



# Purchasing and Central Services

Monroe County, New York

**Maggie Brooks**  
*County Executive*

**Dawn C. Staub**  
*Purchasing Manager*

**ADDENDUM NO:** 1  
**RFP PROJECT:** Purchase of County Tax Liens  
**DATE:** 12/11/12

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PROPOSERS PLEASE NOTE:

**Clarifying questions and answers. See attached document.**

SIGN this Addendum below acknowledging receipt and understanding and either  
INSERT in PROPOSAL packet.

**Purchasing & Central Services**

  
\_\_\_\_\_  
Dawn C. Staub  
Purchasing Manager

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The undersigned Respondent acknowledges receipt and understanding of Addendum No.  
1 to RFP Project - Purchase of County Tax Liens.

\_\_\_\_\_, 20\_\_\_\_  
Date

\_\_\_\_\_  
Name of Company

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Title

## Clarifying Questions and Answers

### **RFP:**

1. In RFP Section 2.1B Foreclosure - Is purchaser inheriting all of the County's rights and obligations under the Monroe County In Rem Tax Foreclosure act?

**Answer: No.**

2. In RFP Section 2.1C Delinquent Tax Installment Agreements - Is this the only permissible installment agreement? Does the County have documents that the purchaser should use or can the purchaser create and utilize its own installment agreement? Can the bidders receive a sample of the county's agreement beforehand?

**Answer: No, the purchaser has the right to create and utilize a payment plan with the parcel owner. The County's payment plan agreement is set forth in Section 6 of the County's In Rem Tax Foreclosure Act.**

3. The last time the County sold its liens, it provided prospective purchasers with the assessment roll for the County with all available assessor data, will this be provided again?

**Answer: The assessment roles are available on each municipality's website. Property data is available on the County's website Real Property Portal at:**

**<http://www.monroecounty.gov/apps/propertyapp.php>**

4. Is the entirety of the redemptive value in Appendix C interest bearing?

**Answer: Yes, up to 1½% per month is allowable.**

5. If not, can you please furnish a breakdown of redemptive value in Appendix C detailing, lien by lien:

- a. Principal
- b. Interest
- c. Other non-interest bearing amounts (legal fees, penalties, etc.)

**Answer: Not applicable, see answer #4.**

6. If the breakdown in [question] 5, above, cannot be provided, please furnish a rule to determine the interest-bearing and non-interest-bearing portion of each lien.

**Answer: Not applicable, see answer #4.**

7. The RFP references that no installment plans will be included in the sale, but Section XI of the contract indicates that the purchaser is to abide by all in-place installment plans. Please clarify.

***Answer: The intent of the County is not to offer liens that are currently under a payment plan. However, should a lien with a payment plan be sold, the purchaser is to abide by the in-place installment agreement.***

8. Who will be responsible for the noticing campaigns referenced on page 6? The County or the purchaser?

***Answer: The purchaser.***

9. For liens which are defective, will the buyback price be for the purchase price, or for the purchase price + accrued interest?

***Answer: The purchase price only.***

10. Do subsequent delinquent taxes become available for purchase the moment they are delinquent, or only when the County decides to pursue another sale of tax liens?

***Answer: Subsequent tax liens become available if and when the County elects to offer them for sale.***

11. What are the circumstances under which a parcel will have both a Monroe County and a City of Rochester lien/delinquency? Can a list of these parcels be provided? If not, is there a rule to determine the parcels which may be subject to this sort of double taxation?

***Answer: A parcel will have both a County lien and City of Rochester lien when the parcel owner does not pay property taxes to both the County and City. The County does not have a list of current City liens.***

12. Are any suburban parcels subject to the same double-delinquency as in question 11? For instance, are County liens subordinate to Town of Brighton liens? Does the County offer similar protections to City of Rochester-initiated foreclosures, if the town completes a foreclosure (i.e. [the] purchaser is made whole with any gain)?

***Answer: No.***

13. Does the "making whole" referenced in [question] 12 include principal and accrued interest or just principal?

***Answer: Not applicable, see answer #12.***

14. Can "removed" liens be removed even after closing? This is to say, if it is discovered that a lien has a characteristic that would qualify it for removal after closing, can purchaser have it removed and be made whole?

**Answer: If the County and a purchaser agree that a lien qualifies for removal (i.e. bankruptcy), the County will reimburse the purchaser the purchase price for said lien.**

15. Would the County consider any pure servicing proposal whereby the County retains the right to the penalty interest and a third party servicer is put in charge of servicing (foreclosure, noticing, payment plans, etc.) akin to what is done in New York City?

**Answer: No.**

16. Will the County consider extending the response due date?

**Answer: No.**

17. Will the County provide prospective purchasers with a detailed listing on the liens offered for sale by the County's showing open prior liens that have been previously purchased by a third-party entity?

**Answer: No, tax history information on a parcel is available on the County's website Real Property Portal at:**

**<http://www.monroecounty.gov/apps/propertyapp.php>**

**Monroe County Tax Act:**

18. §8, Page 20, On January 1, 2013 or as soon as is practical, will purchaser have the right of first refusal on all delinquent 2012 parcels for purchase no later than February 28, 2013 §9 or §19 August 30, 2013?

**Answer: The purchaser will have the first right of refusal to purchase 2012 liens at full redemptive value if and when the County elects to sell those liens.**

19. On page 27, §20 - Is the purchaser considered a purchaser of tax certificates as described in this paragraph and immediately entitled to the penalty (10%) in addition to the certificate price, and per § 22 the 1.5% per month or fraction thereof thereafter, or only the 1.5% per month as the County has already purchased the certificate and the penalty is included in the certificate? Will the purchaser be entitled to the 10% penalty for subsequent taxes purchased?

**Answer: The purchaser is not entitled to the 10% penalty as the County has already purchased the tax certificate and the penalty was included in that purchase. The same goes for subsequent tax liens.**

20. On page 28, §25 - Conveyance, does this apply to the purchaser?

**Answer: Yes.**

21. On pages 30-13, §32 §33 - Are these sections applicable to purchaser? And then, once these have occurred does the purchaser proceed to foreclosure?

***Answer: Section 32 is applicable, Section 33 is not. Additional actions are required before a purchaser can proceed to foreclosure.***

**Monroe County Foreclosure Tax Act:**

22. Is this the correct section of the Tax Act for the purchaser to use?

***Answer: Yes.***