

ORDINANCE No. 188121

*Amend Collection and Foreclosure Code to clarify procedures. (Ordinance; amend Code Chapter 5.30)

The City of Portland ordains:

Section 1. The City Council finds:

1. City Code Section 5.30.130 A., which describes the recording notice of foreclosure sale, should be amended to allow the Treasurer to order a foreclosure report prior to recording a notice of foreclosure sale.
2. City Code Section 5.30.140 B., which describes the newspaper notice provisions, should be amended to allow the Treasurer to print public notice in a daily or weekly newspaper of general circulation.
3. City Code Section 5.30.140 D., which describes the notice to the Internal Revenue Service, should be amended to require notice only if federal taxes are owed on the property.
4. City Code Section 5.30.190 B., which describes the certificate of sale and notice of sale to property owner, should be amended to begin the redemption period on the date of the certificate of sale.

NOW, THEREFORE, the Council directs:

- a. Code Subsection 5.30.130 A. is amended to read as follows:

A. The Treasurer shall record a notice of foreclosure sale for each property listed on the foreclosure list in the County records in which the property is located ~~before~~ after ordering a foreclosure report and before giving notice as required by Section 5.30.140. The recorded notice shall contain the ordinance number approving the foreclosure list; the address and legal description of the property; the time, date and place of the sale; the types and amounts of liens; and, that the property will be sold unless the account is paid in full including all interest, penalties, collection costs and sales costs to date. The recorded notice shall also state a contact name, address and phone number for obtaining additional information from the City.

- b. Code Subsection 5.30.140 B.1. is amended to read as follows:

B.1 The Treasurer shall have printed in a daily or weekly newspaper of general circulation a notice of foreclosure sale once a week for four successive weeks.

- c. Code Subsection 5.30.140 D. is amended to read as follows:

D. Other notice. Notice shall be given to the Internal Revenue Service by registered

or certified mail, at least 25 days prior to the sale if a federal tax lien was recorded more than 30 days of the scheduled date of the foreclosure sale.

d. Code Subsection 5.30.190 B. is amended to read as follows:

B. The certificate of sale shall include the following information: a description of the delinquent account for which the property was sold; a description of the property; a statement of the amount for which it was sold; the redemption interest rate and the amount of the redemption penalty; the name of the purchaser; and a statement that the property is being sold subject to the right of redemption within one year from the date of the certificate of sale.

Section 2. The Council declares that an emergency exists because a later implementation date would delay the City's efforts to foreclose on properties that are causing health, safety and livability concerns in Portland neighborhoods; therefore, this ordinance shall be in full force and effect from and after its passage by the City Council.

Passed by the Council: NOV 30 2016

Mayor Charlie Hales

Prepared by: Jennifer Cooperman

Date Prepared: November 10, 2016

Mary Hull Caballero

Auditor of the City of Portland

By



Deputy

1322

Agenda No. **188121**
ORDINANCE
 Title

*Amend Collection and Foreclosure Code to clarify procedures. (Ordinance; amend Code Chapter 5.30)

INTRODUCED BY Commissioner/Auditor: Mayor Hales	CLERK USE: DATE FILED NOV 21 2016
COMMISSIONER APPROVAL Mayor—Finance and Administration - Hales Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Novick	Mary Hull Caballero Auditor of the City of Portland By: <u><i>Susan Parsons</i></u> Deputy
BUREAU APPROVAL Bureau: Office of the Mayor — DMF Bureau Head:	ACTION TAKEN:
Prepared by: Jennifer Cooperman Date Prepared: November 10, 2016	
Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
City Auditor Office Approval: <input checked="" type="checkbox"/> required for Code Ordinances	
City Attorney Approval: <input checked="" type="checkbox"/> <i>DS</i> required for contract, code, easement, franchise, charter, Comp Plan	
Council Meeting Date November 30, 2016	

AGENDA	FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
TIME CERTAIN <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion)		YEAS	NAYS
CONSENT <input checked="" type="checkbox"/> <i>Pull</i>	1. Fritz	1. Fritz	<input checked="" type="checkbox"/>
REGULAR <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)	2. Fish	2. Fish	<input checked="" type="checkbox"/>
	3. Saltzman	3. Saltzman	<input checked="" type="checkbox"/>
	4. Novick	4. Novick	<input checked="" type="checkbox"/>
	Hales	Hales	_____