

DELINQUENT PROPERTY TAX SALE

PURSUANT TO TCA § 67-5-2502, THE FOLLOWING PROPERTIES WILL BE SOLD FOR DELINQUENT REAL PROPERTY TAXES, INTEREST, COURT COSTS, AND ATTORNEYS FEES ON

THURSDAY, NOVEMBER 19, 2020 AT 10:00 O’CLOCK A.M.

VIA THE GOVEASE WEBSITE: WWW.GOVEASE.COM, PURSUANT TO T.C.A. §67-5-2501 (a)(1) AND T.C.A. §67-5-2410(d). THE GOVEASE WEBSITE WILL ALLOW BIDDERS TO SUBMIT BIDS, VIEW AND DOWNLOAD AUCTION RESULTS. BIDDER REGISTRATION WILL BEGIN OCTOBER 23, 2020.

PERSONAL CHECKS WILL NOT BE ACCEPTED FOR PAYMENT OF YOUR TAXES PRIOR TO THE SALE. PAYMENT MAY BE MADE BY CASHIER’S CHECK, MONEY ORDER, CREDIT CARD OR CASH. PAYMENT FOR DELINQUENT TAXES MUST BE MADE ON OR BEFORE 9:00 A.M. ON NOVEMBER 19, 2020.

THE PROPERTY WILL BE SOLD SUBJECT TO A ONE-YEAR REDEMPTION PERIOD, BEGINNING THE DATE THE SALE IS CONFIRMED BY ORDER OF THE COURT. THIS NOTICE SHALL RUN ONE TIME IN THE MURFREESBORO POST AND THE DAILY NEWS JOURNAL.

2019 AND 2020 COUNTY TAXES WILL BE PAID FROM SALE PROCEEDS IF ENOUGH IS BID TO COVER THEM. THE PROPERTY BEING SOLD MAY ALSO HAVE OUTSTANDING CITY TAXES. THESE TAXES WILL ALSO BE PAID FROM SALE PROCEEDS, IF POSSIBLE. ANY TAXES THAT ARE NOT PAID FROM SALE PROCEEDS WILL BE THE RESPONSIBILITY OF THE PURCHASER.

PROPERTY IS SOLD “AS IS”. PURCHASERS ARE URGED TO RESEARCH PROPERTY BEFORE THE AUCTION.

A RECORDING FEE WILL BE ADDED TO THE AMOUNT OF PURCHASE. THE CLERK AND MASTER WILL PREPARE AND RECORD THE DEED AFTER ENTRY OF THE DECREE CONFIRMING SALE.

PROPERTY OWNER	ACCOUNT NO	MAP/PARCEL	BOOK/PAGE	ADDRESS	JUDGMENT AMOUNT**
RUTHERFORD COUNTY: EVIA OWENS, MANERVA TUCKER, AZILLE ATKINSON, AND VERNICE SCRUGGS (CASE NO. 2013-RC-279)	R0003595	14/42.00	182/159	SAND HILL RD LAVERGNE*	\$ 7,858.07
AMERICAN VALUE HOMES (CASE NO. 16RC-108)	R0068881	104O/C/2.00	567/359	WOODBURY STREET MURFREESBORO	3,677.84

GARY MICHAEL HEATH (CASE NO. 17RC-117)	R0086191	184/33.00	528/826	600 SQUIRE HALL ROAD BELL BUCKLE	5,926.00
IGNOCIO HERNANDEZ AND WIFE, ANGEL HERNANDEZ (CASE NO. 17RC-119)	R0050938	88/35.02	874/3987	KITRELL HALLS HILL ROAD	1,265.62
REGGIE RIDLEY (CASE NO. 17RC-202)	R0059329	97/6.00	645/524	14315 PATTERSON ROAD COLLEGE GROVE	1,053.89
GEORGE WATKINS, DORA WATKINS POPE, ANNA WATKINS BLACKMON, BERTHA WATKINS HOUSTON, JAMES HENRY WATKINS, MARY WATKINS FRIERSON, AND MARGARET WATKINS SMITH (CASE NO. 18RC-26)	R0085054	171/48.00	110/146	7146 SHELBYVILLE PIKE CHRISTIANA	2,802.08
GLENDA COTHAM HAYES (CASE NO. 18RC-43)	R0068951	105/32.01	1071/3996	WOODBURY PIKE	2,684.65
W. M. JAKES (CASE NO. 18RC-145)	R0068719	104/197.01	213/255	JAKES ROAD	1,194.37
RONALD WING AND WIFE, BARBARA J. WING (CASE NO. 18RC-247)	R0028121	49H/A/24.00	50/95 (WB) 442/368 (DB)	433 GLENWOOD AVENUE SMYRNA	7,578.65
CORA RUCKER, LUCY BRYSON AND WILLIAM BRYSON (CASE NO. 19RC-3)	R0068910	105/9.00	55/134	KITRELL HALLS HILL ROAD	6,459.26

FLOYD BLACK AND WIFE, ANNE ELIZABETH BLACK WAYNE RIDINGS (CASE NO. 19RC-61)	R0031221	55C/A/1.00	1599/2299	ALMAVILLE ROAD SMYRNA *	1,234.18
LARRY A. COMPTON (CASE NO. 19RC-78)	R0021262	33L/B/68.00	53/634	603 STEVEN DRIVE SMYRNA*	1,455.24
GEORGE A. COLLIER, AND WIFE MARY T. COLLIER (CASE NO. 19RC-80)	R0027825	49E/C/10.05	259/857	MILL LANE SMYRNA	416.46
KIMBERLY G. HOLCOMB (CASE NO. 19RC-161)	R0081503	148M/B/5.00	1130/2426 1123/3726	683 CRESCENT ROAD MURFREESBORO	1,515.10
AMY MCCARTER (CASE NO. 19RC-195)	R0006958	17E/C/15.00	1298/1560	121 J F K DRIVE LAVERGNE*	393.82
SHANNON MCNETT (CASE NO 19RC-202)	R0021398	33L/E/6.00	1355/2679	609 CAYLA CT SMYRNA*	1,211.42
JEFFREY L. ROSS, JR. (CASE NO. 19RC-284)	R0013160	27H/F/31.01	1072/3354	460 SAM DAVIS ROAD SMYRNA *	2,605.82
DEANNA LYNN SHRUM (CASE NO. 20RC-1)	R0029895	50E/D/14.00	45/662	705 GENERAL PALMER ROAD SMYRNA*	18,724.56
CITY OF MURFREESBORO: JAMES ALLEN HARTLEY (CASE NO. 19MB-15)	R0055674	91L/B/11.00	612/89	608 N. ACADEMY STREET	1,009.47
ANGELA M. WEYKER AND JULIA L. MCCOLLAM (CASE NO. 19MB-22)	R0089610	71M/A/4.00	1192/3442	5042 SANTANA STREET	1,229.82

BRANDON JACOB WAARANIEMI AND TRACY WAARANIEMI, GUARDIAN (CASE NO. 19MB-26)	R0070101	112B/F/17.00	1602/3910	2106 BRADYVILLE PIKE	1,134.54
TOM TUZEL (CASE NO. 19MB-29)	R0064639	102D/A/37.00	1584/2709	514-516 SOUTH MANEY AVENUE	1,125.64
DOROTHY HUMPHREY ROPER CONSTANCE HATHAWAY, YOLANDA ROPER AND THE HEIRS/ASSIGNS OF BRAYNARD ROPER AND CATHRINE ROPER (CASE NO. 19MB-31)	R0056219	91M/H/13.00	1592/3001	218 RICHARDSON AVENUE	1,066.40
MICHAEL L. RANDOLPH AND LESA D. RANDOLPH (CASE NO. 19MB-44)	R0060659	101C/E/12.00	583/1666	620 STONETRACE DRIVE	1,068.65
MICHAEL SEAN NICHOLS (CASE NO. 19MB-48)	R0067062	103H/D/31.00	1565/1046	922 SOUTH BAIRD LANE	548.58

ROGER W. HUDSON, RUTHERFORD COUNTY TAX ATTORNEY; ROMAN S. HANKINS AND KATHARINE A. DRIVE, MURFREESBORO CITY ATTORNEYS;
JOHN A W BRATCHER, CLERK AND MASTER

*SUBJECT TO CITY TAXES

**** AMOUNT LISTED DOES NOT INCLUDE ADDITIONAL INTEREST AND COSTS. PLEASE CONTACT THE CHANCERY COURT FOR THE EXACT AMOUNT DUE.** For further information, please to go www.rcchancery.com, or contact Joanna Riggs in the Clerk and Master's Office at (615) 898-7860, ext. 4153.

This the 15TH day of October, 2020.

/s/ John A. W. Bratcher
JOHN A. W. BRATCHER, CLERK AND
MASTER

NOTICES TO BIDDERS & PURCHASERS AT DELINQUENT TAX SALE

ROGER W. HUDSON
Delinquent Tax Attorney for
Rutherford County, Tennessee

ROMAN S. HANKINS
KATHARINE A. DRIVER

Delinquent Tax Attorneys for the City of Murfreesboro

Terms are payment by local check, cashier's check, money order, credit card or cash by 4:15 pm Friday, November 20, 2020. The Judicial Center is currently not open to the public, however if you call the office at 615-898-7870 when you arrive, someone will meet you to retrieve your payment of cash, check, cashier's check or money order from you. If you wish to pay by credit/debit card or electronic check, you may do so on our website, www.rcchancery.com on the day following the sale. **There will also be recording costs of \$18.00 and the state conveyance tax of \$0.37 per \$100.00 added to the amount of your bid.**

The goal of the delinquent tax sale is to sell the properties to satisfy the delinquent tax amount including court costs, attorney's fees and publication costs, etc. There are many inherent risks in a tax sale therefore the notices herein are aimed at minimizing any risk of a sale being set aside and, more importantly, avoiding litigation.

THE CONTENT HEREIN IS PROVIDED ONLY AS A COURTESY AND DOES NOT CONSTITUTE LEGAL ADVICE AND MAY NOT BE RELIED ON AS SUCH. NOR IS IT A FULL INTERPRETATION OF THE STATUTES. IF YOU HAVE SPECIFIC QUESTIONS ABOUT ANY LAW, YOU SHOULD CONSULT THE TENNESSEE CODE ANNOTATED OR CONSULT AN ATTORNEY.

1. Due Diligence. It cannot be stressed enough the importance of having done your due diligence prior to the tax sale, including personally inspecting the property, researching the title and liens, and consulting an attorney if you have questions.
2. Changes to the Law. Since its formation in 2011, the Tennessee Association of Property Tax Professionals has been working with the Tennessee General Assembly to update the laws surrounding delinquent property tax proceedings. Many changes to the laws have been made during that time and will continue to be made. You should not assume any statute is the same as it was at the last delinquent tax sale.
3. No Attorney-Client Relationship Exists. The Delinquent Tax Attorneys represent the Rutherford County Trustee or the City of Murfreesboro. No attorney-client relationship exists between the Delinquent Tax Attorneys and any potential or actual tax sale bidders, tax sale purchasers, taxpayers, lienholders, etc. We will answer any questions to the extent we may without crossing the line into giving advice. All persons with questions about the delinquent tax sale process, title questions, etc. are strongly urged to consult an attorney of their choosing.
4. Records Searches. The Delinquent Tax Attorneys are required by Tenn. Code Ann. §67-5-2502(c)(2) to make a diligent search of the records of certain county offices to determine if there are liens against a property and, if so, give notice to the lienholder. No assurances of title, existence or non-existence of liens, etc., are made to potential or actual tax sale bidders, tax sale purchasers, taxpayers, lienholders, etc. by virtue of these searches and such parties may not rely on any information therein. It is strongly recommended that prospective bidders and prospective purchasers do their own due diligence prior to coming to the sale.

The property is being sold "AS IS". Buyers should be aware that Rutherford County and the City of Murfreesboro do not warrant as to the following items:

- a. Rights of Way or accessibility
- b. State of Title
- c. Boundaries and Acreage
- d. Suitability for Septic Tank
- e. Ability to get Building Permit

- f. Other taxes owing county or a city
- g. Possibility of Getting Title Insurance
- h. Use of property as security for a loan

SEARCHES MADE IN COMPLIANCE WITH THE STATUTE ARE FOR THE USE OF THE DELINQUENT TAX ATTORNEYS AND CLERK & MASTER ONLY; THEY ARE NOT MADE FOR THE BENEFIT OF POTENTIAL TAX SALE BIDDERS AND ARE NOT TO BE RELIED UPON BY POTENTIAL TAX SALE BIDDERS.

5. Published Properties Not Available at Tax Sale. Some properties in the Notice of Sale published in the newspaper(s) may not be available for sale at the Delinquent Tax Sale due to payment of the taxes, bankruptcy or to advance the goal of conveying good title and avoid litigation that sometimes arises with delinquent tax sales.
6. Redemption. Taxpayers, lienholders and other “interested persons” as defined in Tenn. Code Ann. §67-5-2502(c)(1)(B), have the right to redeem the property within **ONE (1) YEAR FROM THE DATE OF THE ENTRY OF THE ORDER CONFIRMING SALE.** The order confirming sale is usually entered within two (2) weeks of the sale. The statutory procedure for redemption is set forth in §67-5-2701. The full text of that statute is attached hereto.
7. Expenditures Made Toward the Property During the Redemption Period. Expenditures made by a tax sale purchaser related to the property are not reimbursable from the taxpayer upon redemption except for those expenditures expressly set forth in Tenn. Code Ann. §67-5-2701(e), which is the redemption statute. Those allowable reimbursements are very limited so you should familiarize yourself with that list.
8. Structures and Content on Parcels Offered for Sale. Neither the Delinquent Tax Attorneys nor the Clerk & Master make any representations as to the existence of structures upon a parcel of land, nor the contents or the condition of any structures, etc., that may be situated on the parcel. You should not rely exclusively on the records of the Office of the Rutherford County Assessor of Property or Tennessee Comptroller’s office (i.e. the “Tennessee Property Data Homepage”). It is not uncommon for such records to indicate the existence of a structure(s) upon a parcel when in fact the structure(s) have since been damaged, destroyed or removed from the parcel. It is your responsibility to personally visually inspect a parcel if you desire. The purchase price cannot be refunded if the property is not as the purchaser believed it was.
9. Right to Possession; Risk of Loss; Rent. Tenn. Code Ann. §67-5-2503 addresses the issues of when risk of loss passes to a tax sale purchaser, if and how a tax sale purchaser make take possession, and when and if a tax sale purchaser may charge rent to a taxpayer who remains in possession of the premises during the redemption period. The full text of that statute is attached hereto.
10. Meth Lab Quarantine. Due to the proliferation of the manufacture of illegal methamphetamine in residential and commercial property, commonly known as “meth labs,” law enforcement agencies have the ability to impose quarantine upon real property where “meth labs” have been identified and closed. Upon the issuance of a Notice of Quarantine, occupancy or other use of the property is not allowed until the property is “remediated,” (all materials containing residue of ingredients used in the manufacture of meth, such as carpet, wall paper and certain other absorbent building materials, must be cleaned or replaced) by an authorized provider as defined in Tenn. Code Ann. §68-212-502. All prospective bidders are strongly encouraged to perform due diligence with respect to each property (including, without limitation, contacting appropriate law enforcement agencies) prior to the tax sale, and purchasers assume any and all liability, including financial, of remediating the property and obtaining certification of such and release of the quarantine.
11. Condition of Property. The Delinquent Tax Attorneys have not made a physical inspection of any of the parcels listed for sale. As such, the Delinquent Tax Attorneys make no representations or warranties regarding the condition of any parcel. Prospective bidders are encouraged to observe parcels in such a way as to avoid trespassing and to note the physical condition and characteristics of each parcel prior to the tax sale.
12. Sales Are Final and NOT SUBJECT TO A RAISE; No Refund of Purchase Price: The sale of a parcel is final upon the Clerk & Master announcing the successful bidder. The sale is not subject to a raise. No refunds can be made. Property will be sold subject to Court approval.
13. Deeds. The deed will be recorded by the Clerk and Master. You will receive a copy of this deed after it is recorded. **The deeds will be made in the name as directed in the registration for the tax sale.**
14. Additional Taxes. The property in this sale is being sold for the 2018 and prior county taxes only for the Rutherford County Sale and 2018 and prior city taxes for the City of Murfreesboro Sale. The taxes for 2019 and 2020 are

due and payable and this property may have additional unpaid city taxes. These taxes are your responsibility. If there is enough money left from your bid after paying the costs and taxes of the sale, it may be applied to any other outstanding taxes. The Clerk and Master's office will NOT notify you if there are not enough proceeds to pay current taxes or any other taxes. It is your responsibility to determine if any other taxes are due.

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Tenn. Code Ann. § 67-5-2701

Current through Chapter 810 of the 2020 Regular Session. The Commission may make editorial changes to this version and may relocate or redesignate text. Those changes will appear on Lexis Advance after the publication of the certified volumes and supplements. Pursuant to TCA Sections 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code. Until the annual issuance of the certified volumes and supplements, references to the updates made by the recent legislative session should be to the Public Chapter and not TCA.

67-5-2701. Procedure for redemption of property.

- (a)**
- (1)**
- (A)** Upon entry of an order confirming a sale of a parcel, a right to redeem shall vest in all interested persons. The right to redeem shall be exercised within the time period established by this subsection (a) beginning on the date of the entry of the order confirming the sale, but in no event shall the right to redeem be exercised more than one (1) year from that date. The redemption period of each parcel shall be determined by the court prior to the tax sale of the parcel and may also be stated in the order confirming the sale.
- (B)** Unless the court finds sufficient evidence to order a reduced redemption period pursuant to this section, the redemption period for each parcel shall be one (1) year.
- (C)** The redemption period shall be determined for each parcel based on the period of delinquency. Once the period of delinquency is established, the redemption period shall be set on the following scale:
- (i)** If the period of delinquency is five (5) years or less, the redemption period shall be one (1) year from the entry of the order confirming the sale;
- (ii)** If the period of delinquency is more than five (5) years but less than eight (8) years, the redemption period shall be one hundred eighty (180) days from the entry of the order confirming the sale; or
- (iii)** If the period of delinquency is eight (8) years or more, the redemption period shall be ninety (90) days from the entry of the order confirming the sale.
- (D)** For all property for which a showing is made pursuant to subdivision (a)(2), the redemption period shall be thirty (30) days from the entry of the order confirming the sale without regard to the number of years of delinquent taxes owed on the property, beyond that required to make the property legally eligible for the sale.
- (2)** A reasonable basis to believe that real property is vacant, or, in the case of vacant land, a reasonable basis to believe that the property is abandoned, shall, at a minimum, be based upon periodic inspections of the property over a two-month period at different times of the day where three (3) or more inspections reveal evidence of abandonment.
- (3)** As used in this section:
- (A)** "Evidence of abandonment" includes, but is not limited to, any of the following conditions:
- (i)** Overgrown or dead vegetation;
- (ii)** Accumulation of newspapers, circulars, flyers, or mail;

(iii) Past due utility notices, disconnected utilities, or utilities not in use;

(iv) Accumulation of trash, refuse, or other debris;

(v) Absence of window coverings such as curtains, blinds, or shutters;

(vi) One (1) or more boarded, missing, or broken windows;

(vii) The property is open to casual entry or trespass;

(viii) The property has a building or structure that is or appears structurally unsound or has any other condition that presents a potential hazard or danger to the safety of persons; or

(ix) Any of the conditions in subdivisions (a)(3)(A)(i) - (viii) exist and, if there is a mortgage on the property, the mortgagor does not occupy the property and has informed the mortgagee or loan servicing company in writing that the mortgagor does not intend to occupy the property in the future;

(B) "Period of delinquency" means, with respect to a parcel, the longest consecutive number of years the property taxes on that parcel are delinquent and have not been paid to a jurisdiction, and for which years the collection of property taxes for that jurisdiction is being sought in the tax sale;

(C) "Person entitled to redeem" means, with respect to a parcel, any interested person, as defined in this chapter, as of the date of the sale or the date the motion to redeem is filed;

(D) "Vacant and abandoned" with respect to real property:

(i) Means:

(a) There is a reasonable basis to believe the property is not occupied as determined in accordance with subdivision (a)(2); or

(b) A court has determined that the property is a risk to the health, safety, or welfare of the public or any adjoining or adjacent property owners, or has otherwise declared the property unfit for occupancy; and

(ii) Does not include:

(a) An unoccupied building that is undergoing construction, renovation, or rehabilitation at the hands of a properly licensed contractor pursuant to a building permit; is proceeding to completion; and is in compliance with all applicable ordinances, codes, regulations, and statutes;

(b) A building occupied on a seasonal basis that is otherwise secure;

(c) A building that is secure, but is the subject of a probate action, action to quiet title, or other similar ownership dispute; provided, that the owners are exercising diligence in pursuit of resolution of the dispute;

(d) A building damaged by a natural disaster and one (1) or more owners intend to repair and reoccupy the property; provided, that the owners are exercising diligence in pursuit of completion of repairs at the property in accordance with subdivision (a)(3)(D)(ii)(a); or

(e) Any property occupied by the owner, a relative of the owner, or a tenant lawfully in possession; provided, that neither subdivision (a)(3)(A)(viii) nor subdivision (a)(3)(D)(i)(b) applies to the property.

(b)

(1) In order to redeem a parcel, the person entitled to redeem shall file a motion to such effect in the proceedings in which the parcel was sold. The motion shall describe the parcel, the date of the sale of the parcel, the date of the entry of the order confirming the sale and shall contain specific allegations establishing the right of the person to redeem the parcel. Prior to the filing of the motion to redeem, the movant shall pay

to the clerk of the court an amount equal to the total amount of delinquent taxes, penalty, interest, court costs, and interest on the entire purchase price paid by the purchaser of the parcel. The interest shall be at the rate of twelve percent (12%) per annum, which shall begin to accrue on the date the purchaser pays the purchase price to the clerk and continuing until the motion to redeem is filed. If the entire amount owing is not timely paid to the clerk or if the motion to redeem is not timely filed, the redemption shall fail.

(2) In any motion to enforce a right of redemption brought by a transferee against a tax sale purchaser or other interested party:

(A) The tax sale purchaser or other interested party in whom the right of redemption originally vested must be served with a copy of the motion to redeem;

(B) The motion to redeem must be denied on the objection or response to the motion to redeem by the tax sale purchaser or any other interested party if it appears that the transferee is engaged in speculation or profiteering with respect to such right of redemption;

(C) Such speculation and profiteering is presumed if it appears that the transfer of the right of redemption was made for consideration in an amount less than the purchase price paid by the tax sale purchaser at the tax sale minus the amount the debtor would have been required to pay to redeem the property under this chapter; and

(D) If a motion to redeem by a transferee is denied under this subdivision (b)(2) based on a finding by the court of such speculation and profiteering, the court may award reasonable attorney's fees to the tax sale purchaser or any other interested party challenging the motion to redeem.

(3) Subdivision (b)(2) is intended to:

(A) Further the public policies of this state of protecting the interests of owners of real property subject to debt, protecting the integrity of the tax sale process, providing reliable tax sale titles to purchasers, and prohibiting the profiteering and speculation in rights of redemption; and

(B) Be remedial and construed to apply to any existing rights of redemption.

(c) Upon the filing of the motion to redeem and the payment of the required amount, the clerk shall within ten (10) days send a notice of the filing of the redemption motion to the purchaser and all persons entitled to redeem the parcel. The notice of redemption shall state the amount paid at the time of the filing of the motion and refer the persons to this section.

(d) The purchaser may within thirty (30) days after the mailing of the notice of redemption, file a response seeking additional funds to be paid by the proposed redeemer to compensate the purchaser for amounts expended by the purchaser for the purposes set out in subsection (e). The response shall specifically set out the basis for each category of additional funds claimed. The response may also allege that the motion to redeem was not properly or timely filed. If no response is timely filed, the court shall determine whether the redemption has been properly made, and if so, shall cause an order to be entered requiring the proposed redeemer to pay additional interest at the rate set forth in subsection (b), accruing from the date the motion to redeem was filed until the date of such payment.

(e) Additional sums to be paid by the proposed redeemer at the demand of the purchaser, shall include the following:

(1) Additional ad valorem taxes, penalty, interest and court costs paid by the purchaser secured by a lien against the parcel, plus interest thereon at the rate set forth in subsection (b), accruing from the date of payment of the additional taxes by the purchaser until the date of payment by the proposed redeemer pursuant to order of the court;

(2) Reasonable payments made by the purchaser for insurance on the parcel and any improvements thereon;

(3) Reasonable cost paid by the purchaser to avoid permissive waste of the parcel;

(4) Reasonable expenses paid by the purchaser as a result of a judicial or administrative order or other official notice requiring the purchaser to immediately bring the property into compliance with applicable building code or zoning regulations;

(5) Reasonable payments by the purchaser for homeowner's association dues or obligations resulting from covenants running with the land which are secured by a lien against the parcel; and

(6) Additional interest at the rate set out in subsection (b), accruing from the date the motion to redeem was filed until the date the purchaser's response was filed. If the court determines that the purchaser has not delayed consideration of the motion to redeem and that any response filed by the purchaser for additional funds was based on a reasonable expectation that the expenditures of the purchaser were reimbursable pursuant to this section, then the court may require the proposed redeemer to also pay additional interest at the same rate, accruing from the date the purchaser's response was filed until the date of such payment.

(f) Any additional funds ordered to be paid by the proposed redeemer under this section shall be paid to the clerk prior to the later of the following dates:

(1) The date of the expiration of the redemption period; or

(2) Thirty (30) days after the entry of the order allowing additional funds.

(g) If the proposed redeemer timely pays the full amount of any additional funds ordered by the court, the court shall declare that the property has been redeemed.

(h) If the proposed redeemer fails to timely pay the full amount of any additional funds ordered by the court, the redemption shall fail and any funds paid by the proposed redeemer shall be refunded to him less the clerk's fee and any other court costs.

(i) In the event a person tenders the full amount owing in the proceeding at a time after the date of sale and prior to the entry of an order confirming the sale, the person shall also pay interest computed as established by subsection (b) on the total purchase price paid by the purchaser.

(j) The court in which the proceedings are pending may order that any proposed redeemer shall also pay to the clerk the amount necessary to record any orders of the court in the office of the register of deeds. Such payment may be required to be paid upon the filing of the motion to redeem or upon determining whether any additional funds are to be allowed.

(k) Upon any order pertaining to redemption becoming final, the clerk shall make such disbursements as are provided in the order.

(l) In the event the court directs the delinquent tax attorney or an attorney ad litem to participate in the redemption portion of the proceedings as an assistance to the court, the court may allow a reasonable attorneys fee to be paid by either the movant or the purchaser as directed by the court.

(m) In the event all parties to the action waive their right to appeal all issues in the cause, the clerk shall immediately disburse all amounts owing.

(n) Upon entry of an order of the court declaring that the redemption is complete, title to the parcel shall be divested out of the purchaser, and the clerk shall promptly refund the purchase money and pay all sums due to the purchaser under this section. The interests of the taxpayer and other interested parties, or their successors in interest, shall be restored to that state which existed as of the date of entry of the order confirming the sale. Any lienholder who redeems the parcel may thereafter proceed to foreclose upon the parcel or otherwise enforce such lien.

(o) During the redemption period, the purchaser shall have no obligation to purchase insurance on the parcel and shall not be liable to a person redeeming the parcel for damages to the parcel during such redemption period unless such damages are directly caused by intentional acts of the purchaser. This subsection (o) is intended to be procedural and remedial in application and is made applicable retroactively to the extent allowed by law.

(p) During the redemption period and thereafter, a taxing entity which has purchased a parcel pursuant to [§ 67-5-2501](#) shall have no obligation to preserve the value of the parcel. This subsection (p) is intended to be procedural and remedial in application and is made applicable retroactively to the extent allowed by law.

History

[Acts 2014, ch. 883, § 17](#); [2015, ch. 414, §§ 18-24](#); [2015, ch. 486, § 1](#); [2017, ch. 299, §§ 16-18](#); [2018, ch. 778, § 1](#); [2019, ch. 170, § 7](#).

Compiler's Notes.

Former title 67, ch. 5, part 27, [§§ 67-5-2701 — 67-5-2707](#) ([Acts 1991, ch. 470, § 1](#); [1992, ch. 850, § 1](#); [1998, ch. 1096, §§ 1-3](#); [2006, ch. 817, §§ 1, 2](#); [2009, ch. 156, § 1](#); [2009, ch. 185, § 2](#); [2009, ch. 530, § 103](#); [2010, ch. 711, § 1](#); [2013, ch. 353, §§ 29-31](#)), concerning redemption of property, was repealed and reenacted by [Acts 2014, ch. 883, §§ 17, 18](#), effective July 1, 2014.

Amendments.

The 2018 amendment substituted “the date of sale or” for “the date of sale and” in (a)(3)(C).

The 2019 amendment, in (a), substituted the present last sentence for the former introductory clause at the end of (a)(1) which read: “The redemption period of each parcel shall be stated in the order confirming the sale based on the following criteria:”, redesignated (a)(1) as (a)(1)(A), and redesignated (a)(1)(A) though (a)(1)(C) as (a)(1)(B) through (a)(1)(D).

Effective Dates.

[Acts 2018, ch. 778, § 8](#). April 19, 2018.

[Acts 2019, ch. 170, § 10](#). April 18, 2019.

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Current through Chapter 810 of the 2020 Regular Session. The Commission may make editorial changes to this version and may relocate or redesignate text. Those changes will appear on Lexis Advance after the publication of the certified volumes and supplements. Pursuant to TCA Sections 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code. Until the annual issuance of the certified volumes and supplements, references to the updates made by the recent legislative session should be to the Public Chapter and not TCA.

67-5-2503. Sale of land — Writ of possession — Rents and profits.

(a) An order confirming the sale of a parcel shall confer the right to possession of the parcel to the purchaser effective upon entry of the order. On such date, the risk of loss shall transfer from the original owner to the purchaser. In the event of a loss occurring after the sale and before the order confirming the sale is entered, the court shall, on motion of the purchaser filed before the order confirming the sale becomes final, determine whether any portion of the purchaser's bid should be refunded to the purchaser.

(b) A writ of possession shall, upon application of the purchaser, in a proper case, be ordered by the court in which the tax sale has been made. A purchaser not making an advance demand for rents or profits shall have no rights to rents or profits from a taxpayer who has remained in possession during the redemption period.

History

Acts 1907, ch. 602, § 64; Shan., § 913a48; mod. Code 1932, § 1612; T.C.A. (orig. ed.), § 67-2019; [Acts 1991, ch. 470, § 2](#); [2015, ch. 414, § 12](#); [2019, ch. 170, § 5](#).

Compiler's Notes.

[Acts 1991, ch. 470, § 5](#) provided that the amendment to this section by that act shall apply to all sales of real property for delinquent taxes held on or after June 4, 1991.

Amendments.

The 2019 amendment, substituted "not making an advance demand for rents or profits" for "not taking actual possession of the property" in the second sentence of (b).

Effective Dates.

[Acts 2019, ch. 170, § 10](#). April 18, 2019.