

REAL ESTATE TAX SALE LAW - HEARING AND ORDER FOR JUDICIAL SALE AND
COMBINED JUDICIAL SALES

Act of Nov. 29, 2004, P.L. 1296, No. 161

Cl. 53

Session of 2004

No. 2004-161

HB 2315

AN ACT

Amending the act of July 7, 1947 (P.L.1368, No.542), entitled, as amended, "An act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and second class and second class A, borough, town, township, school district, except of the first class and school districts within cities of the second class A, and institution district taxes, providing when, how and upon what property, and to what extent liens shall be allowed for such taxes, the return and entering of claims therefor; the collection and adjudication of such claims, sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except counties of the first and second class, to act as agent for taxing districts; defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process and notices; imposing duties on taxing districts and their officers and on tax collectors, and certain expenses on counties and for their reimbursement by taxing districts; and repealing existing laws," further providing for hearing and order for judicial sale; and providing for combined judicial sales.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 612 of the act of July 7, 1947 (P.L.1368, No.542), known as the Real Estate Tax Sale Law, is amended by adding a subsection to read:

Section 612. Hearing and Order for Judicial Sale.--

* * *

(d) The court may fix a common date and place of sale for more than one property to be sold.

Section 2. The act is amended by adding a section to read:

Section 612.2. Combined Judicial Sales.--If the bureau has more than one property on which it was unable to obtain a bid sufficient to pay the upset price, it may, with the approval of the interested taxing districts and in accordance with the requirements of this subarticle, petition for, and the court may authorize, a combined sale of two or more of the properties, to be sold free and clear of all tax and municipal claims, mortgages, liens, charges and estates, except separately taxed ground rents, to the highest bidder, and that the purchaser at such sale shall take and thereafter have an absolute title to the properties sold free and

clear of all tax and municipal claims, mortgages, liens, charges and estates of whatsoever kind, except ground rents, separately taxed.

Section 3. This act shall take effect in 60 days.

APPROVED--The 29th day of November, A. D. 2004.

EDWARD G. RENDELL