2. PARCEL ID#(S): \_\_\_\_\_ SUBJECT PROPERTY TYPE: \_\_\_\_\_  
(RESIDENTIAL OR COMMERCIAL, SINGLE-FAMILY/ DOUBLE/3-FAMILY/ 4-FAMILY, VACANT LOT, ETC.)

PROPERTY OWNER'S NAME (IF KNOWN): \_\_\_\_\_

PROPERTY OWNER'S ADDRESS: \_\_\_\_\_  
NUMBER STREET NAME CITY ZIP CODE

PLANNED USE (CIRCLE ONE): A. OWN ADJACENT HOUSE/LOT B. RENOVATE FOR PRIMARY RESIDENCE C. RENOVATE AND RENT D. PLAN TO RENOVATE AND SELL E. PLAN TO DEMOLISH AND USE FOR \_\_\_\_\_

3. APPLICANT NAME (S): \_\_\_\_\_

HOME ADDRESS: \_\_\_\_\_  
NUMBER STREET NAME CITY ZIP CODE

PHONE NUMBER(S): \_\_\_\_\_

EMAIL ADDRESS (ES): \_\_\_\_\_

DO YOU ANTICIPATE THE PROPERTY WILL PRODUCE INCOME? \_\_\_\_\_

HOW WILL YOU FUND OWNER EXPENSES? (IMPROVEMENTS, MAINTENANCE, INSURANCE, REAL ESTATE TAXES, ETC) \_\_\_\_\_

4. PROJECTED OWNERSHIP TITLE: \_\_\_\_\_ (FULL LEGAL NAME, SPOUSE?)

HOW DID YOU HEAR OF THE LAND BANK? \_\_\_\_\_

## OFFICE USE ONLY

- FEE \$ \_\_\_\_\_ CHECK # \_\_\_\_\_
- COPY OF CURRENT STATE OF OHIO DRIVER'S LICENSE OR PHOTO ID
- CREDIT AND BACKGROUND CHECK

**APPLICANT AFFIDAVIT AND AGREEMENT**

Now comes \_\_\_\_\_ (“AFFIANT”), who makes the following representations and warranties to the Montgomery County Land Bank (“MCLB”), and undertakes the following obligations stated in this Applicant Affidavit and Agreement.

AFFIANT states that within the two (2) years prior to the date of the submission of this Affidavit, that he/she:

- Has not been involved in any bankruptcy proceedings, and
- Has not been tax delinquent, and
- Currently resides in the state of Ohio, and
- Authorizes the running of a credit report/background check and any other investigations that MCLB deems necessary to establish applicant’s eligibility.

AFFIANT further represents and warrants to MCLB that within the two (2) years prior to the date of the submission of this Affidavit, that no real property that he/she has an ownership interest in has been:

- In violation of any building, housing or zoning codes;
- Tax delinquent, including all assessments; nor
- Involved in any foreclosure proceedings.

AFFIANT further represents, warrants and agrees that:

- In addition to real estate taxes, local, state, and federal taxes must be paid current.
- All information on the attached Application form is correct, true and complete to the best of his/her knowledge.
- He/she will take ownership of the property once it has completed the tax foreclosure process (no exceptions will be considered).
- He/she will renovate, maintain, demolish, or take those actions necessary to comply with all building, housing and zoning codes and standards, and all local ordinances and laws within 6 months of acquiring the property.
- He/she will not transfer ownership of the property without first performing all necessary renovations to bring the property up to code.
- He/she will not convey the property within one (1) year of taking title to it.
- He/she will pay all water bills on the property (past, present, and future).
- He/she will pay all other utility bills on the property going forward.
- He/she will pay all real estate taxes and assessments going forward.
- He/she is not a previous owner of the property.
- He/she is in no way related to or has a relationship with (friend, business, family) the former property owner, and agrees that should he/she elect to sell the property, it will not be to the former property owner or his/her family.
- If, in the sole opinion of MCLB, the applicant is found to have falsified statements on the application, misrepresents him or herself, or fails to fulfill his/her obligations for any reason, the entire fee will be forfeited. The applicant is also subject to loss of any interest in the subject property, and will be prohibited from participating again in this program.

**FURTHER AFFIANT SAYETH NAUGHT**

Affiant’s Signature(s): \_\_\_\_\_

Affiant’s Name(s) (PRINT): \_\_\_\_\_

Subscribed to and sworn before me by \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ in the City of \_\_\_\_\_, Ohio.

\_\_\_\_\_  
Notary Public