



# 2011 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 a single authorized buyer which hires collection agencies. 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),
- 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 YOU NEED TO DO

To prevent the sale of a lien on your property, you must resolve your debt by **August 1, 2011**. There are 3 ways to do this:

- Pay the full amount of your debt to Finance and/or DEP. (Turn to next page.)
- Arrange a payment agreement with Finance and/or DEP. (Turn to next page.)
- Dispute the charges to correct the City's records if you think you do not owe the money. Refer to "Customer Assistance" below.

Residential Owners: Refer to the enclosed Exemptions Eligibility Checklist to see if you can be excluded from the sale.

## DO NOT DELAY - RESPOND TODAY!

## 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.

## CUSTOMER ASSISTANCE

### ➤ FOR PROPERTY TAXES

Online: [nyc.gov/liensale](http://nyc.gov/liensale)  
 Email: [taxlien@finance.nyc.gov](mailto:taxlien@finance.nyc.gov)  
 Phone: **212-504-4039** - Weekdays 9 - 5  
 Senior  
 Ombudsman: **212-504-4037** - Weekdays 9 - 5  
 In Person: At Finance Business Centers  
 All charges can be paid here.

Weekdays 8:30 AM - 4:30 PM

Bronx.....3030 Third Avenue - 2nd fl  
 Brooklyn.....210 Joralemon Street - 1st fl  
 Manhattan.....66 John Street - 2nd fl  
 Queens.....144-06 94th Avenue - 1st fl  
 Staten Island.....350 St. Marks Place - 1st fl

### ➤ TO DISPUTE EMERGENCY REPAIR & ALTERNATIVE ENFORCEMENT CHARGES

These charges are payable to Finance.

Online: [nyc.gov/liensale](http://nyc.gov/liensale)  
 Phone: **212-863-5300** - Weekdays 9 - 5  
 In Person: HPD Tax Lien Sale Unit  
 100 Gold Street, 6th fl, New York, NY

### ➤ LATE HOURS: FINANCE BUSINESS CENTERS

From July 18th through July 29th, Business Center hours will be extended to 7 PM.

### ➤ FOR WATER & SEWER CHARGES (GENERAL INFORMATION)

Online: [nyc.gov/liensale](http://nyc.gov/liensale)  
 Phone: **718-595-7000** - Weekdays 9 - 6  
 Saturdays 9 - 2  
 In Person: At DEP Borough Offices - Weekdays 9 - 5

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

### ➤ TO DISPUTE WATER & SEWER CHARGES

Online: [nyc.gov/liensale](http://nyc.gov/liensale)  
 Email: [ombud@dep.nyc.gov](mailto:ombud@dep.nyc.gov)  
 Phone: **718-595-OMBU (6628)**

### ➤ LATE HOURS: DEP PHONE LINES & BOROUGH OFFICES

From July 5th through July 15th, Tuesday, Wednesday and Thursday until 7.

From July 18th through July 29th, Monday through Friday until 7.

On Saturday, July 30th, from 9 - 2.

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 in **Chinese, Korean, Russian, Spanish** at [nyc.gov/liensale](http://nyc.gov/liensale)

## HOW TO PAY

All payments must be received by August 1st.

### PROPERTY TAXES AND RELATED CHARGES

**PAY ONLINE** - Finance offers online payment 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](http://nyc.gov/liensale).

**PAY BY MAIL** - Your check or money order must be mailed by **July 22nd**. Make it 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 32  
New York, NY 10008-0032**

**PAY IN PERSON** - Finance offices listed on page B1 accept cash, credit cards, official bank checks, personal checks, and money orders. For payments made **after July 22nd**, 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** - Visit DEP's website at [nyc.gov/dep](http://nyc.gov/dep) to pay water/sewer charges for free by electronic funds transfer or at [nyc.gov/payonline](http://nyc.gov/payonline) to pay by credit/debit card or electronic check.

**PAY BY PHONE** - DEP offers Automatic Payment Service to customers who wish to pay their water/sewer bill by free electronic funds transfer. Call 1-866-622-8292.

**PAY BY MAIL** - Your check or money order must be mailed by **July 22nd**. Make it payable to the NYC Water Board. Write your water account number on the memo line and mail to:

**NYC Water Board  
P.O. Box 410  
New York, NY 10008-0410**

**PAY IN PERSON** - DEP offices listed on page B1 accept official bank checks, personal checks, and money orders. For payments made **after July 22nd**, 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.

## PAYMENT AGREEMENTS

### New Payment Agreements - No Down Payment

Payment agreements are available for all properties included in the 90-day Lien Sale Notice. No down payment is required but owners must remain current on taxes and charges that become due to the City of New York after the 2011 lien sale.

Your agreement can be as long as ten years. You will be billed quarterly, but you may pay monthly if you prefer. To stay current, you must also pay new charges on time.

To keep your property out of the lien sale, you must sign a payment agreement by August 1, 2011.

To make an agreement with DEP for water and sewer charges, go to any DEP Borough Office listed on Page 1. You will need a government-issued photo ID. For more information, call 718-595-7000.

To make an agreement with Finance for Property Tax and related charges, begin by downloading and completing the Payment Agreement application, available at [nyc.gov/liensale](http://nyc.gov/liensale). The application includes instructions on how to proceed. If you cannot go online, call 212-504-4039.

### For Property Owners with Payment Agreements

If you have or had a payment agreement with either Finance or DEP, and your property has been included in the 90-day Lien Sale Notice, it means Finance or DEP records show the required payments are not up to date. If you want to bring your payments up to date or if you believe you made the required payments, please contact Finance or DEP. If you wish to create a new payment plan, see the instructions above to arrange a new payment agreement.

## 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
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](http://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 2010 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](http://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 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.