

IMPORTANT INFORMATION: The following is a brief outline and timeline for Delinquent Taxes, Tax Liens, and the Assignment process for real property. Gallatin County does not offer legal help to taxpayers or advice to the purchasers of tax liens.

The Montana Code Annotated is published and distributed by the Montana Legislative Services Division, Capitol Bldg. Rm. 110, 1301 E 6th Avenue, P.O Box 201706, Helena, MT, 59620- 1706, phone 406/444-3064; and located online at <https://leg.mt.gov/bills/mca/index.html>. During the 2019 legislative session, the assignment process was changed and differs from previous laws on tax assignments taken after May 7, 2019.

Gallatin County has the authority to collect delinquent taxes in several ways, including through Writ of Execution, certain types of liens, and a public auction for personal property, including mobile homes, furniture, fixtures, equipment, and livestock. Delinquent real property taxes act as a lien held by the County on the real estate.

Please note: The City of Bozeman forwards their delinquent special assessments to us for collection, and they become part of our tax records and are collectible using this same process. While you may have paid your County property taxes, you may have delinquent City of Bozeman special assessments for which a lien can be placed.

DELINQUENT TAXES: Taxes become delinquent on the day after the listed due date on your tax bill. All payments made or postmarked after the due date(s) on the front of the tax bill are considered delinquent, and a 2% penalty is charged immediately. Per Montana Code Annotated (MCA) Section 15-16-102, interest is charged at the rate of 5/6 of 1% per month until paid (interest is calculated daily). We strongly encourage taxpayers to make every effort to pay their taxes to avoid paying penalties and interest or the potential loss of their property.

To help property owners avoid delinquent taxes on real property and mobile homes, Gallatin County sends a courtesy notice after the 1st half of property taxes become delinquent. After the second half of property taxes become delinquent, Gallatin County places an ad in the Bozeman Daily Chronicle advising delinquent taxpayers about the possibility that a lien could be placed against their property. Additionally, two weeks before the first working day in August, Gallatin County sends pending tax lien notices to the last known address of the property owner.

PLEASE MAKE SURE THE MONTANA DEPARTMENT OF REVENUE HAS THE CORRECT MAILING ADDRESS FOR YOU. It is the property owner's responsibility to update their address with the Department of Revenue (DOR). You can update your address by emailing dorgallatinoffice@mt.gov.

TAX LIENS: If real property becomes delinquent and remains so before the first working day in August. The County Treasurer must attach a tax lien on the property per MCA 15-17-125, and file the lien with the Gallatin County Clerk and Recorder. A copy of the tax lien certificate is also sent to the recorded address for the property owner. A list of all parcels with liens is made available to the public and interested parties.

ASSIGNMENTS: If the taxes on the property remain unpaid by August 31st, another person (assignee), after following the steps outlined in Montana Code Annotated 15-17-323, can take an "assignment" on the property by paying all taxes, penalty, interest, and costs, which transfers the lien from the County to the assignee.

TIMELINE FOR TAX YEAR TAX ASSIGNMENTS:

JUNE 1 - July 31: If an assignment has been taken for any previous year's taxes, an assignee can pay the subsequent delinquent taxes on existing tax liens/assignments before a new tax lien is attached. If the property is under the Property Tax Assistance Program, payment of subsequent taxes will have to wait until June 21.

AUGUST 1st, the first working day, all real properties with taxes that remain delinquent as of the first working day in August (August 3, 2020, for the 2019 tax year) will have a tax lien attached by the County. Those liens are then open to anyone to purchase as a separate assignment, following the steps outlined below. A lien list of delinquent parcels is made available for potential assignees. If the taxpayer pays the delinquent taxes, a redemption certificate will be filed with the Clerk and Recorder, releasing the lien.

AUGUST 15: Before making a payment, a prospective Assignee must send a Notice of Pending Assignment as required by MCA 15-17-125 and 15-17-23, by certified mail, to the person to whom the property was assessed. The notice must have been mailed at least two weeks before the payment date but not earlier than August 15 and not more than 60 days before purchasing the assignment. The person making the payment shall provide proof of the mailing to the County Treasurer. A certified mailing receipt lacking either an address or a postmark is insufficient proof.

AUGUST 30: To be considered, prospective assignees must submit to the Gallatin County Treasurer, a list of all tax codes (parcel numbers), in the order of preference, for which the assignee wishes to purchase an assignment on, by August 30, (if the 30th is on a weekend the Friday before). Lists can be emailed to treasurer@gallatin.mt.gov or dropped off at the County Treasurer's Office, located at 311 West Main, Room 103, Bozeman, MT 59715

AUGUST 31: The first day that 2022 tax year tax liens can be purchased is August 31. If a third party purchases an assignment of a tax lien by paying all delinquent taxes, penalties and interest and a \$60 fee.

SEPTEMBER 1: This is the date that the majority of assignments will be issued. In most cases, receipts for the assignments are available on this day; however, certificates will be sent certified mail at a later date. If more than one person or entity is interested in the same property.