

## Tax Sale Certificate (Privately Held)

**Q: Is obtaining a redemption statement from a municipality for a privately held tax sale certificate in foreclosure (Lis Pendens filed) sufficient to clear the lien at closing?**

Generally, a privately held tax sale certificate for which the lien holder has continued paying subsequent taxes for two years is eligible for foreclosure. This will most commonly be evidenced by finding a Notice of Lis Pendens filed in the county with the intent to foreclose the tax sale certificate. Once the foreclosure of the tax sale certificate has begun, **the lien holder is no longer obligated to accept the redemption amount as provided by the municipality.**

In all instances when closing title affected by a tax sale certificate for which a Lis Pendens has been filed to foreclose, the agent must confirm with the foreclosing attorneys that their client will accept the redemption amount as provided by the municipality and that the attorneys furnish any additional fees to be collected in order for their dismissal of the case and discharge of the Notice of Lis Pendens.

When faced with a refusal by the lien holder and/or their attorneys to accept a redemption amount, the party seeking to redeem will be required to intervene in the foreclosure suit to obtain an order permitting the redemption, dismissing the case, and requiring discharge of tax sale certificate and Notice of Lis Pendens.