
SENATE BILL No. 276

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-1.1; IC 34-30-2-154.5; IC 36-7.

Synopsis: Tax sales and abandoned property. Allows a county, city other than a consolidated city, or town unit to operate a land bank. Provides that a unit may adopt an ordinance designating an official, a department, or an instrumentality of the unit as the manager of land bank operations for the unit. Requires a consolidated city to operate a land bank. Provides that the manager of land bank operations for a consolidated city is a nonprofit corporation organized by the county executive. Specifies that the territory of a county land bank is all the territory of the county except for the territories of cities and towns in the county. Specifies that the territory of a consolidated city's land bank is all the territory of the county in which the consolidated city is located except for the territory of the county's excluded cities. Provides that: (1) abandoned or vacant real property on which delinquent real property taxes are owed; and (2) real property on which delinquent real property taxes are owed that has been offered for sale unsuccessfully; are transferred to the land bank in which the real property is located, if any. Provides that the period of redemption in current law for real property sold in a tax sale is shortened from one year to six months following the date of sale. Requires the fiscal body of a county, city, or town that operates a land bank to appropriate to the land bank revenue from property taxes collected on real property disposed of by the land bank for three years following the year in which the land bank disposes of the real property, in the case of a consolidated city or a county, city, or town if the fiscal body of the county, city, or town has made an election to do so. Requires a consolidated city to appropriate money in the consolidated city's unsafe building fund that is not needed for executing
(Continued next page)

C
O
P
Y

Effective: July 1, 2012.

Merritt

January 4, 2012, read first time and referred to Committee on Local Government.



Digest Continued

the unsafe building law to the consolidated city's land bank. Repeals the definition of "substantial property interest of public record" to relocate the definition to a new chapter. Makes a technical correction.

C
o
p
y



Second Regular Session 117th General Assembly (2012)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2011 Regular Session of the General Assembly.

C
O
P
Y

SENATE BILL No. 276

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 6-1.1-23.8 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2012]:
4 **Chapter 23.8. Definitions Applicable to IC 6-1.1-24 and**
5 **IC 6-1.1-25**
6 **Sec. 1. The definitions in this chapter apply throughout this**
7 **chapter, IC 6-1.1-24, and IC 6-1.1-25.**
8 **Sec. 2. "County executive" means the following:**
9 (1) **In a county not containing a consolidated city, the county**
10 **executive or the county executive's designee.**
11 (2) **In a county containing a consolidated city, the executive of**
12 **the consolidated city.**
13 **Sec. 3. "Land bank" has the meaning set forth in IC 36-7-37-2.**
14 **Sec. 4. "Minimum redemption price" means the amount**
15 **required to redeem a tract or item of real property from a land**



1 bank before the period of redemption specified in IC 6-1.1-25-4
2 expires.

3 **Sec. 5. "Substantial property interest of public record" means**
4 **title to or interest in a tract possessed by a person and recorded in**
5 **the office of a county recorder or available for public inspection in**
6 **the office of a circuit court clerk not later than the hour and date**
7 **the sale or transfer is scheduled to begin under this chapter. The**
8 **term does not include a lien held by the state or a political**
9 **subdivision.**

10 **Sec. 6. "Transfer" means the issuance of a tax sale certificate by**
11 **a county auditor or a county executive to a land bank.**

12 SECTION 2. IC 6-1.1-24-1, AS AMENDED BY P.L.113-2010,
13 SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2012]: Sec. 1. (a) On or after January 1 of each calendar year
15 in which a tax sale will be held in a county and not later than fifty-one
16 (51) days after the first tax payment due date in that calendar year, the
17 county treasurer (or county executive, in the case of property described
18 in subdivision (2)) shall certify to the county auditor a list of real
19 property on which any of the following exist:

20 (1) In the case of real property other than real property described
21 in subdivision (2), any property taxes or special assessments
22 certified to the county auditor for collection by the county
23 treasurer from the prior year's spring installment or before are
24 delinquent as determined under IC 6-1.1-37-10.

25 (2) In the case of real property for which a county executive has
26 certified to the county auditor that the real property is:

27 (A) vacant; or

28 (B) abandoned;

29 any property taxes or special assessments from the prior year's fall
30 installment or before that are delinquent as determined under
31 IC 6-1.1-37-10. The county executive must make a certification
32 under this subdivision not later than sixty-one (61) days before
33 the earliest date on which application for judgment and order for
34 sale **or transfer** may be made.

35 (3) Any unpaid costs are due under section 2(b) of this chapter
36 from a prior tax sale **or transfer**.

37 (b) The county auditor shall maintain a list of all real property
38 eligible for sale **or transfer**. Except as provided in section 1.2 or
39 another provision of this chapter, the taxpayer's property shall remain
40 on the list. The list must:

41 (1) describe the real property by parcel number and common
42 address, if any;

C
o
p
y



1 (2) for a tract or item of real property with a single owner,
2 indicate the name of the owner; and

3 (3) for a tract or item with multiple owners, indicate the name of
4 at least one (1) of the owners.

5 (c) Except as otherwise provided in this chapter, the real property
6 so listed is eligible for sale **or transfer** in the manner prescribed in this
7 chapter.

8 (d) Not later than fifteen (15) days after the date of the county
9 treasurer's certification under subsection (a), the county auditor shall
10 mail by certified mail a copy of the list described in subsection (b) to
11 each mortgagee who requests from the county auditor by certified mail
12 a copy of the list. Failure of the county auditor to mail the list under
13 this subsection does not invalidate an otherwise valid sale **or transfer**.

14 SECTION 3. IC 6-1.1-24-1.2, AS AMENDED BY P.L.113-2010,
15 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2012]: Sec. 1.2. (a) Except as provided in subsection (c), a
17 tract or an item of real property may not be removed from the list
18 certified under section 1 of this chapter before the tax sale **or transfer**
19 unless all:

20 (1) delinquent taxes and special assessments due before the date
21 the list on which the property appears was certified under section
22 1 of this chapter; and

23 (2) penalties due on the delinquency, interest, and costs directly
24 attributable to the tax sale **or transfer**;
25 have been paid in full.

26 (b) A county treasurer may accept partial payments of delinquent
27 property taxes, assessments, penalties, interest, or costs under
28 subsection (a) after the list of real property is certified under section 1
29 of this chapter. However a partial payment does not remove a tract or
30 an item from the list certified under section 1 of this chapter unless the
31 taxpayer complies with subsection (a) or (c) before the date of the tax
32 sale.

33 (c) The county auditor in a county having a population of more than
34 four hundred thousand (400,000) but less than seven hundred thousand
35 (700,000) may remove a tract or an item of real property from the list
36 certified under section 1 of this chapter before the tax sale if the county
37 treasurer and the taxpayer agree to a mutually satisfactory arrangement
38 for the payment of the delinquent taxes.

39 (d) The county treasurer may remove the tract or item from the list
40 certified under section 1 of this chapter if the arrangement described in
41 subsection (c):

42 (1) is in writing;



C
o
p
y

1 (2) is signed by the taxpayer; and

2 (3) requires the taxpayer to pay the delinquent taxes in full within
3 one (1) year of the date the agreement is signed.

4 (e) If the taxpayer fails to make a payment under the arrangement
5 described in subsection (c), the county auditor shall immediately place
6 the tract or item of real property on:

7 (1) the list of real property eligible for sale at a tax sale; **or**

8 (2) **the list for transfer.**

9 (f) If the tract or item of real property subject to a payment
10 arrangement is within the jurisdiction of a:

11 (1) city having a population of more than ~~ninety eight~~ thousand
12 ~~(90,000)~~ **(80,000)** but less than ~~one hundred five eighty~~ thousand
13 ~~(105,000)~~; **four hundred (80,400)**;

14 (2) city having a population of more than ~~thirty-two twenty-nine~~
15 thousand ~~(32,000)~~ **six hundred (29,600)** but less than ~~thirty-two~~
16 **twenty-nine** thousand ~~eight nine hundred (32,800)~~; **(29,900)**; or

17 (3) city having a population of more than ~~seventy-five eighty~~
18 thousand ~~(75,000)~~ **five hundred (80,500)** but less than ~~ninety one~~
19 **hundred thousand (90,000)**; **(100,000)**;

20 the county auditor shall notify the mayor of the city of the arrangement.

21 SECTION 4. IC 6-1.1-24-1.5, AS AMENDED BY P.L.169-2006,
22 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
23 JULY 1, 2012]: Sec. 1.5. (a) ~~As used in this chapter and IC 6-1.1-25,~~
24 ~~"county executive" means the following:~~

25 ~~(1) In a county not containing a consolidated city, the county~~
26 ~~executive or the county executive's designee.~~

27 ~~(2) In a county containing a consolidated city, the executive of the~~
28 ~~consolidated city.~~

29 ~~(b) (a)~~ The county executive may designate the real property on the
30 list prepared under section 4.5(b) of this chapter that is eligible for
31 listing on the list prepared under subsection ~~(c)~~; **(b)**.

32 ~~(c) (b)~~ The county executive shall prepare a list of properties
33 designated under subsection ~~(b) (a)~~ and certify the list to the county
34 auditor no later than sixty-one (61) days prior to the earliest date on
35 which application for judgment and order for sale **or transfer** may be
36 made.

37 ~~(d) (c)~~ Upon receiving the list described in subsection ~~(c)~~; **(b)**, the
38 county auditor shall:

39 (1) prepare a list of the properties certified by the ~~commission;~~
40 **county executive**; and

41 (2) delete any property described in that list from the delinquent
42 tax list prepared under section 1 of this chapter.

C
o
p
y



1 SECTION 5. IC 6-1.1-24-1.9 IS REPEALED [EFFECTIVE JULY
 2 1, 2012]. Sec. 1.9: As used in this chapter and IC 6-1.1-25, "substantial
 3 property interest of public record" means title to or interest in a tract
 4 possessed by a person and recorded in the office of a county recorder
 5 or available for public inspection in the office of a circuit court clerk
 6 no later than the hour and date the sale is scheduled to commence
 7 under this chapter. The term does not include a lien held by the state or
 8 a political subdivision.

9 SECTION 6. IC 6-1.1-24-2, AS AMENDED BY P.L.146-2008,
 10 SECTION 258, IS AMENDED TO READ AS FOLLOWS
 11 [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) In addition to the delinquency
 12 list required under section 1 of this chapter, each county auditor shall
 13 prepare a notice. The notice shall contain the following:

14 (1) A list of tracts or real property eligible for sale **or transfer**
 15 under this chapter.

16 (2) A statement that ~~the tracts or a tract of~~ real property included
 17 in the list will be sold at public auction to the highest bidder **or**
 18 **transferred to the land bank in whose territory the tract of**
 19 **real property is located, if any**, subject to the right of
 20 redemption.

21 (3) A statement that the tracts or real property will not be sold for
 22 an amount which is less than the sum of:

23 (A) the delinquent taxes and special assessments on each tract
 24 or item of real property;

25 (B) the taxes and special assessments on each tract or item of
 26 real property that are due and payable in the year of the sale,
 27 whether or not they are delinquent;

28 (C) all penalties due on the delinquencies;

29 (D) an amount prescribed by the county auditor that equals the
 30 sum of:

31 (i) the greater of twenty-five dollars (\$25) or postage and
 32 publication costs; and

33 (ii) any other actual costs incurred by the county that are
 34 directly attributable to the tax sale; and

35 (E) any unpaid costs due under subsection (b) from a prior tax
 36 sale.

37 (4) A statement that a person redeeming each tract or item of real
 38 property after the sale **or transfer** must pay:

39 (A) one hundred ten percent (110%) of the amount of the
 40 minimum bid for which the tract or item of real property was
 41 offered at the time of sale if the tract or item of real property
 42 is redeemed not more than:

C
O
P
Y



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

(i) three (3) months after the date of sale, if the date of sale occurs after June 30, 2012; or

(ii) six (6) months after the date of sale, if the date of sale occurs before July 1, 2012;

(B) one hundred fifteen percent (115%) of the amount of the minimum bid for which the tract or item of real property was offered at the time of sale if the tract or item of real property is redeemed more than:

(i) three (3) months after the date of sale, if the date of sale occurs after June 30, 2012; or

(ii) six (6) months after the date of sale, if the date of sale occurs before July 1, 2012;

(C) one hundred ten percent (110%) of the amount of the minimum redemption price confirmed at the time of transfer if the tract or item of real property is redeemed not more than sixty (60) days after the date of transfer;

(D) one hundred fifteen percent (115%) of the amount of the minimum redemption price confirmed at the time of transfer if the tract or item of real property is redeemed more than sixty (60) days after the date of transfer;

~~(E)~~ **(E)** the amount by which the purchase price exceeds the minimum bid on the tract or item of real property plus ten percent (10%) per annum on the amount by which the purchase price exceeds the minimum bid; and

~~(F)~~ **(F)** all taxes and special assessments on the tract or item of real property paid by the purchaser after the tax sale plus interest at the rate of ten percent (10%) per annum on the amount of taxes and special assessments paid by the purchaser on the redeemed property.

(5) A statement for informational purposes only, of the location of each tract or item of real property by key number, if any, and street address, if any, or a common description of the property other than a legal description. The township assessor, or the county assessor if there is no township assessor for the township, upon written request from the county auditor, shall provide the information to be in the notice required by this subsection. A misstatement in the key number or street address does not invalidate an otherwise valid sale **or transfer**.

(6) A statement that the county does not warrant the accuracy of the street address or common description of the property.

(7) A statement indicating:

(A) the name of the owner of each tract or item of real

C
o
p
y



- 1 property with a single owner; or
 2 (B) the name of at least one (1) of the owners of each tract or
 3 item of real property with multiple owners.
 4 (8) A statement of the procedure to be followed for obtaining or
 5 objecting to a judgment and order of sale **or transfer, that which**
 6 must include the following:
 7 (A) A statement:
 8 (i) that the county auditor and county treasurer will apply on
 9 or after a date designated in the notice for a court judgment
 10 against the tracts or real property for an amount that is not
 11 less than the amount set under subdivision (3), and for an
 12 order to sell the tracts or real property at public auction to
 13 the highest bidder **or to transfer the tracts of real**
 14 **property to the respective land banks in whose**
 15 **territories the tracts of real property are located, if any,**
 16 subject to the right of redemption; and
 17 (ii) indicating the date when the period of redemption
 18 specified in IC 6-1.1-25-4 will expire.
 19 (B) A statement that any defense to the application for
 20 judgment must be:
 21 (i) filed with the court; and
 22 (ii) served on the county auditor and the county treasurer;
 23 before the date designated as the earliest date on which the
 24 application for judgment may be filed.
 25 (C) A statement that the county auditor and the county
 26 treasurer are entitled to receive all pleadings, motions,
 27 petitions, and other filings related to the defense to the
 28 application for judgment.
 29 (D) A statement that the court will set a date for a hearing at
 30 least seven (7) days before the advertised date and that the
 31 court will determine any defenses to the application for
 32 judgment at the hearing.
 33 (9) A statement that the sale **or transfer** will be conducted at a
 34 place designated in the notice and that the sale will continue until
 35 all tracts and real property have been offered for sale **or**
 36 **transferred.**
 37 (10) A statement that the sale **or transfer** will take place at the
 38 times and dates designated in the notice. Whenever the public
 39 auction is to be conducted as an electronic sale, the notice must
 40 include a statement indicating that the public auction will be
 41 conducted as an electronic sale and a description of the
 42 procedures that must be followed to participate in the electronic

C
O
P
Y

1 sale.

2 (11) A statement that a person redeeming each tract or item after

3 the sale **or transfer** must pay the costs described in

4 ~~IC 6-1.1-25-2(e)~~; **IC 6-1.1-25-2(f)**.

5 (12) If a county auditor and county treasurer have entered into an

6 agreement under IC 6-1.1-25-4.7, a statement that the county

7 auditor will perform the duties of the notification ~~and title search~~

8 under IC 6-1.1-25-4.5 and the notification and petition to the

9 court for the tax deed under IC 6-1.1-25-4.6.

10 (13) A statement that, if the tract or item of real property is sold

11 for an amount more than the minimum bid and the property is not

12 redeemed, the owner of record of the tract or item of real property

13 who is divested of ownership at the time the tax deed is issued

14 may have a right to the tax sale surplus.

15 (14) If a determination has been made under subsection (d), a

16 statement that tracts or items will be sold **or transferred** together.

17 (b) If within sixty (60) days before the date of the tax sale **or**

18 **transfer** the county incurs costs set under subsection (a)(3)(D) and

19 those costs are not paid, the county auditor shall enter the amount of

20 costs that remain unpaid upon the tax duplicate of the property for

21 which the costs were set. The county treasurer shall mail notice of

22 unpaid costs entered upon a tax duplicate under this subsection to the

23 owner of the property identified in the tax duplicate.

24 (c) The amount of unpaid costs entered upon a tax duplicate under

25 subsection (b) must be paid no later than the date upon which the next

26 installment of real estate taxes for the property is due. Unpaid costs

27 entered upon a tax duplicate under subsection (b) are a lien against the

28 property described in the tax duplicate, and amounts remaining unpaid

29 on the date the next installment of real estate taxes is due may be

30 collected in the same manner that delinquent property taxes are

31 collected.

32 (d) The county auditor and county treasurer may establish the

33 condition that a tract or item will be sold **or transferred** and may be

34 redeemed under this chapter only if the tract or item is sold,

35 **transferred**, or redeemed together with one (1) or more other tracts or

36 items. Property may be sold **or transferred** together only if the tract or

37 item is owned by the same person.

38 SECTION 7. IC 6-1.1-24-2.2, AS AMENDED BY P.L.169-2006,

39 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

40 JULY 1, 2012]: Sec. 2.2. Whenever a notice required under section 2

41 of this chapter includes real property on the list prepared under section

42 1(a)(2) or ~~1.5(d)~~ **1.5(c)** of this chapter, the notice must also contain a

C
o
p
y



1 statement that:

2 (1) the property is on the ~~alternate~~ list prepared under section
3 1(a)(2) or ~~1.5(d)~~ **1.5(c)** of this chapter;

4 (2) if **the property is purchased and** the property is not
5 redeemed within one hundred twenty (120) days after the date of
6 sale, the county auditor shall execute and deliver a deed for the
7 property to the purchaser or purchaser's assignee; ~~and~~

8 **(3) if the property is transferred to the land bank in whose**
9 **territory the property is located and the property is not**
10 **redeemed within one hundred twenty (120) days after the date**
11 **of transfer, the county auditor shall execute and deliver a**
12 **deed for the property to the land bank to which the property**
13 **was transferred; and**

14 ~~(3)~~ **(4)** if the property is offered for sale and a bid is not received
15 for at least the amount required under section 5 of this chapter,
16 the county auditor may execute and deliver a deed for the property
17 to:

18 **(A) the land bank in whose territory the property is**
19 **located, if any; or**

20 **(B) the county executive, if the property is not located in the**
21 **territory of a land bank;**

22 subject to IC 6-1.1-25.

23 SECTION 8. IC 6-1.1-24-3, AS AMENDED BY P.L.169-2006,
24 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 2012]: Sec. 3. (a) When real property is eligible for sale **or**
26 **transfer** under this chapter, the county auditor shall post a copy of the
27 notice required by sections 2 and 2.2 of this chapter at a public place
28 of posting in the county courthouse or in another public county
29 building at least twenty-one (21) days before the earliest date of
30 application for judgment. In addition, the county auditor shall, in
31 accordance with IC 5-3-1-4, publish the notice required in sections 2
32 and 2.2 of this chapter once each week for three (3) consecutive weeks
33 before the earliest date on which the application for judgment may be
34 made. The expenses of this publication shall be paid out of the county
35 general fund without prior appropriation.

36 (b) At least twenty-one (21) days before the application for
37 judgment is made, the county auditor shall mail a copy of the notice
38 required by sections 2 and 2.2 of this chapter by certified mail, return
39 receipt requested, to any mortgagee who annually requests, by certified
40 mail, a copy of the notice. However, the failure of the county auditor to
41 mail this notice or its nondelivery does not affect the validity of the
42 judgment and order.



C
o
p
y

(c) The notices mailed under this section and the advertisement published under ~~section 4(b) of this chapter~~ **subsection (a)** are considered sufficient notice of the intended application for judgment and of the sale **or transfer** of real property under the order of the court.

SECTION 9. IC 6-1.1-24-4, AS AMENDED BY P.L.89-2007, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) Not less than twenty-one (21) days before the earliest date on which the application for judgment and order for:

- (1) sale of real property eligible for sale may be made; **or**
- (2) **transfer of real property eligible for transfer to a land bank may be made;**

the county auditor shall send a notice of the sale **or transfer** by certified mail, return receipt requested, to ~~(1)~~ the owner of record of real property with a single owner, or ~~(2)~~ **in the case of real property with multiple owners**, at least one (1) of the owners **of record**, as of the date of certification, ~~of real property with multiple owners~~, at the last address of the owner for the property as indicated in the records of the county auditor on the date that the tax sale ~~list is~~ **and transfer lists are** certified. In addition, **in the case of real property with multiple owners of record**, the county auditor shall mail a duplicate notice by **first class mail** to ~~the an~~ owner of record as ~~described in subdivisions (1) and (2)~~, **by first class mail to the owners from whom the county auditor receives a signed certified mail return receipt for the benefit of each owner** from whom the certified mail return receipt was not signed and returned. Additionally, the county auditor may determine that mailing a first class notice to or serving a notice on the property is a reasonable step to notify the owner, if the address of the owner is not the same address as the physical location of the property. If both notices are returned due to incorrect or insufficient addresses, the county auditor shall research the county auditor records to determine a more complete or accurate address. If a more complete or accurate address is found, the county auditor shall resend the notices to the address that is found in accordance with this section. Failure to obtain a more complete or accurate address does not invalidate an otherwise valid sale **or transfer**. The county auditor shall prepare the notice in the form prescribed by the state board of accounts. The notice must set forth the key number, if any, of the real property and a street address, if any, or other common description of the property other than a legal description. The notice must include the statement set forth in section 2(a)(4) of this chapter. The county auditor must present proof of this mailing to the court along with the application for judgment and order for sale **or transfer**. Failure by an owner to receive or accept the

COPY



1 notice required by this section does not affect the validity of the
2 judgment and order. The owner of real property shall notify the county
3 auditor of the owner's correct address. The notice required under this
4 section is considered sufficient if the notice is mailed to the address or
5 addresses required by this section.

6 (b) In addition to the notice required under subsection (a) for real
7 property on the list prepared under section 1(a)(2) or ~~1.5(d)~~ **1.5(c)** of
8 this chapter, the county auditor shall prepare and mail the notice
9 required under section 2.2 of this chapter no later than forty-five (45)
10 days after the county auditor receives the certified list from the county
11 treasurer under section 1(a) of this chapter.

12 (c) On or before the day of sale **or transfer**, the county auditor shall
13 list, on the tax sale record required by IC 6-1.1-25-8, all properties that
14 will be offered for sale **or transferred**.

15 SECTION 10. IC 6-1.1-24-4.5 IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4.5. (a) The county
17 auditor shall also provide those agencies under IC 36-7-17, in that
18 county, with a list of tracts or items of real property on which one (1)
19 or more installments of taxes is delinquent by June 15 of the year
20 following the date the delinquency occurred.

21 (b) This subsection applies to a county having a consolidated city.
22 The county auditor shall prepare a list of tracts or items of real
23 properties for which at least one (1) installment of taxes is delinquent
24 at least ten (10) months. The auditor shall submit a copy of this list to
25 the ~~metropolitan development commission~~ **land bank of the**
26 **consolidated city** no later than one hundred six (106) days prior to the
27 date on which application for judgment and order for sale **or transfer**
28 is made.

29 SECTION 11. IC 6-1.1-24-4.6, AS AMENDED BY P.L.89-2007,
30 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
31 JULY 1, 2012]: Sec. 4.6. (a) On the day on which the application for
32 judgment and order for sale **or transfer** is made, the county treasurer
33 shall report to the county auditor all of the tracts and real property
34 listed in the notice required by section 2 of this chapter upon which all
35 delinquent taxes and special assessments, all penalties due on the
36 delinquencies, any unpaid costs due from a prior tax sale, and the
37 amount due under section 2(a)(3)(D) of this chapter have been paid up
38 to that time. The county auditor, assisted by the county treasurer, shall
39 compare and correct the list, removing tracts and real property for
40 which all delinquencies have been paid, and shall make and subscribe
41 an affidavit in substantially the following form:

42 State of Indiana)

C
o
p
y



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

) ss
County of _____)
I, _____, treasurer of the county of _____, and
I, _____, auditor of the county of _____, do
solemnly affirm that the foregoing is a true and correct list of the real
property within the county of _____ upon which have remained
delinquent uncollected taxes, special assessments, penalties, and costs,
as required by law for the time periods set forth, to the best of my
knowledge and belief.

County Treasurer

County Auditor

Dated _____

I, _____, auditor of the county of _____, do
solemnly affirm that notice of the application for judgment and order
for sale **or transfer** was mailed via certified mail to the owners on the
foregoing list, and publication made, as required by law.

County Auditor

Dated _____

(b) Application for judgment and order for sale **or transfer** shall be
made as one (1) cause of action to any court of competent jurisdiction
jointly by the county treasurer and county auditor. The application shall
include the names of at least one (1) of the owners of each tract or item
of real property, the dates of mailing of the notice required by sections
2 and 2.2 of this chapter, the dates of publication required by section
3 of this chapter, and the affidavit and corrected list as provided in
subsection (a).

(c) Any defense to the application for judgment and order of sale **or
transfer** shall be filed with the court on or before the earliest date on
which the application may be made as set forth in the notice required
under section 2 of this chapter. The county auditor and the county
treasurer for the county where the real property is located are entitled
to receive all pleadings, motions, petitions, and other filings related to
a defense to the application for judgment and order of sale **or transfer**.

SECTION 12. IC 6-1.1-24-4.7, AS AMENDED BY P.L.169-2006,
SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JULY 1, 2012]: Sec. 4.7. (a) No later than fifteen (15) days before the
advertised date of the tax sale **or transfer**, the court shall examine the
list of tracts and real property as provided under section 4.6 of this
chapter. No later than three (3) days before the advertised date of the

C
o
p
y



1 tax sale **or transfer**, the court shall enter judgment for those taxes,
 2 special assessments, penalties, and costs that appear to be due. This
 3 judgment is considered as a judgment against each tract or item of real
 4 property for each kind of tax, special assessment, penalty, or cost
 5 included in it. The affidavit provided under section 4.6 of this chapter
 6 is prima facie evidence of delinquency for purposes of proceedings
 7 under this section. The court shall also direct the clerk to prepare and
 8 enter an order for the sale **or transfer** of those tracts and real property
 9 against which judgment is entered.

10 (b) Not later than seven (7) days before the advertised date of the
 11 tax sale **or transfer**, the court shall conduct a hearing. At the hearing,
 12 the court shall hear any defense offered by any person interested in any
 13 of the tracts or items of real property to the entry of judgment against
 14 them, hear and determine the matter in a summary manner, without
 15 pleadings, and enter its judgment. The court shall enter a judgment
 16 under this subsection not later than three (3) days before the advertised
 17 date of the tax sale **or transfer**. The objection must be in writing, and
 18 no person may offer any defense unless the writing specifying the
 19 objection is accompanied by an original or a duplicate tax receipt or
 20 other supporting documentation. At least seven (7) days before the date
 21 set for the hearing, notice of the date, time, and place of the hearing
 22 shall be provided by the court to any person filing a defense to the
 23 application for judgment and order of sale **or transfer**.

24 (c) If judgment is entered in favor of the respondent under these
 25 proceedings or if judgment is not entered for any particular tract, part
 26 of a tract, or items of real property because of an unresolved objection
 27 made under subsection (b), the court shall remove those tracts, parts of
 28 tracts, or items of real property from the list of tracts and real property
 29 provided under section 4.6 of this chapter.

30 (d) A judgment and order for sale **or transfer** shall contain the final
 31 listing of affected properties and the name of at least one (1) of the
 32 owners of each tract or item of real property, and shall substantially
 33 follow this form:

34 "Whereas, notice has been given of the intended application for
 35 a judgment against these tracts and real property, and no
 36 sufficient defense has been made or cause has been shown why
 37 judgment should not be entered against these tracts for taxes, and
 38 real property special assessments, penalties, and costs due and
 39 unpaid on them, therefore it is considered by the court that
 40 judgment is hereby entered against the below listed tracts and real
 41 property in favor of the state of Indiana for the amount of taxes,
 42 special assessments, penalties, and costs due severally on them;

C
o
p
y



1 and it is ordered by the court that the several tracts or items of real
2 property be sold **or transferred** as the law directs. Payments for
3 taxes, special assessments, penalties, and costs made after this
4 judgment but before the sale **or transfer** shall reduce the
5 judgment accordingly."

6 (e) The order of the court constitutes the list of tracts and real
7 property that shall be offered for sale **or transfer** under section 5 of
8 this chapter.

9 (f) The court that enters judgment under this section shall retain
10 exclusive continuing supervisory jurisdiction over all matters and
11 claims relating to the tax sale **or transfer**.

12 (g) No error or informality in the proceedings of any of the officers
13 connected with the assessment, levying, or collection of the taxes that
14 does not affect the substantial justice of the tax itself shall invalidate or
15 in any manner affect the tax or the assessment, levying, or collection of
16 the tax.

17 (h) Any irregularity, informality, omission, or defective act of one
18 (1) or more officers connected with the assessment or levying of the
19 taxes may be, in the discretion of the court, corrected, supplied, and
20 made to conform to law by the court, or by the officer (in the presence
21 of the court).

22 SECTION 13. IC 6-1.1-24-5, AS AMENDED BY P.L.89-2007,
23 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2012]: Sec. 5. (a) When a tract or an item of real property is
25 subject to sale **or transfer** under this chapter, it must be sold **or**
26 **transferred** in compliance with this section.

27 (b) The sale **or transfer** must:
28 (1) be held at the times and place stated in the notice of sale **or**
29 **transfer**; and
30 (2) not extend beyond one hundred seventy-one (171) days after
31 the list containing the tract or item of real property is certified to
32 the county auditor.

33 (c) A tract or an item of real property may not be sold under this
34 chapter to collect:
35 (1) delinquent personal property taxes; or
36 (2) taxes or special assessments which are chargeable to other real
37 property.

38 (d) A tract or an item of real property may not be sold **or**
39 **transferred** under this chapter if all the delinquent taxes, penalties,
40 and special assessments on the tract or an item of real property and the
41 amount prescribed by section 2(a)(3)(D) of this chapter, reflecting the
42 costs incurred by the county due to the sale **or transfer**, are paid before

C
o
p
y



1 the time of sale **or transfer.**

2 (e) **This subsection applies only to real property to be offered for**
 3 **sale under this chapter.** The county treasurer shall sell the tract or real
 4 property, subject to the right of redemption, to the highest bidder at
 5 public auction. However, a tract or an item of real property may not be
 6 sold for an amount which is less than the sum of:

7 (1) the delinquent taxes and special assessments on each tract or
 8 item of real property;

9 (2) the taxes and special assessments on each tract or item of real
 10 property that are due and payable in the year of the sale,
 11 regardless of whether the taxes and special assessments are
 12 delinquent;

13 (3) all penalties which are due on the delinquencies;

14 (4) the amount prescribed by section 2(a)(3)(D) of this chapter
 15 reflecting the costs incurred by the county due to the sale;

16 (5) any unpaid costs which are due under section 2(b) of this
 17 chapter from a prior tax sale; and

18 (6) other reasonable expenses of collection, including title search
 19 expenses, uniform commercial code expenses, and reasonable
 20 attorney's fees incurred by the date of the sale.

21 (f) For purposes of ~~the~~ **a sale or transfer**, it is not necessary for the
 22 county treasurer to first attempt to collect the real property taxes or
 23 special assessments out of the personal property of the owner of the
 24 tract or real property.

25 (g) The county auditor shall serve as the clerk of the sale **or**
 26 **transfer.**

27 (h) **This subsection applies only to real property that is not**
 28 **located in the territory of a land bank.** Real property certified to the
 29 county auditor under section 1(a)(2) of this chapter must be offered for
 30 sale in a different phase of the tax sale or on a different day of the tax
 31 sale than the phase or day during which other real property is offered
 32 for sale.

33 (i) **This subsection applies only to real property that is located**
 34 **in the territory of a land bank. Real property certified to the**
 35 **county auditor under section 1(a)(2) of this chapter may not be**
 36 **offered for sale. In a different phase of the tax sale or on a different**
 37 **day of the tax sale than the phase or day during which other real**
 38 **property is offered for sale, the county auditor shall specify the**
 39 **land bank to which each tract or item of real property certified**
 40 **under section 1(a)(2) of this chapter is being transferred.**

41 (⊕) (j) The public auction required under subsection (e) may be
 42 conducted by electronic means, at the option of the county treasurer.

C
O
P
Y



1 The electronic sale must comply with the other statutory requirements
2 of this section. If an electronic sale is conducted under this subsection,
3 the county treasurer shall provide access to the electronic sale by
4 providing computer terminals open to the public at a designated
5 location. A county treasurer who elects to conduct an electronic sale
6 may receive electronic payments and establish rules necessary to
7 secure the payments in a timely fashion. The county treasurer may not
8 add an additional cost of sale charge to a parcel for the purpose of
9 conducting the electronic sale.

10 **(k) This subsection applies only to real property located in the**
11 **territory of a land bank. The minimum redemption price of a tract**
12 **or an item of real property certified to the county auditor under**
13 **section 1(a)(2) or 1.5(b) of this chapter is the sum of the following**
14 **amounts:**

- 15 **(1) The delinquent taxes and special assessments on the tract**
16 **or item of real property.**
- 17 **(2) The taxes and special assessments on the tract or item of**
18 **real property that are due and payable in the year of transfer,**
19 **regardless of whether the taxes or special assessments are**
20 **delinquent.**
- 21 **(3) Penalties that are due on the delinquencies.**
- 22 **(4) The amounts specified in section 2(a)(3)(D) of this chapter**
23 **reflecting the costs incurred by the county due to the transfer.**
- 24 **(5) Unpaid costs that are due under section 2(b) of this**
25 **chapter from a previous tax sale or transfer.**
- 26 **(6) Other reasonable expenses of collection, including title**
27 **search expenses, uniform commercial code expenses, and**
28 **attorney's fees incurred as of the date of transfer.**

29 SECTION 14. IC 6-1.1-24-5.3, AS AMENDED BY P.L.88-2009,
30 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
31 JULY 1, 2012]: Sec. 5.3. (a) This section applies to the following:

- 32 (1) A person who:
 - 33 (A) owns a fee interest, a life estate interest, or the equitable
 - 34 interest of a contract purchaser in an unsafe building or unsafe
 - 35 premises in the county in which a sale is held under this
 - 36 chapter; and
 - 37 (B) is subject to an order issued under IC 36-7-9-5(a)(2),
 - 38 IC 36-7-9-5(a)(3), IC 36-7-9-5(a)(4), or IC 36-7-9-5(a)(5)
 - 39 regarding which the conditions set forth in IC 36-7-9-10(a)(1)
 - 40 through IC 36-7-9-10(a)(4) exist.
- 41 (2) A person who:
 - 42 (A) owns a fee interest, a life estate interest, or the equitable

C
o
p
y



- 1 interest of a contract purchaser in an unsafe building or unsafe
 2 premises in the county in which a sale is held under this
 3 chapter; and
 4 (B) is subject to an order issued under IC 36-7-9-5(a), other
 5 than an order issued under IC 36-7-9-5(a)(2),
 6 IC 36-7-9-5(a)(3), IC 36-7-9-5(a)(4), or IC 36-7-9-5(a)(5),
 7 regarding which the conditions set forth in IC 36-7-9-10(b)(1)
 8 through IC 36-7-9-10(b)(4) exist.
- 9 (3) A person who is the defendant in a court action brought under
 10 IC 36-7-9-18, IC 36-7-9-19, IC 36-7-9-20, IC 36-7-9-21, or
 11 IC 36-7-9-22 in the county in which a sale is held under this
 12 chapter that has resulted in a judgment in favor of the plaintiff and
 13 the unsafe condition that caused the action to be brought has not
 14 been corrected.
- 15 (4) A person who has any of the following relationships to a
 16 person, partnership, corporation, or legal entity described in
 17 ~~subdivisions~~ **subdivision** (1), (2), or (3):
- 18 (A) A partner of a partnership.
 19 (B) An officer or majority stockholder of a corporation.
 20 (C) The person who directs the activities or has a majority
 21 ownership in a legal entity other than a partnership or
 22 corporation.
- 23 (5) A person who, in the county in which a sale is held under this
 24 chapter, owes:
- 25 (A) delinquent taxes;
 26 (B) special assessments;
 27 (C) penalties;
 28 (D) interest; or
 29 (E) costs directly attributable to a prior tax sale;
 30 on a tract or an item of real property listed under section 1 of this
 31 chapter.
- 32 (6) A person who owns a fee interest, a life estate interest, or the
 33 equitable interest of a contract purchaser in a vacant or abandoned
 34 structure subject to an enforcement order under IC 32-30-6,
 35 IC 32-30-7, IC 32-30-8, or IC 36-7-9.
- 36 (7) A person who is an agent of the person described in this
 37 subsection.
- 38 (b) A person subject to this section may not purchase a tract offered
 39 for sale under section 5 or 6.1 of this chapter. However, this section
 40 does not prohibit a person from bidding on a tract that is owned by the
 41 person and offered for sale under section 5 of this chapter.
 42 (c) The county treasurer shall require each person who will be

C
O
P
Y

1 bidding at the tax sale to sign a statement in a form substantially
2 similar to the following:

3 "Indiana law prohibits a person who owes delinquent taxes,
4 special assessments, penalties, interest, or costs directly
5 attributable to a prior tax sale, from purchasing tracts or items of
6 real property at a tax sale. I hereby affirm under the penalties for
7 perjury that I do not owe delinquent taxes, special assessments,
8 penalties, interest, costs directly attributable to a prior tax sale,
9 amounts from a final adjudication in favor of a political
10 subdivision in this county, any civil penalties imposed for the
11 violation of a building code or ordinance of this county, or any
12 civil penalties imposed by a health department in this county.
13 Further, I hereby acknowledge that any successful bid I make in
14 violation of this statement is subject to forfeiture. In the event of
15 forfeiture, the amount of my bid shall be applied to the delinquent
16 taxes, special assessments, penalties, interest, costs, judgments,
17 or civil penalties I owe, and a certificate will be issued to the
18 county executive."

19 (d) If a person purchases a tract that the person was not eligible to
20 purchase under this section, the sale of the property is subject to
21 forfeiture. If the county treasurer determines or is notified not more
22 than six (6) months after the date of the sale that the sale of the
23 property should be forfeited, the county treasurer shall:

- 24 (1) notify the person in writing that the sale is subject to forfeiture
- 25 if the person does not pay the amounts that the person owes
- 26 within thirty (30) days of the notice;
- 27 (2) if the person does not pay the amounts that the person owes
- 28 within thirty (30) days after the notice, apply the surplus amount
- 29 of the person's bid to the person's delinquent taxes, special
- 30 assessments, penalties, and interest;
- 31 (3) remit the amounts owed from a final adjudication or civil
- 32 penalties in favor of a political subdivision to the appropriate
- 33 political subdivision; and
- 34 (4) notify the county auditor that the sale has been forfeited.

35 Upon being notified that a sale has been forfeited, the county auditor
36 shall issue a certificate **under section 6 of this chapter** to the county
37 executive, ~~under section 6 of this chapter.~~ **if the tract or item of real**
38 **property is not located in the territory of a land bank, or the land**
39 **bank in whose territory the tract or item of real property is**
40 **located, if any.**

41 (e) A county treasurer may decline to forfeit a sale under this section
42 because of inadvertence or mistake, lack of actual knowledge by the

C
o
p
y



1 bidder, substantial harm to other parties with interests in the tract or
2 item of real property, or other substantial reasons. If the treasurer
3 declines to forfeit a sale, the treasurer shall:

- 4 (1) prepare a written statement explaining the reasons for
- 5 declining to forfeit the sale; and
- 6 (2) retain the written statement as an official record.

7 (f) If a sale is forfeited under this section and the tract or item of real
8 property is redeemed from the sale, the county auditor shall deposit the
9 amount of the redemption into the county general fund and notify the
10 county executive, **if the tract or item of real property is not located**
11 **in the territory of a land bank, or the land bank in whose territory**
12 **the tract or item of real property is located, if any,** of the
13 redemption. Upon being notified of the redemption, the county
14 executive **or the relevant land bank, as applicable,** shall surrender
15 the certificate to the county auditor.

16 SECTION 15. IC 6-1.1-24-6, AS AMENDED BY P.L.89-2007,
17 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2012]: Sec. 6. (a) When a tract or an item of real property is
19 offered for sale under this chapter and an amount is not received equal
20 to or in excess of the minimum sale price prescribed in section 5(e) of
21 this chapter:

- 22 (1) the county executive, **if the tract or item is not located in the**
- 23 **territory of a land bank; or**
- 24 (2) **the land bank in whose territory the tract or item of real**
- 25 **property is located, if any;**

26 acquires a lien in the amount of the minimum sale price. This lien
27 attaches on the day after the last date on which the tract or item was
28 offered for sale.

29 (b) When a county executive **or a land bank** acquires a lien under
30 ~~this section; subsection (a)~~, the county auditor shall issue a tax sale
31 certificate to the county executive **or the land bank, as applicable,** in
32 the manner provided in section 9 of this chapter. The county auditor
33 shall date the certificate the day that the county executive **or the land**
34 **bank** acquires the lien. When a county executive **or a land bank**
35 acquires a certificate under this ~~section; subsection~~, the county
36 executive **or the land bank, as applicable,** has the same rights as a
37 purchaser.

38 (c) When a lien is acquired by a county executive under ~~this section;~~
39 **subsection (a)**, no money shall be paid by the county executive.
40 However, each of the taxing units having an interest in the taxes on the
41 tract shall be charged with the full amount of all delinquent taxes due
42 them.

C
o
p
y



1 (d) This section shall apply to any tract or an item of real property
 2 offered for sale under this chapter in 2006, and an amount was not
 3 received equal to or in excess of the minimum sale price prescribed in
 4 section 5(e) of this chapter, if the county executive finds that the tract
 5 or item of real property meets the definition of a brownfield as set forth
 6 in IC 13-11-2-19.3.

7 (e) **When a tract or item of real property certified by a county**
 8 **auditor under section 1(a)(2) of this chapter is transferred to a land**
 9 **bank, the land bank acquires a lien in the amount of the minimum**
 10 **redemption price. This lien attaches on the day on which the tract**
 11 **or item was transferred to the land bank.**

12 (f) **When a land bank acquires a lien under subsection (e), the**
 13 **county auditor shall issue a tax sale certificate to the land bank in**
 14 **the manner provided in section 9 of this chapter. The county**
 15 **auditor shall date the certificate the day that the land bank**
 16 **acquires the lien. When a land bank acquires a certificate under**
 17 **this subsection, the land bank has the same rights as a purchaser.**
 18 **Except as provided in subsection (g), no money shall be paid by the**
 19 **land bank. However, each of the taxing units having an interest in**
 20 **the taxes on the tract shall be charged with the full amount of all**
 21 **delinquent taxes due them.**

22 (g) **For a tract or an item of real property:**

23 (1) **on the list under section 1(a)(2) or 1.5(b) of this chapter**
 24 **that is transferred to a land bank; or**

25 (2) **that is transferred to a land bank under section 9(e) of this**
 26 **chapter;**

27 **within forty-five (45) days after the date of transfer, the land bank**
 28 **to which the tract or item of real property is transferred shall pay**
 29 **to the county the total amount of delinquent tax described in**
 30 **section 2(a)(3)(A) of this chapter on the tract or item of real**
 31 **property but not including special assessments, other assessments,**
 32 **penalties, fees, interest, or other costs of any kind.**

33 SECTION 16. IC 6-1.1-24-6.1, AS AMENDED BY P.L.73-2010,
 34 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2012]: Sec. 6.1. (a) The county executive may do the
 36 following:

37 (1) By resolution, identify properties:

38 (A) that are described in section ~~6.7(a)~~ **6.7(b)** of this chapter;
 39 and

40 (B) concerning which the county executive desires to offer to
 41 the public the certificates of sale acquired by the county
 42 executive under section 6 of this chapter.



C
O
P
Y

- 1 (2) In conformity with IC 5-3-1-4, publish:
- 2 (A) notice of the date, time, and place for a public sale; and
- 3 (B) a listing of parcels on which certificates will be offered by
- 4 parcel number and minimum bid amount;
- 5 once each week for three (3) consecutive weeks, with the final
- 6 advertisement being not less than thirty (30) days before the sale
- 7 date. The expenses of the publication shall be paid out of the
- 8 county general fund.
- 9 (3) Sell each certificate of sale covered by the resolution for a
- 10 price that:
- 11 (A) is less than the minimum sale price prescribed by section
- 12 5(e) of this chapter; and
- 13 (B) includes any costs to the county executive directly
- 14 attributable to the sale of the certificate of sale.
- 15 (b) Notice of the list of properties prepared under subsection (a) and
- 16 the date, time, and place for the public sale of the certificates of sale
- 17 shall be published in accordance with IC 5-3-1. The notice must:
- 18 (1) include a description of the property by parcel number and
- 19 common address;
- 20 (2) specify that the county executive will accept bids for the
- 21 certificates of sale for the price referred to in subsection (a)(3);
- 22 (3) specify the minimum bid for each parcel;
- 23 (4) include a statement that a person redeeming each tract or item
- 24 of real property after the sale of the certificate must pay:
- 25 (A) the amount of the minimum bid under section 5(e) of this
- 26 chapter for which the tract or item of real property was last
- 27 offered for sale;
- 28 (B) ten percent (10%) of the amount for which the certificate
- 29 is sold;
- 30 (C) the attorney's fees and costs of giving notice under
- 31 IC 6-1.1-25-4.5;
- 32 (D) the costs of a title search or of examining and updating the
- 33 abstract of title for the tract or item of real property;
- 34 (E) all taxes and special assessments on the tract or item of
- 35 real property paid by the purchaser after the sale of the
- 36 certificate plus interest at the rate of ten percent (10%) per
- 37 annum on the amount of taxes and special assessments paid by
- 38 the purchaser on the redeemed property; and
- 39 (F) all costs of sale, advertising costs, and other expenses of
- 40 the county directly attributable to the sale of certificates of
- 41 sale; and
- 42 (5) include a statement that, if the certificate is sold for an amount

COPY



1 more than the minimum bid under section 5(e) of this chapter for
 2 which the tract or item of real property was last offered for sale
 3 and the property is not redeemed, the owner of record of the tract
 4 or item of real property who is divested of ownership at the time
 5 the tax deed is issued may have a right to the tax sale surplus.

6 SECTION 17. IC 6-1.1-24-6.3, AS AMENDED BY P.L.89-2007,
 7 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2012]: Sec. 6.3. (a) The sale of certificates of sale under this
 9 chapter must be held at the time and place stated in the notice of sale.

10 (b) A certificate of sale may not be sold **or transferred** under this
 11 chapter if the following are paid before the time of sale **or transfer**:

12 (1) All the delinquent taxes, penalties, and special assessments on
 13 the tract or an item of real property.

14 (2) The amount prescribed by section 2(a)(3)(D) of this chapter,
 15 reflecting the costs incurred by the county due to the sale **or**
 16 **transfer**.

17 (c) **Except as provided in subsection (e)**, the county executive
 18 shall sell the certificate of sale, subject to the right of redemption, to
 19 the highest bidder at public auction. The public auction may be
 20 conducted as an electronic sale in conformity with section ~~5(i)~~ **5(j)** of
 21 this chapter.

22 (d) The county auditor shall serve as the clerk of the sale.

23 (e) **This subsection applies only to real property located in the**
 24 **territory of a land bank. The county executive may transfer a**
 25 **certificate of sale for real property certified to the county auditor**
 26 **under section 1(a)(2) or 1.5(b) of this chapter to the land bank in**
 27 **whose territory the real property is located.**

28 SECTION 18. IC 6-1.1-24-6.4 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6.4. (a) When a
 30 certificate of sale is sold under this chapter, the purchaser at the sale
 31 shall immediately pay the amount of the bid to the county treasurer.
 32 The county treasurer shall apply the payment in the following manner:

33 (1) First, to the taxes, special assessments, penalties, and costs
 34 described in section 5(e) of this chapter.

35 (2) Second, to other delinquent property taxes in the manner
 36 provided in IC 6-1.1-23-5(b).

37 (3) Third, to a separate "tax sale surplus fund".

38 (b) The:

39 (1) owner of record of the real property at the time the tax deed is
 40 issued who is divested of ownership by the issuance of a tax deed;
 41 or

42 (2) purchaser of the certificate or the purchaser's assignee, upon

C
o
p
y



1 redemption of the tract or item of real property;
 2 may file a verified claim for money that is deposited in the tax sale
 3 surplus fund. If the claim is approved by the county auditor and the
 4 county treasurer, the county auditor shall issue a warrant to the
 5 claimant for the amount due.

6 (c) An amount deposited in the tax sale surplus fund shall be
 7 transferred by the county auditor to the county general fund and may
 8 not be disbursed under subsection (b) if it is claimed more than three
 9 (3) years after the date of its receipt.

10 **(d) This subsection applies only to real property located in the**
 11 **territory of a land bank. If the period specified in subsection (c)**
 12 **during which a person described in subsection (b)(1) or (b)(2) may**
 13 **make a claim for an amount deposited in the tax sale surplus fund**
 14 **has expired, the county auditor shall promptly make a transfer, or**
 15 **issue a warrant, as appropriate, to the land bank in whose territory**
 16 **the real property is located for the unclaimed amount deposited in**
 17 **the tax sale surplus fund and subsequently transferred to the**
 18 **county general fund under subsection (c).**

19 ~~(d)~~ (e) Upon the assignment of the certificate of sale to the
 20 purchaser, the county auditor shall indicate on the certificate the
 21 amount for which the certificate of sale was sold.

22 SECTION 19. IC 6-1.1-24-6.7, AS AMENDED BY P.L.1-2007,
 23 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2012]: Sec. 6.7. **(a) This section applies only to real**
 25 **property that is not located in the territory of a land bank.**

26 ~~(a)~~ **(b)** The county executive may:

- 27 (1) by resolution, identify the property described under section 6
 28 of this chapter that the county executive desires to transfer to a
 29 nonprofit corporation for use for the public good; and
 30 (2) set a date, time, and place for a public hearing to consider the
 31 transfer of the property to a nonprofit corporation.

32 ~~(b)~~ **(c)** Notice of the property identified under subsection ~~(a)~~ **(b)** and
 33 the date, time, and place for the hearing on the proposed transfer of the
 34 property on the list shall be published in accordance with IC 5-3-1. The
 35 notice must include a description of the property by:

- 36 (1) legal description; and
 37 (2) parcel number or street address, or both.

38 The notice must specify that the county executive will accept
 39 applications submitted by nonprofit corporations as provided in
 40 subsection ~~(d)~~ (e) and hear any opposition to a proposed transfer.

41 ~~(c)~~ **(d)** After the hearing set under subsection ~~(a)~~ **(b)**, the county
 42 executive shall by resolution make a final determination concerning:

C
o
p
y



- 1 (1) the properties that are to be transferred to a nonprofit
- 2 corporation;
- 3 (2) the nonprofit corporation to which each property is to be
- 4 transferred; and
- 5 (3) the terms and conditions of the transfer.

6 ~~(d)~~ (e) To be eligible to receive property under this section, a
 7 nonprofit corporation must file an application with the county
 8 executive. The application must state the property that the corporation
 9 desires to acquire, the use to be made of the property, and the time
 10 period anticipated for implementation of the use. The application must
 11 be accompanied by documentation verifying the nonprofit status of the
 12 corporation and be signed by an officer of the corporation. If more than
 13 one (1) application for a single property is filed, the county executive
 14 shall determine which application is to be accepted based on the
 15 benefit to be provided to the public and the neighborhood and the
 16 suitability of the stated use for the property and the surrounding area.

17 ~~(e)~~ (f) After the hearing set under subsection ~~(a)~~ (b) and the final
 18 determination of properties to be transferred under subsection ~~(e)~~; (d),
 19 the county executive, on behalf of the county, shall cause all delinquent
 20 taxes, special assessments, penalties, interest, and costs of sale to be
 21 removed from the tax duplicate and the county auditor to prepare a
 22 deed transferring the property to the nonprofit corporation. The deed
 23 shall provide for:

- 24 (1) the use to be made of the property;
- 25 (2) the time within which the use must be implemented and
- 26 maintained;
- 27 (3) any other terms and conditions that are established by the
- 28 county executive; and
- 29 (4) the reversion of the property to the county executive if the
- 30 grantee nonprofit corporation fails to comply with the terms and
- 31 conditions.

32 If the grantee nonprofit corporation fails to comply with the terms and
 33 conditions of the transfer and title to the property reverts to the county
 34 executive, the property may be retained by the county executive or
 35 disposed of under any of the provisions of this chapter or ~~IC 6-1.1-24,~~
 36 **IC 6-1.1-25**, or both.

37 SECTION 20. IC 6-1.1-24-6.8, AS ADDED BY P.L.98-2010,
 38 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2012]: Sec. 6.8. (a) For purposes of this section; in a county
 40 containing a consolidated city "county executive" refers to the board of
 41 commissioners of the county as provided in IC 36-3-3-10. **This section**
 42 **applies only to real property that is not located in the territory of**

COPY



- 1 **a land bank.**
- 2 (b) As used in this section, "vacant parcel" refers to a parcel that
- 3 satisfies all the following:
- 4 (1) A lien has been acquired on the parcel under section 6(a) of
- 5 this chapter.
- 6 (2) The parcel is unimproved on the date the parcel is offered for
- 7 sale under this chapter.
- 8 (3) The construction of a structure intended for residential use on
- 9 the parcel is permitted by law.
- 10 (4) On the date the parcel is offered for sale under this chapter,
- 11 the parcel is contiguous to one (1) or more parcels that satisfy the
- 12 following:
- 13 (A) One (1) or more of the following are located on the
- 14 contiguous parcel:
- 15 (i) A structure occupied for residential use.
- 16 (ii) A structure used in conjunction with a structure
- 17 occupied for residential use.
- 18 (B) The contiguous parcel is eligible for the standard
- 19 deduction under IC 6-1.1-12-37.
- 20 (c) The county legislative body may, by ordinance, establish criteria
- 21 for the identification of vacant parcels to be offered for sale under this
- 22 section. The criteria may include the following:
- 23 (1) Limitations on the use of the parcel under local zoning and
- 24 land use requirements.
- 25 (2) Minimum parcel area sufficient for construction of
- 26 improvements.
- 27 (3) Any other factor considered appropriate by the county
- 28 legislative body.
- 29 ~~In a county containing a consolidated city, the county legislative body~~
- 30 ~~may adopt an ordinance under this subsection only upon~~
- 31 ~~recommendation by the board of commissioners provided in~~
- 32 ~~IC 36-3-3-10.~~
- 33 (d) If the county legislative body adopts an ordinance under
- 34 subsection (c), the county executive shall for each tax sale:
- 35 (1) by resolution, identify each vacant parcel that the county
- 36 executive desires to sell under this section; and
- 37 (2) subject to subsection (e), give written notice to the owner of
- 38 record of each parcel referred to in subsection (b)(4) that is
- 39 contiguous to the vacant parcel.
- 40 (e) The notice under subsection (d)(2) with respect to each vacant
- 41 parcel must include at least the following:
- 42 (1) A description of the vacant parcel by:

C
O
P
Y



- 1 (A) legal description; and
- 2 (B) parcel number or street address, or both.
- 3 (2) Notice that the county executive will accept written
- 4 applications from owners of parcels described in subsection (b)(4)
- 5 as provided in subsection (f).
- 6 (3) Notice of the deadline for applications referred to in
- 7 subdivision (2) and of the information to be included in the
- 8 applications.
- 9 (4) Notice that the vacant parcel will be sold to the successful
- 10 applicant for one dollar (\$1).
- 11 (5) Notice of the exemption provisions of subsection (l).
- 12 (f) To be eligible to purchase a vacant parcel under this section, the
- 13 owner of a contiguous parcel referred to in subsection (b)(4) must file
- 14 a written application with the county executive. The application must:
- 15 (1) identify the vacant parcel that the applicant desires to
- 16 purchase; and
- 17 (2) include any other information required by the county
- 18 executive.
- 19 (g) If more than one (1) application to purchase a single vacant
- 20 parcel is filed with the county executive, the county executive shall
- 21 conduct a drawing between or among the applicants in which each
- 22 applicant has an equal chance to be selected as the transferee of the
- 23 vacant parcel.
- 24 (h) The county executive shall by resolution make a final
- 25 determination concerning the vacant parcels that are to be sold under
- 26 this section.
- 27 (i) After the final determination of vacant parcels to be sold under
- 28 subsection (h), the county executive shall:
- 29 (1) on behalf of the county, cause all delinquent taxes, special
- 30 assessments, penalties, interest, and costs of sale with respect to
- 31 the vacant parcels to be removed from the tax duplicate;
- 32 (2) give notice of the final determination to:
- 33 (A) the successful applicant;
- 34 (B) the county auditor; and
- 35 (C) the township assessor, or the county assessor if there is no
- 36 township assessor for the township.
- 37 (j) Upon receipt of notice under subsection (i)(2):
- 38 (1) the county auditor shall:
- 39 (A) collect the purchase price from each successful applicant;
- 40 and
- 41 (B) subject to subsection (k), prepare a deed transferring each
- 42 vacant parcel to the successful applicant; and

COPY



1 (2) the township assessor or county assessor shall consolidate
 2 each vacant parcel sold and the contiguous parcel owned by the
 3 successful applicant into a single parcel.
 4 (k) The county auditor shall include in the deed prepared under
 5 subsection (j)(1)(B) reference to the exemption under subsection (l).
 6 (l) Except as provided in subsection (m), each consolidated parcel
 7 referred to in subsection (j)(2) is entitled to an exemption from property
 8 taxation beginning on the assessment date that next succeeds the
 9 consolidation in the amount of the assessed value at the time of
 10 consolidation of the vacant parcel that was subject to the consolidation.
 11 (m) The exemption under subsection (l) is terminated as of the
 12 assessment date that next succeeds the earlier of the following:
 13 (1) Five (5) years after the transfer of title to the successful
 14 applicant.
 15 (2) The first transfer of title to the consolidated parcel that occurs
 16 after the consolidation.
 17 SECTION 21. IC 6-1.1-24-7, AS AMENDED BY P.L.73-2010,
 18 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2012]: Sec. 7. (a) When real property is sold under this
 20 chapter, the purchaser at the sale shall immediately pay the amount of
 21 the bid to the county treasurer. The county treasurer shall apply the
 22 payment in the following manner:
 23 (1) first, to the taxes, special assessments, penalties, and costs
 24 described in section 5(e) of this chapter;
 25 (2) second, to other delinquent property taxes in the manner
 26 provided in IC 6-1.1-23-5(b); and
 27 (3) third, to a separate "tax sale surplus fund".
 28 (b) The:
 29 (1) owner of record of the real property at the time the tax deed is
 30 issued who is divested of ownership by the issuance of a tax deed;
 31 or
 32 (2) tax sale purchaser or purchaser's assignee, upon redemption
 33 of the tract or item of real property;
 34 may file a verified claim for money which is deposited in the tax sale
 35 surplus fund. If the claim is approved by the county auditor and the
 36 county treasurer, the county auditor shall issue a warrant to the
 37 claimant for the amount due.
 38 (c) If the person who claims money deposited in the tax sale surplus
 39 fund under subsection (b) is:
 40 (1) a person described in subsection (b)(1) who acquired the
 41 property from a delinquent taxpayer after the property was sold at
 42 a tax sale under this chapter; or

C
O
P
Y



1 (2) a person not described in subsection (b)(1), including a person
2 who acts under a power of attorney executed by the person
3 described in subsection (b)(1);
4 the county auditor may issue a warrant to the person only as directed
5 by the court having jurisdiction over the tax sale of the parcel for which
6 the surplus claim is made.

7 (d) A court may direct the issuance of a warrant only:
8 (1) on petition by the claimant; and
9 (2) within three (3) years after the date of sale of the parcel in the
10 tax sale.

11 (e) An amount deposited in the tax sale surplus fund shall be
12 transferred by the county auditor to the county general fund and may
13 not be disbursed under subsection (b) if it is not claimed within the
14 three (3) year period after the date of its receipt.

15 **(f) This subsection applies only to real property that is located**
16 **in the territory of a land bank. If the period specified in subsection**
17 **(e) during which a person described in subsection (b)(1) or (b)(2)**
18 **may make a claim for an amount deposited in the tax sale surplus**
19 **fund has expired, the county auditor shall promptly make a**
20 **transfer or issue a warrant, as appropriate, to the land bank in**
21 **whose territory the real property is located for the unclaimed**
22 **amount deposited in the tax sale surplus fund and subsequently**
23 **transferred to the county general fund under subsection (e).**

24 ~~(f)~~ (g) If an amount applied to taxes under this section is later paid
25 out of the county general fund to the purchaser or the purchaser's
26 successor due to the invalidity of the sale, all the taxes shall be
27 reinstated and recharged to the tax duplicate and collected in the same
28 manner as if the property had not been offered for sale.

29 ~~(g)~~ (h) When a refund is made to any purchaser or purchaser's
30 successor by reason of the invalidity of a sale, the county auditor shall,
31 at the December settlement immediately following the refund, deduct
32 the amount of the refund from the gross collections in the taxing
33 district in which the land lies and shall pay that amount into the county
34 general fund.

35 SECTION 22. IC 6-1.1-24-8, AS AMENDED BY P.L.89-2007,
36 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 JULY 1, 2012]: Sec. 8. (a) When one who purchases real property at
38 a tax sale fails to pay the bid:

- 39 (1) the real property shall again be offered for sale, **if the real**
40 **property is not located in the territory of a land bank; or**
41 (2) **the real property shall be transferred to the land bank in**
42 **whose territory the real property is located, if the real**

C
o
p
y



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

property is located in the territory of a land bank.
(b) A purchaser who fails to pay the bid shall pay a civil penalty of twenty-five percent (25%) of the amount of the bid. The county prosecuting attorney shall initiate an action in the name of the state treasurer to recover the civil penalty.

(c) **If the real property for which a purchaser fails to pay a bid is not located in the territory of a land bank,** amounts collected under this section shall be deposited in the county general fund. **If the real property for which a purchaser fails to pay a bid is located in the territory of a land bank, amounts collected under this section shall be distributed as follows:**

(1) **Fifty percent (50%) shall be deposited in the county general fund.**

(2) **Fifty percent (50%) shall be distributed to the land bank in whose territory the real property is located.**

SECTION 23. IC 6-1.1-24-9, AS AMENDED BY P.L.73-2010, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. (a) Immediately after a tax sale purchaser pays the bid, as evidenced by the receipt of the county treasurer, or immediately after the county **or a land bank** acquires a lien under section 6 of this chapter, the county auditor shall deliver a certificate of sale to the purchaser or to the county, ~~or to the city,~~ **or the land bank, as applicable.** The certificate shall be signed by the auditor and registered in the auditor's office. The certificate shall contain:

- (1) a description of real property that corresponds to the description used on the notice of sale **or transfer;**
- (2) the name of:
 - (A) the owner of record at the time of the sale **or transfer** of real property with a single owner; or
 - (B) at least one (1) of the owners of real property with multiple owners;
- (3) the mailing address of the owner of the real property sold **or transferred** as indicated in the records of the county auditor;
- (4) the name of the purchaser **or, in the case of transfer, the land bank;**
- (5) the date of sale **or transfer;**
- (6) the amount for which the real property was sold, **if any;**
- (7) the amount of:
 - (A) the minimum bid for which the tract or real property was offered at the time of sale; **or**
 - (B) **the minimum redemption price of the tract or real property at the time of transfer;**

C
O
P
Y



- 1 as required by section 5 of this chapter;
- 2 (8) the date when the period of redemption specified in
- 3 IC 6-1.1-25-4 will expire;
- 4 (9) the court cause number under which judgment was obtained;
- 5 and
- 6 (10) the street address, if any, or common description of the real
- 7 property.

8 (b) When a certificate of sale is issued under this section, the
 9 purchaser acquires a lien against the real property for the entire amount
 10 paid. The lien of the purchaser is superior to all liens against the real
 11 property which exist at the time the certificate is issued.

12 (c) A certificate of sale is assignable. However, an assignment is not
 13 valid unless it is endorsed on the certificate of sale, acknowledged
 14 before an officer authorized to take acknowledgments of deeds, and
 15 registered in the office of the county auditor. When a certificate of sale
 16 is assigned, the assignee acquires the same rights and obligations that
 17 the original purchaser acquired.

18 (d) **Except as otherwise provided in subsection (e) and** subject to
 19 IC 36-1-11-8, the county executive may assign a certificate of sale held
 20 in the name of the county executive to any political subdivision during
 21 the life of the certificate. If an assignment is made under this
 22 subsection, the period of redemption of the real property under
 23 IC 6-1.1-25 is one hundred twenty (120) days after the date of the
 24 assignment.

25 (e) **This subsection applies only to real property located in the**
 26 **territory of a land bank. The county executive shall assign all**
 27 **certificates of sale held in the name of the county executive for:**

- 28 (1) any real property certified to the county auditor under
- 29 section 1(a)(2) of this chapter; and
- 30 (2) any real property not described in subdivision (1) that was
- 31 offered for sale but remained unsold at the conclusion of the
- 32 sale;

33 **to the land bank in whose territory the real property is located.**
 34 **When an assignment is made under this subsection, the period of**
 35 **redemption of the real property under IC 6-1.1-25 is one hundred**
 36 **twenty (120) days after the date of the assignment.**

37 SECTION 24. IC 6-1.1-24-10 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. (a) When a
 39 certificate of sale is issued under section 9 of this chapter, the county
 40 treasurer shall indorse upon, or attach to, the certificate of sale a
 41 written guarantee which is signed by the treasurer and which warrants:

- 42 (1) that the taxes and special assessments upon the real property

COPY



1 described in the certificate of sale are delinquent and were unpaid
2 at the time of sale **or transfer**; and

3 (2) that the real property is eligible for sale **or transfer** under this
4 chapter.

5 (b) If the county treasurer, before the time of making the guarantee
6 required by this section, received payment of the delinquent taxes or
7 special assessments for which the real property was sold **or**
8 **transferred**, the holder of the certificate is entitled to the amount due
9 for an invalid sale **or transfer** under IC 6-1.1-25-10.

10 SECTION 25. IC 6-1.1-24-11 IS AMENDED TO READ AS
11 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 11. (a) A certificate of
12 sale issued under section 9 of this chapter is presumptive evidence of:

- 13 (1) the truth of the statements contained in the certificate;
14 (2) the interest of the purchaser **or the land bank** in the real
15 property described in the certificate;
16 (3) the regularity and validity of all proceedings related to the
17 taxes or special assessments for which the real property was sold
18 **or transferred**; and
19 (4) the regularity and validity of all proceedings related to the sale
20 **or transfer** of the real property.

21 (b) After two (2) years from the issuance of a certificate of sale,
22 evidence may not be admitted in any court to rebut a presumption
23 prescribed in subsection (a) **of this section** unless the certificate of sale
24 was fraudulently procured. After four (4) years from the issuance of the
25 certificate of sale, evidence may not under any circumstances be
26 admitted in any court to rebut such a presumption.

27 SECTION 26. IC 6-1.1-24-13 IS AMENDED TO READ AS
28 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 13. (a) **This section**
29 **applies only to a tract or item of real property that is not**
30 **transferred to a land bank.**

31 ~~(a)~~ (b) Whenever:

- 32 (1) a tract is offered for sale under this chapter; and
33 (2) no bid is received for the minimum sale price set under
34 section 5(e) of this chapter;

35 the county auditor shall prepare a certified statement of the actual costs
36 incurred by the county described in section 2(a)(3)(D) of this chapter.

37 ~~(b)~~ (c) The county auditor shall place the amount specified in the
38 certified statement prepared under subsection ~~(a)~~ (b) on the tax
39 duplicate of the tract offered but not sold at the sale. The amount shall
40 be collected as real property taxes are collected and paid into the
41 county general fund.

42 SECTION 27. IC 6-1.1-25-1 IS AMENDED TO READ AS

C
O
P
Y



1 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. Any person may
2 redeem the tract or real property:

3 (1) sold **under IC 6-1.1-24; or**

4 (2) for which the certificate of sale is sold under IC 6-1.1-24; **or**

5 **(3) for which the certificate of sale is issued or transferred to**
6 **a land bank under IC 6-1.1-24;**

7 ~~under IC 6-1.1-24~~ at any time before the expiration of the period of
8 redemption specified in section 4 of this chapter by paying to the
9 county treasurer the amount required for redemption under section 2 of
10 this chapter.

11 SECTION 28. IC 6-1.1-25-2, AS AMENDED BY P.L.89-2007,
12 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
13 JULY 1, 2012]: Sec. 2. (a) The total amount of money required for the
14 redemption of real property equals:

15 (1) the sum of the amounts prescribed in subsections (b) through
16 ~~(e); (f); or~~

17 (2) the amount prescribed in subsection ~~(f); (g); or~~

18 **(3) the amount prescribed in subsection (h);**

19 reduced by any amounts held in the name of the taxpayer or the
20 purchaser in the tax sale surplus fund.

21 (b) **This subsection applies only to a tract or item of real**
22 **property that is not held by a land bank.** Except as provided in
23 subsection ~~(f); (g)~~, the total amount required for redemption includes:

24 (1) one hundred ten percent (110%) of the minimum bid for
25 which the tract or real property was offered at the time of sale, as
26 required by IC 6-1.1-24-5, if the tract or item of real property is
27 redeemed not more than:

28 **(A) three (3) months after the date of sale, if the date of**
29 **sale occurs after June 30, 2012; or**

30 **(B) six (6) months after the date of sale, if the date of sale**
31 **occurs before July 1, 2012; or**

32 (2) one hundred fifteen percent (115%) of the minimum bid for
33 which the tract or real property was offered at the time of sale, as
34 required by IC 6-1.1-24-5, if the tract or item of real property is
35 redeemed:

36 **(A) more than three (3) months but not more than six (6)**
37 **months after the date of sale, if the date of sale occurs after**
38 **June 30, 2012; or**

39 **(B) more than six (6) months but not more than one (1) year**
40 **after the date of sale, if the date of sale occurs before June**
41 **30, 2012.**

42 (c) **This subsection applies only to a tract or item of real**

C
O
P
Y



1 property that is held by a land bank. Except as provided in
 2 subsection (g), the total amount required for redemption includes:

3 (1) one hundred ten percent (110%) of the minimum bid for
 4 which the tract or item of real property was offered for sale
 5 under IC 6-1.1-24 if:

6 (A) an amount equal to or more than the minimum bid was
 7 not received;

8 (B) the tract or item of real property was transferred to
 9 the land bank under IC 6-1.1-24-6(e); and

10 (C) the tract or item of real property is redeemed not more
 11 than sixty (60) days after the date of transfer;

12 (2) one hundred fifteen percent (115%) of the minimum bid
 13 for which the tract or item of real property was offered for
 14 sale under IC 6-1.1-24 if:

15 (A) an amount equal to or more than the minimum bid was
 16 not received;

17 (B) the tract or item of real property was transferred to
 18 the land bank under IC 6-1.1-24-6(e); and

19 (C) the tract or item of real property is redeemed more
 20 than sixty (60) days and not more than one hundred twenty
 21 (120) days after the date of transfer;

22 (3) one hundred ten percent (110%) of the minimum
 23 redemption price of the tract or item of real property at the
 24 time of transfer if the tract or item of real property:

25 (A) was certified to the county auditor under
 26 IC 6-1.1-24-1(a)(2) or IC 6-1.1-24-1.5(b); and

27 (B) is redeemed not more than sixty (60) days after the
 28 date of transfer; or

29 (4) one hundred fifteen percent (115%) of the minimum
 30 redemption price of the tract or item of real property at the
 31 time of transfer if the tract or item of real property:

32 (A) was certified to the county auditor under
 33 IC 6-1.1-24-1(a)(2) or IC 6-1.1-24-1.5(b); and

34 (B) is redeemed more than sixty (60) days and not more
 35 than one hundred twenty (120) days after the date of
 36 transfer.

37 ~~(e)~~ (d) Except as provided in subsection ~~(f)~~; (g), in addition to the
 38 amount required under subsection (b) or (c), the total amount required
 39 for redemption includes the amount by which the purchase price
 40 exceeds the minimum bid on the real property plus ten percent (10%)
 41 per annum on the amount by which the purchase price exceeds the
 42 minimum bid on the property.

C
O
P
Y



1 ~~(d)~~ **(e)** Except as provided in subsection ~~(f)~~; **(g)**, in addition to the
 2 amount required under subsections (b) ~~and (c)~~; **through (d)**, the total
 3 amount required for redemption includes all taxes and special
 4 assessments upon the property paid by the purchaser after the sale plus
 5 ten percent (10%) interest per annum on those taxes and special
 6 assessments.

7 ~~(e)~~ **(f)** Except as provided in subsection ~~(f)~~; **(g)**, in addition to the
 8 amounts required under subsections (b) ~~(c)~~; ~~and (d)~~; **through (e)**, the
 9 total amount required for redemption includes the following costs, if
 10 certified before redemption and not earlier than thirty (30) days after
 11 the date of sale of the property being redeemed by the payor to the
 12 county auditor on a form prescribed by the state board of accounts, that
 13 were incurred and paid by the purchaser, the purchaser's assignee, or
 14 the county, before redemption:

15 (1) The attorney's fees and costs of giving notice under section 4.5
 16 of this chapter.

17 (2) The costs of a title search or of examining and updating the
 18 abstract of title for the tract or item of real property.

19 ~~(f)~~ **(g)** With respect to a tract or item of real property redeemed
 20 under section 4(c) of this chapter, instead of the amounts stated in
 21 subsections (b) through ~~(e)~~; **(f)**, the total amount required for
 22 redemption is the amount determined under IC 6-1.1-24-6.1(b)(4).

23 **(h) Notwithstanding subsections (b) through (f), the total**
 24 **amount of money required for redemption of a tract or item of real**
 25 **property held by a land bank and redeemed under section 4(a)(4)**
 26 **of this chapter is the amount determined under IC 6-1.1-24-5(k).**
 27 **Promptly after the land bank receives an amount sufficient to**
 28 **redeem a tract of real property under section 4(a)(4) of this**
 29 **chapter, the land bank shall retain one (1) of the following**
 30 **amounts, as applicable, and transfer the remainder of the money**
 31 **received to the county treasurer:**

32 **(1) Five percent (5%) of the minimum redemption price, if the**
 33 **tract or item of real property:**

34 **(A) was on the list prepared under IC 6-1.1-24-1(a)(2) or**
 35 **IC 6-1.1-24-1.5(c); and**

36 **(B) is redeemed within sixty (60) days after the date of**
 37 **transfer.**

38 **(2) Seven and five-tenths percent (7.5%) of the minimum**
 39 **redemption price, if the tract or item of real property:**

40 **(A) was on the list prepared under IC 6-1.1-24-1(a)(2) or**
 41 **IC 6-1.1-24-1.5(c); and**

42 **(B) is redeemed after sixty (60) days but not more than one**

C
o
p
y



- 1 **hundred twenty (120) days after the date of transfer.**
2 **(3) Five percent (5%) of the minimum bid for which the tract**
3 **or item of real property was offered for sale under**
4 **IC 6-1.1-24, if:**
5 **(A) the amount received did not equal or exceed the**
6 **minimum bid;**
7 **(B) the tract or item of real property was transferred to**
8 **the land bank under IC 6-1.1-24-6(e); and**
9 **(C) the tract or item of real property is redeemed not more**
10 **than sixty (60) days after the date of transfer.**
11 **(4) Seven and five-tenths percent (7.5%) of the minimum bid**
12 **for which the tract or item of real property was offered for**
13 **sale under IC 6-1.1-24, if:**
14 **(A) the amount received did not equal or exceed the**
15 **minimum bid;**
16 **(B) the tract or item of real property was transferred to**
17 **the land bank under IC 6-1.1-24-6(e); and**
18 **(C) the tract or item of real property is redeemed more**
19 **than sixty (60) days and not more than one hundred twenty**
20 **(120) days after the date of transfer.**
21 SECTION 29. IC 6-1.1-25-2.5 IS AMENDED TO READ AS
22 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2.5. (a) A county
23 auditor may petition a court issuing judgments and orders for sale **or**
24 **transfer** in the county under IC 6-1.1-24 to establish a schedule of
25 reasonable and customary attorney's fees and costs that apply to a:
26 (1) purchaser;
27 (2) purchaser's assignee; **or**
28 (3) purchaser of the certificate of sale under IC 6-1.1-24; **or**
29 **(4) land bank;**
30 **who that** submits a claim for reimbursement upon redemption.
31 (b) When a court provides a schedule as described in subsection (a),
32 the county auditor may not reimburse attorney's fees and costs in an
33 amount higher than the attorney's fees and costs provided in the
34 schedule, except as provided in subsection (c).
35 (c) A:
36 (1) purchaser;
37 (2) purchaser's assignee; **or**
38 (3) purchaser of the certificate of sale under IC 6-1.1-24; **or**
39 **(4) land bank;**
40 may petition the court for a higher rate of reimbursement than the rate
41 found on a schedule provided under subsection (a). The court shall
42 grant the petition if the court finds that the claim is based on reasonable

C
O
P
Y

1 and customary attorney's fees and costs.
 2 SECTION 30. IC 6-1.1-25-4, AS AMENDED BY P.L.42-2011,
 3 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 4 JULY 1, 2012]: Sec. 4. (a) The period for redemption of real property
 5 sold **or transferred** under IC 6-1.1-24 is:
 6 (1) one (1) year after the date of sale, **if the date of sale is before**
 7 **July 1, 2012;**
 8 **(2) six (6) months after the date of sale, if the date of sale is**
 9 **after June 30, 2012;**
 10 ~~(2)~~ **(3) one hundred twenty (120) days after the date of sale to a**
 11 **purchasing agency qualified under IC 36-7-17; or**
 12 ~~(3)~~ **(4) one hundred twenty (120) days after the date of sale of real**
 13 **property on the list prepared under IC 6-1.1-24-1(a)(2) or**
 14 **IC 6-1.1-24-1.5;**
 15 **(5) one hundred twenty (120) days after the date of transfer to**
 16 **a land bank of real property on the list prepared under**
 17 **IC 6-1.1-24-1(a)(2) or IC 6-1.1-24-1.5; or**
 18 **(6) one hundred twenty (120) days after the date of transfer to**
 19 **a land bank of real property under IC 6-1.1-24-6(e).**
 20 (b) Subject to IC 6-1.1-24-9(d), the period for redemption of real
 21 property:
 22 (1) on which the county executive **or a land bank** acquires a lien
 23 under IC 6-1.1-24-6; and
 24 (2) for which the certificate of sale is not sold under
 25 IC 6-1.1-24-6.1;
 26 is one hundred twenty (120) days after the date the county executive **or**
 27 **a land bank** acquires the lien under IC 6-1.1-24-6.
 28 (c) The period for redemption of real property:
 29 (1) on which the county executive **or a land bank** acquires a lien
 30 under IC 6-1.1-24-6; and
 31 (2) for which the certificate of sale is sold under IC 6-1.1-24;
 32 is one hundred twenty (120) days after the date of sale of the certificate
 33 of sale under IC 6-1.1-24.
 34 (d) When a deed for real property is executed under this chapter, the
 35 county auditor shall cancel the certificate of sale and file the canceled
 36 certificate in the office of the county auditor. If real property that
 37 appears on the list prepared under IC 6-1.1-24-1.5 is offered for sale
 38 and an amount that is at least equal to the minimum sale price required
 39 under IC 6-1.1-24-5(e) is not received, the county auditor shall issue a
 40 deed to the real property, subject to this chapter.
 41 (e) When a deed is issued to a county executive **or a land bank**
 42 under this chapter, the taxes and special assessments ~~for which that~~

COPY



1 **caused** the real property ~~was to be~~ offered for sale **or transferred to**
 2 **the land bank**, and all subsequent taxes, special assessments, interest,
 3 penalties, and cost of sale shall be removed from the tax duplicate in
 4 the same manner that taxes are removed by certificate of error.

5 (f) A tax deed executed under this chapter vests in the grantee an
 6 estate in fee simple absolute, free and clear of all liens and
 7 encumbrances created or suffered before or after the tax sale **or**
 8 **transfer** except those liens granted priority under federal law and the
 9 lien of the state or a political subdivision for taxes and special
 10 assessments which accrue subsequent to the sale **or transfer** and which
 11 are not removed under subsection (e). However, subject to subsection
 12 (g), the estate is subject to:

13 (1) all easements, covenants, declarations, and other deed
 14 restrictions shown by public records;

15 (2) laws, ordinances, and regulations concerning governmental
 16 police powers, including zoning, building, land use,
 17 improvements on the land, land division, and environmental
 18 protection; and

19 (3) liens and encumbrances created or suffered by the grantee.

20 (g) A tax deed executed under this chapter for real property sold in
 21 a tax sale **or transferred to a land bank**:

22 (1) does not operate to extinguish an easement recorded before
 23 the date of the tax sale **or the date of the transfer** in the office of
 24 the recorder of the county in which the real property is located,
 25 regardless of whether the easement was taxed under this article
 26 separately from the real property; and

27 (2) conveys title subject to all easements recorded before the date
 28 of the tax sale **or the date of transfer** in the office of the recorder
 29 of the county in which the real property is located.

30 (h) A tax deed executed under this chapter is prima facie evidence
 31 of:

32 (1) the regularity of the sale **or transfer** of the real property
 33 described in the deed;

34 (2) the regularity of all proper proceedings; and

35 (3) valid title in fee simple in the grantee of the deed.

36 (i) A county auditor is not required to execute a deed to the county
 37 executive **or a land bank** under this chapter if the county executive **or**
 38 **the land bank** determines that the property involved contains
 39 hazardous waste or another environmental hazard for which the cost of
 40 abatement or alleviation will exceed the fair market value of the
 41 property. The county executive **or the land bank** may enter the
 42 property to conduct environmental investigations.



C
o
p
y

1 (j) If the county executive **or a land bank** makes the determination
 2 under subsection (i) as to any interest in an oil or gas lease or separate
 3 mineral rights, the county treasurer shall certify all delinquent taxes,
 4 interest, penalties, and costs assessed under IC 6-1.1-24 to the clerk,
 5 following the procedures in IC 6-1.1-23-9. After the date of the county
 6 treasurer's certification, the certified amount is subject to collection as
 7 delinquent personal property taxes under IC 6-1.1-23. Notwithstanding
 8 IC 6-1.1-4-12.4 and IC 6-1.1-4-12.6, the assessed value of such an
 9 interest shall be zero (0) until production commences.

10 (k) When a deed is issued to a purchaser of a certificate of sale sold
 11 under IC 6-1.1-24-6.1, the county auditor shall, in the same manner that
 12 taxes are removed by certificate of error, remove from the tax duplicate
 13 the taxes, special assessments, interest, penalties, and costs remaining
 14 due as the difference between the amount of the last minimum bid
 15 under IC 6-1.1-24-5(e) and the amount paid for the certificate of sale.

16 SECTION 31. IC 6-1.1-25-4.1, AS AMENDED BY P.L.146-2008,
 17 SECTION 259, IS AMENDED TO READ AS FOLLOWS
 18 [EFFECTIVE JULY 1, 2012]: Sec. 4.1. (a) If, as provided in section
 19 ~~4(h)~~ **4(i)** of this chapter, the county auditor does not issue a deed to the
 20 county **or a land bank** for property for which a certificate of sale has
 21 been issued to the county under IC 6-1.1-24-9 because the county
 22 executive **or the land bank** determines that the property contains
 23 hazardous waste or another environmental hazard for which the cost of
 24 abatement or alleviation will exceed the fair market value of the
 25 property, the property may be transferred consistent with this section.

26 (b) A person who desires to obtain title to and eliminate the
 27 hazardous conditions of property containing hazardous waste or
 28 another environmental hazard for which a county **or a land bank** holds
 29 a certificate of sale but to which a deed may not be issued to the county
 30 **or the land bank** under section ~~4(h)~~ **4(i)** of this chapter may file a
 31 petition with the county auditor seeking a waiver of the delinquent
 32 taxes, special assessments, interest, penalties, and costs assessed
 33 against the property and transfer of the title to the property to the
 34 petitioner. The petition must:

- 35 (1) be on a form prescribed by the state board of accounts and
 36 approved by the department of local government finance;
 37 (2) state the amount of taxes, special assessments, penalties, and
 38 costs assessed against the property for which a waiver is sought;
 39 (3) describe the conditions existing on the property that have
 40 prevented the sale or the transfer of title to the county **or the land**
 41 **bank**;
 42 (4) describe the plan of the petitioner for elimination of the

C
o
p
y



1 hazardous condition on the property under IC 13-25-5 and the
 2 intended use of the property; and
 3 (5) be accompanied by a fee established by the county auditor for
 4 completion of a title search and processing.
 5 (c) Upon receipt of a petition described in subsection (b), the county
 6 auditor shall review the petition to determine whether the petition is
 7 complete. If the petition is not complete, the county auditor shall return
 8 the petition to the petitioner and describe the defects in the petition.
 9 The petitioner may correct the defects and file the completed petition
 10 with the county auditor. Upon receipt of a completed petition, the
 11 county auditor shall forward a copy of the petition to:
 12 (1) the assessor of the township in which the property is located,
 13 or the county assessor if there is no township assessor for the
 14 township;
 15 (2) the owner;
 16 (3) all persons who have, as of the date of the filing of the
 17 petition, a substantial **property** interest of public record in the
 18 property;
 19 (4) the county property tax assessment board of appeals; **and**
 20 **(5) the land bank in whose territory the property is located, if**
 21 **any; and**
 22 ~~(5)~~ **(6)** the department of local government finance.
 23 (d) Upon receipt of a petition described in subsection (b), the county
 24 property tax assessment board of appeals shall, at the county property
 25 tax assessment board of appeals' earliest opportunity, conduct a public
 26 hearing on the petition. The county property tax assessment board of
 27 appeals shall, by mail, give notice of the date, time, and place fixed for
 28 the hearing to:
 29 (1) the petitioner;
 30 (2) the owner;
 31 (3) all persons who have, as of the date the petition was filed, a
 32 substantial **property** interest of public record in the property; and
 33 (4) the assessor of the township in which the property is located,
 34 or the county assessor if there is no township assessor for the
 35 township.
 36 In addition, notice of the public hearing on the petition shall be
 37 published one (1) time at least ten (10) days before the hearing in a
 38 newspaper of countywide circulation and posted at the principal office
 39 of the county property tax assessment board of appeals, or at the
 40 building where the meeting is to be held.
 41 (e) After the hearing and completion of any additional investigation
 42 of the property or of the petitioner that is considered necessary by the

C
O
P
Y



1 county property tax assessment board of appeals, the county board shall
 2 give notice, by mail, to the parties listed in subsection (d) of the county
 3 property tax assessment board of appeals' recommendation as to
 4 whether the petition should be granted. The county property tax
 5 assessment board of appeals shall forward to the department of local
 6 government finance a copy of the county property tax assessment board
 7 of appeals' recommendation and a copy of the documents submitted to
 8 or collected by the county property tax assessment board of appeals at
 9 the public hearing or during the course of the county board of appeals'
 10 investigation of the petition.

11 (f) Upon receipt by the department of local government finance of
 12 a recommendation by the county property tax assessment board of
 13 appeals, the department of local government finance shall review the
 14 petition and all other materials submitted by the county property tax
 15 assessment board of appeals and determine whether to grant the
 16 petition. Notice of the determination by the department of local
 17 government finance and the right to seek an appeal of the
 18 determination shall be given by mail to:

- 19 (1) the petitioner;
 20 (2) the owner;
 21 (3) all persons who have, as of the date the petition was filed, a
 22 substantial **property** interest of public record in the property;
 23 (4) the assessor of the township in which the property is located,
 24 or the county assessor if there is no township assessor for the
 25 township; ~~and~~
 26 (5) the county property tax assessment board of appeals; **and**
 27 **(6) the land bank in whose territory the property is located, if**
 28 **any.**

29 (g) Any person aggrieved by a determination of the department of
 30 local government finance under subsection (f) may file an appeal
 31 seeking additional review by the department of local government
 32 finance and a public hearing. In order to obtain a review under this
 33 subsection, the aggrieved person must file a petition for appeal with the
 34 county auditor in the county where the tract or item of real property is
 35 located not more than thirty (30) days after issuance of notice of the
 36 determination of the department of local government finance. The
 37 county auditor shall transmit the petition for appeal to the department
 38 of local government finance not more than ten (10) days after the
 39 petition is filed.

40 (h) Upon receipt by the department of local government finance of
 41 an appeal, the department of local government finance shall set a date,
 42 time, and place for a hearing. The department of local government

C
o
p
y



- 1 finance shall give notice, by mail, of the date, time, and place fixed for
 2 the hearing to:
 3 (1) the person filing the appeal;
 4 (2) the petitioner;
 5 (3) the owner;
 6 (4) all persons who have, as of the date the petition was filed, a
 7 substantial **property** interest of public record in the property;
 8 (5) the assessor of the township in which the property is located,
 9 or the county assessor if there is no township assessor for the
 10 township; ~~and~~
 11 (6) the county property tax assessment board of appeals; **and**
 12 **(7) the land bank in whose territory the property is located, if**
 13 **any.**

14 The department of local government finance shall give the notices at
 15 least ten (10) days before the day fixed for the hearing.

16 (i) After the hearing, the department of local government finance
 17 shall give the parties listed in subsection (h) notice by mail of the final
 18 determination of the department of local government finance.

- 19 (j) If the department of local government finance decides to:
 20 (1) grant the petition submitted under subsection (b) after initial
 21 review of the petition under subsection (f) or after an appeal
 22 under subsection ~~(h)~~; **(g)**; and
 23 (2) waive the taxes, special assessments, interest, penalties, and
 24 costs assessed against the property;

25 the department of local government finance shall issue to the county
 26 auditor an order directing the removal from the tax duplicate of the
 27 taxes, special assessments, interest, penalties, and costs for which the
 28 waiver is granted.

- 29 (k) After:
 30 (1) at least thirty (30) days have passed since the issuance of a
 31 notice by the department of local government finance to the
 32 county property tax assessment board of appeals granting a
 33 petition filed under subsection (b), if no appeal has been filed; or
 34 (2) not more than thirty (30) days after receipt by the county
 35 property tax assessment board of appeals of a notice of a final
 36 determination of the department of local government finance
 37 granting a petition filed under subsection (b) after an appeal has
 38 been filed and heard under ~~subsection~~ **subsections (g) and (h)**;
 39 the county auditor shall file a verified petition and an application for an
 40 order on the petition in the court in which the judgment of sale was
 41 entered asking the court to direct the county auditor to issue a tax deed
 42 to the real property. The petition shall contain the certificate of sale

C
O
P
Y



1 issued to the county, a copy of the petition filed under subsection (b),
 2 and a copy of the notice of the final determination of the department of
 3 local government finance directing the county auditor to remove the
 4 taxes, interest, penalties, and costs from the tax duplicate. Notice of the
 5 filing of the petition and application for an order on the petition shall
 6 be given, by mail, to the owner and any person with a substantial
 7 **property** interest of public record in the property. A person owning or
 8 having an interest in the property may appear to object to the petition.

9 (l) The court shall enter an order directing the county auditor to
 10 issue a tax deed to the petitioner under subsection (b) if the court finds
 11 that the following conditions exist:

12 (1) The time for redemption has expired.

13 (2) The property has not been redeemed before the expiration of
 14 the period of redemption specified in section 4 of this chapter.

15 (3) All taxes, special assessments, interest, penalties, and costs
 16 have been waived by the department of local government finance
 17 or, to the extent not waived, paid by the petitioner under
 18 subsection (b).

19 (4) All notices required by this section and sections 4.5 and 4.6 of
 20 this chapter have been given.

21 (5) The petitioner under subsection (b) has complied with all the
 22 provisions of law entitling the petitioner to a tax deed.

23 (m) A tax deed issued under this section is uncontestable except by
 24 appeal from the order of the court directing the county auditor to issue
 25 the tax deed. The appeal must be filed not later than sixty (60) days
 26 after the date of the court's order.

27 SECTION 32. IC 6-1.1-25-4.5, AS AMENDED BY P.L.169-2006,
 28 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2012]: Sec. 4.5. (a) Except as provided in subsection (~~d~~), (e),
 30 a purchaser or the purchaser's assignee is entitled to a tax deed to the
 31 property that was sold only if:

32 (1) the redemption period specified in section 4(a)(1) **or 4(a)(2)**
 33 of this chapter has expired;

34 (2) the property has not been redeemed within the period of
 35 redemption specified in section 4(a) of this chapter; and

36 (3) not later than nine (9) months after the date of the sale, **if the**
 37 **date of sale occurs before July 1, 2012, or not later than three**
 38 **(3) months after the date of sale, if the date of sale occurs after**

39 **June 30, 2012:**

40 (A) the purchaser or the purchaser's assignee; or

41 (B) in a county where the county auditor and county treasurer
 42 have an agreement under section 4.7 of this chapter, the

C
O
P
Y



- 1 county auditor;
 2 gives notice of the sale to the owner of record at the time of the
 3 sale and any person with a substantial property interest of public
 4 record in the tract or real property.
- 5 (b) A county executive is entitled to a tax deed to property on which
 6 the county executive acquires a lien under IC 6-1.1-24-6 and for which
 7 the certificate of sale is not sold under IC 6-1.1-24-6.1 only if:
 8 (1) the redemption period specified in section 4(b) of this chapter
 9 has expired;
 10 (2) the property has not been redeemed within the period of
 11 redemption specified in section 4(b) of this chapter; and
 12 (3) not later than ninety (90) days after the date the county
 13 executive acquires the lien under IC 6-1.1-24-6, the county
 14 auditor gives notice of the sale to:
 15 (A) the owner of record at the time the lien was acquired; and
 16 (B) any person with a substantial property interest of public
 17 record in the tract or real property.
- 18 (c) A purchaser of a certificate of sale under IC 6-1.1-24-6.1 is
 19 entitled to a tax deed to the property for which the certificate was sold
 20 only if:
 21 (1) the redemption period specified in section 4(c) of this chapter
 22 has expired;
 23 (2) the property has not been redeemed within the period of
 24 redemption specified in section 4(c) of this chapter; and
 25 (3) not later than ninety (90) days after the date of sale of the
 26 certificate of sale under IC 6-1.1-24, the purchaser gives notice of
 27 the sale to:
 28 (A) the owner of record at the time of the sale; and
 29 (B) any person with a substantial property interest of public
 30 record in the tract or real property.
- 31 **(d) A land bank is entitled to a tax deed to property on which**
 32 **the land bank acquires a lien under IC 6-1.1-24-6 only if:**
 33 **(1) the redemption period specified in section 4 of this chapter**
 34 **has expired;**
 35 **(2) the property has not been redeemed within the period of**
 36 **redemption specified in section 4 of this chapter; and**
 37 **(3) not later than ninety (90) days after the date the land bank**
 38 **acquires the lien under IC 6-1.1-24-6, the county auditor gives**
 39 **notice of the sale to:**
 40 **(A) the owner of record at the time the lien was acquired;**
 41 **and**
 42 **(B) any person with a substantial property interest of**

C
O
P
Y

- 1 **public record in the tract or real property.**
2 ~~(d)~~ **(e)** The person required to give the notice under subsection (a),
3 (b), ~~or~~ (c), **or** (d) shall give the notice by sending a copy of the notice
4 by certified mail to:
5 (1) the owner of record at the time of the:
6 (A) sale of the property;
7 (B) acquisition of the lien on the property under IC 6-1.1-24-6;
8 or
9 (C) sale of the certificate of sale on the property under
10 IC 6-1.1-24;
11 at the last address of the owner for the property, as indicated in
12 the records of the county auditor; and
13 (2) any person with a substantial property interest of public record
14 at the address for the person included in the public record that
15 indicates the interest.
16 However, if the address of the person with a substantial property
17 interest of public record is not indicated in the public record that
18 created the interest and cannot be located by ordinary means by the
19 person required to give the notice under subsection (a), (b), ~~or~~ (c), **or**
20 **(d)**, the person may give notice by publication in accordance with
21 IC 5-3-1-4 once each week for three (3) consecutive weeks.
22 ~~(e)~~ **(f)** The notice that this section requires shall contain at least the
23 following:
24 (1) A statement that a petition for a tax deed will be filed on or
25 after a specified date.
26 (2) The date on or after which the petitioner intends to petition for
27 a tax deed to be issued.
28 (3) A description of the tract or real property shown on the
29 certificate of sale.
30 (4) The date the tract or real property was sold at a tax sale.
31 (5) The name of the:
32 (A) purchaser or purchaser's assignee;
33 (B) county executive that acquired the lien on the property
34 under IC 6-1.1-24-6; or
35 (C) person that purchased the certificate of sale on the
36 property under IC 6-1.1-24.
37 (6) A statement that any person may redeem the tract or real
38 property.
39 (7) The components of the amount required to redeem the tract or
40 real property.
41 (8) A statement that an entity identified in subdivision (5) is
42 entitled to reimbursement for additional taxes or special

C
O
P
Y

1 assessments on the tract or real property that were paid by the
2 entity subsequent to the tax sale, lien acquisition, or purchase of
3 the certificate of sale, and before redemption, plus interest.

4 (9) A statement that the tract or real property has not been
5 redeemed.

6 (10) A statement that an entity identified in subdivision (5) is
7 entitled to receive a deed for the tract or real property if it is not
8 redeemed before the expiration of the period of redemption
9 specified in section 4 of this chapter.

10 (11) A statement that an entity identified in subdivision (5) is
11 entitled to reimbursement for costs described in section 2(e) of
12 this chapter.

13 (12) The date of expiration of the period of redemption specified
14 in section 4 of this chapter.

15 (13) A statement that if the property is not redeemed, the owner
16 of record at the time the tax deed is issued may have a right to the
17 tax sale surplus, if any.

18 (14) The street address, if any, or a common description of the
19 tract or real property.

20 (15) The key number or parcel number of the tract or real
21 property.

22 ~~(f)~~ **(g)** The notice under this section must include not more than one
23 (1) tract or item of real property listed and sold in one (1) description.
24 However, when more than one (1) tract or item of real property is
25 owned by one (1) person, all of the tracts or real property that are
26 owned by that person may be included in one (1) notice.

27 ~~(g)~~ **(h)** A single notice under this section may be used to notify joint
28 owners of record at the last address of the joint owners for the property
29 sold, as indicated in the records of the county auditor.

30 ~~(h)~~ **(i)** The notice required by this section is considered sufficient if
31 the notice is mailed to the address required under subsection ~~(d)~~ **(e)**.

32 ~~(i)~~ **(j)** The notice under this section and the notice under section 4.6
33 of this chapter are not required for persons in possession not shown in
34 the public records.

35 ~~(j)~~ **(k)** If the purchaser fails to:

36 (1) comply with subsection (c)(3); or

37 (2) petition for the issuance of a tax deed within the time
38 permitted under section 4.6(a) of this chapter;

39 the certificate of sale reverts to the county executive and may be
40 retained by the county executive or sold under IC 6-1.1-24-6.1.

41 SECTION 33. IC 6-1.1-25-4.6, AS AMENDED BY P.L.89-2007,
42 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

C
o
p
y



1 JULY 1, 2012]: Sec. 4.6. (a) After the expiration of the redemption
 2 period specified in section 4 of this chapter but not later than six (6)
 3 months after the expiration of the period of redemption:

4 (1) the purchaser, the purchaser's assignee, the county executive,
 5 ~~or~~ the purchaser of the certificate of sale under IC 6-1.1-24, **or**
 6 **the land bank** may; or

7 (2) in a county where the county auditor and county treasurer
 8 have an agreement under section 4.7 of this chapter, the county
 9 auditor shall, upon the request of the purchaser, or the purchaser's
 10 assignee;

11 file a verified petition in the same court and under the same cause
 12 number in which the judgment of sale was entered asking the court to
 13 direct the county auditor to issue a tax deed if the real property is not
 14 redeemed from the sale. Notice of the filing of this petition shall be
 15 given to the same parties and in the same manner as provided in section
 16 4.5 of this chapter, except that, if notice is given by publication, only
 17 one (1) publication is required. The notice required by this section is
 18 considered sufficient if the notice is sent to the address required by
 19 section ~~4.5(d)~~ **4.5(e)** of this chapter. Any person owning or having an
 20 interest in the tract or real property may file a written objection to the
 21 petition with the court not later than thirty (30) days after the date the
 22 petition was filed. If a written objection is timely filed, the court shall
 23 conduct a hearing on the objection.

24 (b) Not later than sixty-one (61) days after the petition is filed under
 25 subsection (a), the court shall enter an order directing the county
 26 auditor (on the production of the certificate of sale and a copy of the
 27 order) to issue to the petitioner a tax deed if the court finds that the
 28 following conditions exist:

29 (1) The time of redemption has expired.

30 (2) The tract or real property has not been redeemed from the sale
 31 **or transfer** before the expiration of the period of redemption
 32 specified in section 4 of this chapter.

33 (3) Except with respect to a petition for the issuance of a tax deed
 34 under a sale **or transfer** of the certificate of sale on the property
 35 under IC 6-1.1-24-6.1, all taxes and special assessments,
 36 penalties, and costs have been paid.

37 (4) The notices required by this section and section 4.5 of this
 38 chapter have been given.

39 (5) The petitioner has complied with all the provisions of law
 40 entitling the petitioner to a deed.

41 The county auditor shall execute deeds issued under this subsection in
 42 the name of the state under the county auditor's name. If a certificate of

C
o
p
y



1 sale is lost before the execution of a deed, the county auditor shall issue
 2 a replacement certificate if the county auditor is satisfied that the
 3 original certificate existed.

4 (c) Upon application by the grantee of a valid tax deed in the same
 5 court and under the same cause number in which the judgment of sale
 6 was entered, the court shall enter an order to place the grantee of a
 7 valid tax deed in possession of the real estate. The court may enter any
 8 orders and grant any relief that is necessary or desirable to place or
 9 maintain the grantee of a valid tax deed in possession of the real estate.

10 (d) Except as provided in subsections (e) and (f), if:

11 (1) the verified petition referred to in subsection (a) is timely
 12 filed; and

13 (2) the court refuses to enter an order directing the county auditor
 14 to execute and deliver the tax deed because of the failure of the
 15 petitioner under subsection (a) to fulfill the notice requirement of
 16 subsection (a);

17 the court shall order the return of the amount, if any, by which the
 18 purchase price exceeds the minimum bid on the property under
 19 IC 6-1.1-24-5(e) minus a penalty of twenty-five percent (25%) of that
 20 excess. The petitioner is prohibited from participating in any manner
 21 in the next succeeding tax sale in the county under IC 6-1.1-24. The
 22 county auditor shall deposit penalties paid under this subsection in the
 23 county general fund.

24 (e) Notwithstanding subsection (d), in all cases in which:

25 (1) the verified petition referred to in subsection (a) is timely
 26 filed;

27 (2) the petitioner under subsection (a) has made a bona fide
 28 attempt to comply with the statutory requirements under
 29 subsection (b) for the issuance of the tax deed but has failed to
 30 comply with these requirements;

31 (3) the court refuses to enter an order directing the county auditor
 32 to execute and deliver the tax deed because of the failure to
 33 comply with these requirements; and

34 (4) the purchaser, the purchaser's successors or assignees, or the
 35 purchaser of the certificate of sale under IC 6-1.1-24 files a claim
 36 with the county auditor for refund not later than thirty (30) days
 37 after the entry of the order of the court refusing to direct the
 38 county auditor to execute and deliver the tax deed;

39 the county auditor shall not execute the deed but shall refund the
 40 purchase money minus a penalty of twenty-five percent (25%) of the
 41 purchase money from the county treasury to the purchaser, the
 42 purchaser's successors or assignees, or the purchaser of the certificate

C
o
p
y



1 of sale under IC 6-1.1-24. The county auditor shall deposit penalties
 2 paid under this subsection in the county general fund. All the
 3 delinquent taxes and special assessments shall then be reinstated and
 4 recharged to the tax duplicate and collected in the same manner as if
 5 the property had not been offered for sale **or transfer**. The tract or item
 6 of real property, if it is then eligible for sale **or transfer** under
 7 IC 6-1.1-24, shall be placed on the delinquent list as an initial offering
 8 under IC 6-1.1-24.

9 (f) Notwithstanding subsections (d) and (e), the court shall not order
 10 the return of the purchase price or any part of the purchase price if:

- 11 (1) the purchaser or the purchaser of the certificate of sale under
- 12 IC 6-1.1-24 has failed to provide notice or has provided
- 13 insufficient notice as required by section 4.5 of this chapter; and
- 14 (2) the sale is otherwise valid.

15 (g) A tax deed executed under this section vests in the grantee an
 16 estate in fee simple absolute, free and clear of all liens and
 17 encumbrances created or suffered before or after the tax sale except
 18 those liens granted priority under federal law, and the lien of the state
 19 or a political subdivision for taxes and special assessments that accrue
 20 subsequent to the sale. However, the estate is subject to all easements,
 21 covenants, declarations, and other deed restrictions and laws governing
 22 land use, including all zoning restrictions and liens and encumbrances
 23 created or suffered by the purchaser at the tax sale. The deed is prima
 24 facie evidence of:

- 25 (1) the regularity of the sale of the real property described in the
- 26 deed;
- 27 (2) the regularity of all proper proceedings; and
- 28 (3) valid title in fee simple in the grantee of the deed.

29 (h) A tax deed issued under this section is incontestable except by
 30 appeal from the order of the court directing the county auditor to issue
 31 the tax deed filed not later than sixty (60) days after the date of the
 32 court's order.

33 SECTION 34. IC 6-1.1-25-5.5 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5.5. ~~(a)~~ The deed given
 35 by the county auditor to a county **or a land bank** that acquired property
 36 under IC 6-1.1-24-6, or to a city agency that acquired property under
 37 IC 36-7-17, shall be in a form prescribed by the state board of accounts
 38 and approved by the attorney general.

39 ~~(b) The deed given by the county auditor to a city that acquired~~
 40 ~~property under IC 6-1.1-24-6.6 before its expiration and repeal must be~~
 41 ~~in a form prescribed by the state board of accounts and approved by the~~
 42 ~~attorney general.~~

C
o
p
y



1 SECTION 35. IC 6-1.1-25-7 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. (a) If ~~the~~ **a**:

- 3 (1) purchaser;
4 (2) purchaser's successors or assigns; or
5 (3) purchaser of ~~the~~ **a** certificate of sale under IC 6-1.1-24;

6 fails to file the petition within the period provided in section 4.6 of this
7 chapter, that person's lien against the real property terminates at the end
8 of that period. However, this section does not apply if ~~the~~ **a** county, or
9 city, or **land bank** is the holder of ~~the~~ **a** certificate of sale.

10 **(b) This subsection applies only to real property located in the**
11 **territory of a land bank. If a person's lien is terminated by**
12 **subsection (a), the person's certificate of sale is assigned to the land**
13 **bank immediately following the end of the period provided in**
14 **section 4.6 of this chapter.**

15 ~~(b)~~ (c) If the notice under section 4.5 of this chapter is not given
16 within the period specified in section 4.5(a)(3) or 4.5(c)(3) of this
17 chapter, the lien of the:

- 18 (1) purchaser of the property; or
19 (2) purchaser of the certificate of sale under IC 6-1.1-24;
20 against the real property terminates at the end of that period.

21 SECTION 36. IC 6-1.1-25-7.5 IS AMENDED TO READ AS
22 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7.5. (a) This section
23 applies to a county having a consolidated city.

24 (b) The county auditor shall provide ~~the metropolitan development~~
25 ~~commission~~ **each land bank in the county, including a land bank of**
26 **an excluded city**, with a list of real property:

- 27 **(1) located in the territory of the land bank;**
28 ~~(1)~~ **(2)** included on the list prepared under IC 6-1.1-24-1.5;
29 ~~(2)~~ **(3)** for which a certificate of sale has been issued; and
30 ~~(3)~~ **(4)** for which the holder of the certificate has not requested the
31 county auditor to execute and deliver a deed.

32 ~~(c)~~ The metropolitan development ~~commission~~ shall, within a
33 reasonable time after receiving a list under subsection (b), identify any
34 property described under subsection (b) that the metropolitan
35 development commission desires to acquire for urban homesteading
36 under IC 36-7-17 or redevelopment purposes under IC 36-7-15.1. The
37 metropolitan development ~~commission~~ shall then provide the county
38 auditor with a list of the properties identified under this subsection:

39 ~~(d)~~ (c) The county auditor shall execute and deliver a deed for any
40 property identified **on the list** under subsection ~~(e)~~ **(b)** to the
41 metropolitan development ~~commission~~: **land bank in whose territory**
42 **the property is located.**

C
o
p
y



1 (e) The county auditor shall execute and deliver a deed to the county
2 for any property:

- 3 (1) included in the notice prepared under subsection (b); and
4 (2) not identified under subsection (c).

5 (f) ~~(d)~~ The metropolitan development commission and the county
6 A land bank may not pay for any property acquired under subsection
7 ~~(d)~~ or ~~(e)~~: (c). However, a taxing unit having an interest in the taxes on
8 the real property shall be credited with the full amount of the
9 delinquent tax due to that unit.

10 SECTION 37. IC 6-1.1-25-8 IS AMENDED TO READ AS
11 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. Each county auditor
12 shall maintain a tax sale record on the form prescribed by the state
13 board of accounts. The record shall contain:

- 14 (1) a description of each parcel of real property:
15 (A) that is sold under IC 6-1.1-24;
16 (B) on which a county acquires a lien under IC 6-1.1-24-6; ~~or~~
17 **(C) on which a land bank acquires a lien under**
18 **IC 6-1.1-24-6; or**
19 ~~(C)~~ **(D)** for which a certificate of sale is purchased under
20 IC 6-1.1-24;
21 (2) the name of the owner of the real property at the time of the:
22 (A) sale;
23 (B) lien acquisition; or
24 (C) certificate of sale purchase;
25 (3) the date of the:
26 (A) sale;
27 (B) lien acquisition; or
28 (C) certificate of sale purchase;
29 (4) the name and mailing address of the:
30 (A) purchaser of the property and the purchaser's assignee; or
31 (B) purchaser of the certificate of sale;
32 (5) the amount of the minimum bid;
33 (6) the amount for which the:
34 (A) real property; or
35 (B) certificate of sale;
36 is sold;
37 (7) the amount of any taxes paid by the:
38 (A) purchaser of the real property or the purchaser's assignee;
39 or
40 (B) purchaser of the certificate of sale;
41 and the date of the payment;
42 (8) the amount of any costs certified to the county auditor under

C
O
P
Y



- 1 section ~~2(e)~~ **2(f)** of this chapter and the date of the certification;
 2 (9) the name of the person, if any, who redeems the property;
 3 (10) the date of redemption;
 4 (11) the amount for which the property is redeemed;
 5 (12) the date a deed, if any, to the real property is executed; and
 6 (13) the name of the grantee in the deed.

7 SECTION 38. IC 6-1.1-25-9, AS AMENDED BY P.L.169-2006,
 8 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2012]: Sec. 9. (a) When a county acquires title to real property
 10 under IC 6-1.1-24 and this chapter, the county executive may dispose
 11 of the real property under IC 36-1-11 or subsection (e). The proceeds
 12 of any sale under IC 36-1-11 shall be applied as follows:

13 (1) First, to the cost of the sale or offering for sale of the real
 14 property, including the cost of:

- 15 (A) maintenance;
 16 (B) preservation;
 17 (C) administration of the property before the sale or offering
 18 for sale of the property;
 19 (D) unpaid costs of the sale or offering for sale of the property;
 20 (E) preparation of the property for sale;
 21 (F) advertising; and
 22 (G) appraisal.

23 (2) Second, to any unrecovered cost of the sale or offering for sale
 24 of other real property in the same taxing district acquired by the
 25 county under IC 6-1.1-24 and this chapter, including the cost of:

- 26 (A) maintenance;
 27 (B) preservation;
 28 (C) administration of the property before the sale or offering
 29 for sale of the property;
 30 (D) unpaid costs of the sale or offering for sale of the property;
 31 (E) preparation of the property for sale;
 32 (F) advertising; and
 33 (G) appraisal.

34 (3) Third, to the payment of the taxes on the real property that
 35 were removed from the tax duplicate under section 4(c) of this
 36 chapter.

37 (4) Fourth, any surplus remaining into the county general fund.

38 (b) The county auditor shall file a report with the board of
 39 commissioners before January 31 of each year. The report must:

- 40 (1) list the real property acquired under IC 6-1.1-24 and this
 41 chapter; and
 42 (2) indicate if any person resides or conducts a business on the

C
o
p
y



1 property.

2 (c) The county auditor shall mail a notice by certified mail before
3 March 31 of each year to each person listed in subsection (b)(2). The
4 notice must state that the county has acquired title to the tract the
5 person occupies.

6 (d) If the county executive determines that any real property
7 acquired under this section should be retained by the county, then the
8 county executive shall not dispose of the real property. The county
9 executive may repair, maintain, equip, alter, and construct buildings
10 upon the real property so retained in the same manner prescribed for
11 other county buildings.

12 (e) The county executive may transfer title to real property
13 described in subsection (a) to:

14 (1) the redevelopment commission at no cost to the commission
15 for sale, grant, or other disposition under IC 36-7-14-22.2,
16 IC 36-7-14-22.5, IC 36-7-15.1-15.1, IC 36-7-15.1-15.2, or
17 IC 36-7-15.1-15.5; or

18 (2) **the land bank in whose territory the real property is**
19 **located, if any, at no cost to the land bank for sale, grant, or**
20 **other disposition as provided under IC 36-7-37.**

21 (f) If the real property is located in a geographic area that is not
22 served by a redevelopment commission **or a land bank** and the county
23 executive determines that any real property acquired under this section
24 should be held for later sale or transfer by the county executive, the
25 county executive shall wait until an appropriate time to dispose of the
26 real property. The county executive may do the following:

27 (1) Examine, classify, manage, protect, insure, and maintain the
28 property being held.

29 (2) Eliminate deficiencies (including environmental deficiencies),
30 carry out repairs, remove structures, make improvements, and
31 control the use of the property.

32 (3) Lease the property while it is being held.

33 The county executive may enter into contracts to carry out part or all of
34 the functions described in subdivisions (1) through (3).

35 SECTION 39. IC 6-1.1-25-10 IS AMENDED TO READ AS
36 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. (a) If, before the
37 court issues an order directing the county auditor to issue a tax deed to
38 a tract or item of real property sold **or transferred** under IC 6-1.1-24,
39 it is found by the county auditor and the county treasurer that the sale
40 **or transfer** was invalid, the county auditor shall refund:

41 (1) the purchase money and all taxes and special assessments on
42 the property paid by the purchaser, the purchaser's assigns, or the

C
o
p
y



1 purchaser of the certificate of sale under IC 6-1.1-24 after the tax
 2 sale **or transfer** plus six percent (6%) interest per annum; and
 3 (2) subject to any limitation under section 2.5 of this chapter, any
 4 costs paid by the purchaser, the purchaser's assigns, or the
 5 purchaser of the certificate of sale under IC 6-1.1-24 under
 6 section 2 of this chapter;

7 from the county treasury to the purchaser, the purchaser's successors or
 8 assigns, or the purchaser of the certificate of sale under IC 6-1.1-24.
 9 The tract or item of real property, if it is then eligible for sale **or**
 10 **transfer** under IC 6-1.1-24, shall be placed on the delinquent list as an
 11 initial offering under IC 6-1.1-24-6.

12 (b) A political subdivision shall reimburse the county for interest
 13 paid by the county under subsection (a) if:

14 (1) the invalidity of the sale **or transfer** under IC 6-1.1-24
 15 resulted from the failure of the political subdivision to give
 16 adequate notice of a lien to property owners; and

17 (2) the existence of the lien resulted in the sale **or transfer** of the
 18 property under IC 6-1.1-24.

19 SECTION 40. IC 6-1.1-25-16 IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 16. A person may, upon
 21 appeal, defeat the title conveyed by a tax deed executed under this
 22 chapter only if:

23 (1) the tract or real property described in the deed was not subject
 24 to the taxes for which it was sold **or transferred**;

25 (2) the delinquent taxes or special assessments for which the tract
 26 or real property was sold **or transferred** were paid before the
 27 sale;

28 (3) the tract or real property was not assessed for the taxes and
 29 special assessments for which it was sold **or transferred**;

30 (4) the tract or real property was redeemed before the expiration
 31 of the period of redemption (as specified in section 4 of this
 32 chapter);

33 (5) the proper county officers issued a certificate, within the time
 34 limited by law for paying taxes or for redeeming the tract or real
 35 property, which states either that no taxes were due at the time the
 36 sale **or transfer** was made or that the tract or real property was
 37 not subject to taxation;

38 (6) the description of the tract or real property was so imperfect
 39 as to fail to describe it with reasonable certainty; or

40 (7) the notices required by IC 6-1.1-24-2, IC 6-1.1-24-4, and
 41 sections 4.5 and 4.6 of this chapter were not in substantial
 42 compliance with the manner prescribed in those sections.

C
o
p
y



1 SECTION 41. IC 34-30-2-154.5 IS ADDED TO THE INDIANA
 2 CODE AS A NEW SECTION TO READ AS FOLLOWS
 3 [EFFECTIVE JULY 1, 2012]: **Sec. 154.5. IC 36-7-37-29 (Concerning**
 4 **a land bank for the condition of real property held by the land**
 5 **bank).**

6 SECTION 42. IC 36-7-17-12, AS AMENDED BY P.L.169-2006,
 7 SECTION 77, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2012]: Sec. 12. (a) A property for which no one applies in two
 9 (2) successive drawings held under this chapter may be sold at public
 10 auction to the highest bidder.

11 (b) The proceeds of the sale of real property acquired under
 12 IC 6-1.1-25-7.5 shall be applied to the cost of the sale, including
 13 advertising and appraisal.

14 (c) If any proceeds remain after payment of the costs under
 15 subsection (b), the proceeds shall be applied to the payment of taxes
 16 removed from the tax duplicate under ~~IC 6-1.1-25-7.5(e)~~.
 17 **IC 6-1.1-25-7.5(d)**

18 (d) If any proceeds remain after payment of the taxes under
 19 subsection (c), the proceeds shall be deposited in the county general
 20 fund.

21 SECTION 43. IC 36-7-37 IS ADDED TO THE INDIANA CODE
 22 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2012]:

24 **Chapter 37. Land Banks**

25 **Sec. 1. As used in this chapter, "excluded city" has the meaning**
 26 **set forth in IC 36-3-1-7.**

27 **Sec. 2. As used in this chapter, "land bank" means any of the**
 28 **following:**

29 (1) **A nonprofit corporation organized under section 6 of this**
 30 **chapter to manage the land bank operations of a consolidated**
 31 **city.**

32 (2) **An official, a department, or an instrumentality of a unit,**
 33 **if:**

34 (A) **an ordinance adopted under section 7 of this chapter**
 35 **establishing a land bank is in effect in the unit; and**

36 (B) **the official, department, or instrumentality of the unit**
 37 **designated as the manager of the unit's land bank**
 38 **operations is authorized to hold title to real property.**

39 (3) **A unit, if:**

40 (A) **an ordinance adopted under section 7 of this chapter**
 41 **establishing a land bank is in effect in the unit; and**

42 (B) **the official, department, or instrumentality designated**

C
o
p
y



- 1 as the manager of the unit's land bank operations is not
2 authorized to hold title to real property.
- 3 **Sec. 3. As used in this chapter, "land bank operations" means**
4 **acquiring, maintaining, rehabilitating, managing, and disposing of**
5 **real property in accordance with this chapter.**
- 6 **Sec. 4. As used in this chapter, "land bank fund" means any of**
7 **the following:**
- 8 (1) **The fund required to be established under section 15(b) of**
9 **this chapter, if a land bank is managed by an official,**
10 **department, or instrumentality of a unit.**
- 11 (2) **The accounting records of the nonprofit corporation**
12 **organized under section 6 of this chapter.**
- 13 **Sec. 5. As used in this chapter, "manager" means any of the**
14 **following, as applicable:**
- 15 (1) **A nonprofit corporation established under section 6 of this**
16 **chapter to conduct the land bank operations of a consolidated**
17 **city.**
- 18 (2) **The official, department, or instrumentality of a unit**
19 **designated in an ordinance adopted under section 7 of this**
20 **chapter to conduct the unit's land bank operations.**
- 21 **Sec. 6. (a) This section applies only to a county that has a**
22 **consolidated city.**
- 23 (b) **The county executive shall organize a nonprofit corporation**
24 **under IC 23-17 to conduct land bank operations in the territory of**
25 **the consolidated city, as specified in IC 36-3-1-4(a). After the**
26 **county executive has organized the nonprofit corporation, the**
27 **county executive shall notify the county auditor in writing that the**
28 **nonprofit corporation is established.**
- 29 (c) **The nonprofit corporation organized under subsection (b) is**
30 **the manager of the consolidated city's land bank operations.**
- 31 (d) **A land bank established under this section is an**
32 **instrumentality of the unit that created the land bank.**
- 33 **Sec. 7. (a) This section applies only to:**
- 34 (1) **units other than townships in counties that do not have a**
35 **consolidated city; and**
- 36 (2) **excluded cities.**
- 37 (b) **The fiscal body of a unit to which this section applies may**
38 **adopt an ordinance designating an official, department, or**
39 **instrumentality of the unit to act as the unit's manager of land**
40 **bank operations.**
- 41 (c) **If the fiscal body of a unit to which this section applies:**
42 (1) **initially adopts an ordinance under subsection (b);**

C
O
P
Y

1 (2) amends an ordinance adopted under subsection (b); or
 2 (3) repeals an ordinance adopted under subsection (b);
 3 the fiscal body shall send a certified copy of the corresponding
 4 ordinance to the county auditor of the county in which the unit is
 5 located or, if the unit is located in more than one (1) county, to each
 6 county auditor in which the unit is located.

7 (d) The territory of a land bank established by a city or town to
 8 which this section applies is the territory of the city or town that
 9 established the land bank. The territory of a land bank established
 10 by a county to which this section applies is all the territory of the
 11 county except for the territory of the cities and towns in the county.

12 Sec. 8. A land bank performs essential government functions
 13 within the land bank's territory, including the following:

- 14 (1) Reducing the number of abandoned properties.
 15 (2) Promoting economic development, housing development,
 16 and redevelopment.
 17 (3) Increasing collection of delinquent property taxes.
 18 (4) Facilitating the reclamation, rehabilitation, and
 19 reutilization of real property that needs to be reclaimed,
 20 rehabilitated, or reutilized, including real property that is
 21 vacant, abandoned, or sold or transferred for delinquent
 22 taxes.
 23 (5) Efficiently holding and managing real property that is
 24 vacant, abandoned, or sold or transferred for delinquent taxes
 25 pending reclamation, rehabilitation, and reutilization of the
 26 real property.
 27 (6) Assisting governmental entities and nonprofit or for-profit
 28 nongovernmental entities to assemble, clear, and clear the title
 29 to real property that is vacant, abandoned, or sold or
 30 transferred for delinquent taxes in a coordinated manner.

31 Sec. 9. (a) This section applies only to the land bank of a
 32 consolidated city.

33 (b) The board of directors of a land bank to which this section
 34 applies consists of the following:

- 35 (1) Three (3) individuals appointed by the mayor of the
 36 consolidated city, not more than two (2) of whom are
 37 members of the same political party.
 38 (2) One (1) individual appointed by the county treasurer of
 39 the county in which the consolidated city is located.
 40 (3) One (1) individual appointed by majority vote of the
 41 city-county council.
 42 (c) Except as provided in subsection (d), the term of a director

C
 O
 P
 Y



1 is three (3) years. However, a director who is appointed may be
 2 removed at any time with or without cause by the person who
 3 appointed the director.

4 (d) The terms of the directors of a land bank who are initially
 5 appointed following the organization of the land bank are the
 6 following:

7 (1) In the case of the directors described in subsection (b)(1):

8 (A) one (1) director has a term of one (1) year;

9 (B) one (1) director has a term of two (2) years; and

10 (C) one (1) director has a term of three (3) years.

11 At the time the mayor of the consolidated city makes the
 12 mayor's initial appointments under subsection (b)(1), the
 13 mayor shall specify the terms of each initial appointee.

14 (2) The director initially appointed under subsection (b)(2)
 15 has a term of two (2) years.

16 (3) The director initially appointed under subsection (b)(3)
 17 has a term of three (3) years.

18 (e) The board of directors of a land bank shall meet at least
 19 three (3) times each calendar year and as otherwise provided in its
 20 bylaws.

21 **Sec. 10. (a)** This section applies only to the land bank of a
 22 consolidated city.

23 (b) The board of directors of a land bank may adopt a resolution
 24 to establish an advisory board of the land bank.

25 (c) An advisory board may be comprised of not more than
 26 twenty (20) advisors. At least fifty-one percent (51%) of the
 27 advisory board members must be individuals with expertise in
 28 community development. The remaining members, but not more
 29 than forty-nine percent (49%) of the advisory board, may be
 30 individuals with expertise in real estate development or real estate
 31 finance.

32 (d) The initial members of an advisory board are nominated and
 33 appointed by the board of directors. If the number of initial
 34 members on the advisory board is even, one-half (1/2) of the initial
 35 members serve for a one (1) year term and one-half (1/2) of the
 36 initial members serve for a two (2) year term. If the number of
 37 initial members on the advisory board is odd, the number of initial
 38 members to serve for a two (2) year term must exceed the number
 39 of initial members to serve for a one (1) year term by one (1). The
 40 board of directors shall specify the initial members of the advisory
 41 board to serve one (1) year terms and the initial members to serve
 42 for two (2) year terms.

C
O
P
Y



1 (e) Except as provided in subsection (d), an advisory board
 2 member serves for a two (2) year term.
 3 (f) Three (3) months before the expiration of an advisory board
 4 member's term, the advisory board shall receive nominations from
 5 the advisory board members to fill the anticipated vacancy. The
 6 advisory board shall vote on the nominations to fill the vacancy
 7 and present the name of the advisory board's choice to the board
 8 of directors of the land bank for approval of the board of directors
 9 by a majority vote. If the board of directors does not approve a
 10 nominee, the advisory board shall repeat the process described in
 11 this subsection until the board of directors approves the individual
 12 chosen by the advisory board to fill the vacancy.
 13 (g) If there is a vacancy on the advisory board for a reason other
 14 than the expiration of a member's term, the advisory board shall
 15 immediately receive nominations from the advisory board
 16 members to choose a new member to serve the remainder of the
 17 term of the member who vacated the seat on the advisory board.
 18 (h) The board of directors may consider, but is not required to
 19 follow, the advice of the land bank's advisory board regarding the
 20 disposition of properties acquired by the land bank. The board of
 21 directors of a land bank shall provide the land bank's advisory
 22 board notice of and information regarding a disposition decision
 23 at least twenty-one (21) days before final action on the disposition
 24 decision.
 25 Sec. 11. (a) This section applies only to the land bank of a
 26 consolidated city.
 27 (b) Except as otherwise provided in this chapter, a land bank to
 28 which this section applies and the land bank's board of directors:
 29 (1) are subject to the duties set forth in IC 23-17;
 30 (2) have the powers specified in IC 23-17; and
 31 (3) are authorized to engage in all lawful activities necessary
 32 or convenient to further the purposes, activities, and affairs of
 33 the land bank.
 34 Sec. 12. (a) This subsection applies to a unit and the unit's land
 35 bank if the unit's land bank is authorized to hold title to real
 36 property.
 37 (b) If circumstances disclose that a unit and the unit's land bank
 38 both seek to acquire the same tract or item of real property, the
 39 unit has the superior right to acquire the tract or item of real
 40 property. The land bank may acquire the tract or item of real
 41 property only after the unit notifies the land bank in writing that
 42 the unit has abandoned the unit's efforts to acquire the tract or

COPY



1 item of real property.

2 (c) A unit may acquire property from the unit's land bank, as
3 mutually agreed by the unit and the land bank.

4 **Sec. 13. The manager of a unit's land bank shall do the**
5 **following:**

6 (1) Adopt policies governing the administration of the unit's
7 land bank operations, including a conflicts of interest policy.

8 (2) Establish procedures and guidelines for the acquisition,
9 redevelopment, and disposition of properties.

10 **Sec. 14. A land bank shall comply with the requirements under**
11 **IC 5-14-1.5 (open door law) and IC 5-14-3 (public records law).**

12 **Sec. 15. (a) This section applies to a land bank established as**
13 **authorized under section 7 of this chapter.**

14 (b) The fiscal officer of the unit that established the land bank
15 shall create a land bank fund in the unit's treasury for the purpose
16 of facilitating transparency of the unit's land bank operations. The
17 fiscal officer of the unit that established the land bank may create
18 accounts in the land bank fund that in the discretion of the fiscal
19 officer are necessary or advisable to describe the land bank's
20 operations properly.

21 (c) The manager of the land bank is the administrator of the
22 fund.

23 (d) A unit's land bank fund includes the following:

24 (1) Appropriations from the unit's fiscal body.

25 (2) Tracts or items of real property acquired by the land
26 bank.

27 (3) Revenue generated from land bank operations, including
28 the following:

29 (A) Gains on the sale of real property.

30 (B) Income from lease rental agreements for property held
31 and managed by the land bank.

32 (C) Fees received from contractual agreements to manage
33 property.

34 (4) Amounts retained under IC 6-1.1-25-2(h) from
35 redemptions of real property held by the land bank.

36 (5) Civil penalties distributed to the land bank under
37 IC 6-1.1-24-8(c)(2).

38 (6) Grants.

39 (7) Donations.

40 (8) Interest or other gains from investment.

41 (9) Money borrowed for land bank operations.

42 (e) Money and other property in a unit's land bank fund does

C
O
P
Y



1 not revert to the unit's general fund at the end of the unit's fiscal
2 year.

3 (f) Money in a unit's land bank fund that is not needed for land
4 bank operations shall be invested in the same manner other money
5 of the unit is invested. Interest or other gains earned from
6 investment of money in the unit's land bank fund shall be credited
7 to the land bank fund.

8 (g) The expenses of administering a unit's land bank fund must
9 be charged to the unit's land bank fund.

10 Sec. 16. The state board of accounts shall audit the land bank of
11 a consolidated city annually.

12 Sec. 17. A land bank shall report annually to the executive and
13 the fiscal body of the unit that established the land bank
14 concerning:

- 15 (1) the activities of the land bank;
- 16 (2) the number of properties acquired;
- 17 (3) the use, improvement, and disposition of the land bank's
18 properties; and
- 19 (4) the financial statements concerning the unit's land bank
20 operations.

21 Sec. 18. (a) If a land bank is managed by an official or a
22 department of a unit, the unit shall append financial statements for
23 the unit's land bank operations to the financial reports required to
24 be submitted for each fiscal year by the unit under IC 5-11-1-4(a).

- 25 (b) If:
- 26 (1) a land bank is managed by an instrumentality of a unit;
27 and
- 28 (2) the instrumentality is not required to file financial reports
29 under IC 5-11-1-4(a) for each fiscal year;

30 the unit shall append financial reports for the unit's land bank
31 operations to the financial reports required to be submitted for
32 each fiscal year by the unit under IC 5-11-1-4(a).

- 33 (c) If:
- 34 (1) a land bank is managed by an instrumentality of a unit;
- 35 (2) the instrumentality is required to file financial reports
36 under IC 5-11-1-4(a) for each fiscal year; and
- 37 (3) the instrumentality conducts operations other than land
38 bank operations;

39 the instrumentality shall append a financial report for the
40 instrumentality's land bank operations to the instrumentality's
41 primary financial report, unless the primary financial report for
42 the instrumentality already separates the accounting for the

C
O
P
Y



1 instrumentality's land bank operations from the accounting for the
2 instrumentality's other operations.

3 **Sec. 19. The manager of a land bank may do the following:**

4 (1) Engage in activities consistent with the purposes of the
5 land bank and the exercise of essential governmental
6 functions.

7 (2) Employ legal counsel, technical experts, and any other
8 officers, agents, and employees that the manager considers
9 necessary to conduct efficient land bank operations.

10 **Sec. 20. (a) If:**

11 (1) an ordinance adopted by a unit under section 7 of this
12 chapter is in effect in the unit; and

13 (2) the unit accepts a certificate of sale or a tax deed for a
14 tract or item or real property under IC 6-1.1-24 or
15 IC 6-1.1-25;

16 the unit shall deposit the certificate of sale or tax deed with the
17 manager of the unit's land bank operations.

18 (b) A land bank may refuse acquisition or acceptance of a tract
19 or item of real property.

20 **Sec. 21. A land bank may do the following:**

21 (1) Create a revolving acquisition and remediation fund to
22 facilitate efficient purchase and redevelopment efforts.

23 (2) Maintain real estate owned by others for a fee.

24 (3) Contract with government organizations and boards for
25 a fee.

26 (4) Contract with private entities for a fee.

27 (5) Engage in development and redevelopment of property.

28 (6) Participate as a bidder in a tax sale.

29 (7) Acquire tracts and items of real property through
30 donation, sale, or other means of transfer.

31 (8) Acquire unsold properties from tax sales conducted prior
32 to July 1, 2012, at no cost to the land bank.

33 (9) Negotiate directly for the acquisition of real estate owned
34 tracts and items of real properties, including individual tracts
35 and items or real property as well as multiple properties that
36 are bundled.

37 **Sec. 22. A land bank may exercise disposition strategies for**
38 **tracts and items of real property acquired by the land bank that**
39 **include the following:**

40 (1) Donation of properties to a governmental entity, nonprofit
41 entities, or any other entity.

42 (2) Sale of properties to a governmental entity, nonprofit

C
O
P
Y



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

- entities, or other entities.
- (3) Sale of properties in the private market.
- (4) Conversion of properties to rental units.
- (5) Conversion of properties to shared equity home ownership units.
- (6) Use of lease to purchase arrangements for properties.

Sec. 23. (a) On or before March 1 of each year, the manager of a land bank shall deliver a report to the county auditor of the county in which the land bank is located that shows for each parcel of real property sold or otherwise conveyed by the land bank during the immediately preceding calendar year:

- (1) the parcel number and street address of the real property; and
- (2) the grantee of the conveyance.

If the land bank is located in more than one (1) county, the information for each parcel of real property must be segregated by county in the report and the manager of the land bank shall deliver the report to the county auditor of each county in which the land bank is located.

(b) This subsection applies only to a unit for which an ordinance adopted under section 7 of this chapter establishing a land bank is in effect in the unit. The fiscal body of a unit to which this subsection applies may make an election that, for the three (3) consecutive years immediately following the year in which real property sold or otherwise conveyed by the unit's land bank is first assessed after the date on which the real property is sold or otherwise conveyed by the land bank, property taxes levied by or for the benefit of any public body on real property sold or otherwise conveyed by the land bank be allocated and, when collected, distributed to the unit for appropriation to the unit's land bank manager for use in the unit's land bank operations. The fiscal body of the unit may make the election in an ordinance adopted under section 7 of this chapter establishing the land bank or in another ordinance. If the election is made in an ordinance other than the ordinance establishing the land bank, the fiscal body shall deliver a certified copy of the ordinance to the county auditor.

(c) This subsection applies only to a consolidated city. For the three (3) consecutive years immediately following the year in which real property sold or otherwise conveyed by the consolidated city's land bank is first assessed after the date on which the real property is sold or otherwise conveyed by the consolidated city's land bank, property taxes that are levied by or for the benefit of any public

C
o
p
y



1 body on the real property sold or otherwise conveyed by the
2 consolidated city's land bank shall be allocated and, when
3 collected, distributed to the consolidated city for appropriation to
4 the consolidated city's land bank manager for use in the
5 consolidated city's land bank operations

6 (d) Each year, the sum of the following amounts must be
7 distributed in accordance with subsection (b) or (c) to a
8 consolidated city, or county, city, or town with a land bank that has
9 made the election under subsection (b), as applicable, for use by the
10 county, city, or town land bank:

11 (1) Property taxes levied on real property in the first year
12 following the year in which the real property was first
13 assessed after the date on which the real property was sold or
14 otherwise conveyed by the land bank.

15 (2) Property taxes levied on real property in the second year
16 following the year in which the real property was first
17 assessed after the date on which the real property was sold or
18 otherwise conveyed by the land bank.

19 (3) Property taxes levied on real property in the third year
20 following the year in which the real property was first
21 assessed after the date on which the real property was sold or
22 otherwise conveyed by the land bank.

23 **Sec. 24. The fiscal body of a consolidated city shall annually
24 appropriate the following amounts to the consolidated city's land
25 bank for use in its land bank operations:**

26 (1) Property taxes distributed to the consolidated city under
27 section 23(d) of this chapter.

28 (2) Money in the consolidated city's unsafe building fund
29 established under IC 36-7-9-14 that is not needed to carry out
30 the purposes of IC 36-7-9.

31 **Sec. 25. (a) The fiscal body of a unit that establishes a land bank
32 as authorized under section 7 of this chapter shall annually
33 appropriate property taxes distributed to the unit in accordance
34 with section 23(d) of this chapter, if the fiscal body made the
35 election described in section 23(b) of this chapter, to the unit's land
36 bank manager for use in its land bank operations.**

37 **Sec. 26. A land bank may obtain additional funding from the
38 following sources:**

39 (1) Proceeds of tax anticipation notes that may be issued by
40 qualified entities or the land bank in the manner prescribed
41 in IC 36-2-6 in anticipation of delinquent tax revenues to be
42 collected by the land bank upon redemption of properties

C
o
p
y



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

acquired by the land bank under IC 6-1.1-24 and IC 6-1.1-25.
(2) The manager of a land bank, as applicable, may establish a line of credit with the county treasurer for current unpaid and delinquent taxes on tracts or items of real property held by the land bank if all the following requirements are satisfied:

(A) The county treasurer requests in writing that the land bank enter into a line of credit for current unpaid or delinquent taxes with the county treasurer.

(B) In the case of the land bank of a consolidated city, the board of directors of the land bank approves, by affirmative vote of a simple majority of directors of the land bank:

- (i) the form of the line of credit for current unpaid or delinquent taxes; and**
- (ii) the execution of the line of credit for current unpaid or delinquent taxes.**

(C) The maximum aggregate available amount under the line of credit for current unpaid or delinquent taxes may not exceed fifteen percent (15%) of the total average portfolio of inactive money of the unit that created the land bank on the date of execution and delivery of the line of credit.

(D) The maximum term during which draws on a line of credit established under this subdivision may be made is five (5) years after the date the line of credit is established. However, this section does not prohibit the execution and delivery of another line of credit for current unpaid or delinquent taxes at the end of the term of a previously established line of credit, if at the end of the term of the previously established line of credit the payoff balance of the previously established line of credit does not include an amount attributable to:

- (i) an unreimbursed draw that has remained unpaid beyond the last day of the second year immediately following the year in which the draw was made; or**
- (ii) accrued but unpaid interest on an unreimbursed draw described in item (i).**

(E) Repayment in full of each draw on the line of credit, plus any accrued and unpaid interest on the outstanding balance, is made not later than the last day of the second calendar year after the year in which the draw is made.

C
o
p
y



1 (3) The manager of a land bank may contract with a political
2 subdivision for any purpose related to the land bank's
3 mission, including the management of property held by the
4 political subdivision.

5 (4) The manager of a unit's land bank operations may request
6 that:

- 7 (A) the unit;
 - 8 (B) the county unit of the county in which the land bank is
9 located; or
 - 10 (C) both units described in clauses (A) and (B);
- 11 pledge a source of revenue to secure borrowing and issuing
12 notes.

13 Sec. 27. Except for delinquent taxes required to be paid by a
14 land bank under IC 6-1.1-24 and IC 6-1.1-25, as of the date of
15 acquisition of property by the land bank, and except as provided
16 otherwise by law, including IC 6-1.1-10-37, tangible property
17 owned by the land bank is exempt from ad valorem property taxes
18 and special assessments levied against the tangible property by the
19 state or a political subdivision.

20 Sec. 28. (a) Notwithstanding any other law, two (2) or more land
21 banks may enter into a cooperative agreement that conforms with
22 the requirements of this section.

23 (b) A cooperative agreement under this chapter must provide at
24 least for the following:

- 25 (1) The purpose of the agreement.
- 26 (2) The duration of the agreement.
- 27 (3) The manner of financing, staffing, and supplying any joint
28 undertaking and of establishing and maintaining a budget for
29 any joint undertaking that is the subject of the cooperative
30 agreement.
- 31 (4) The methods that may be employed in accomplishing the
32 partial or complete termination of the cooperative agreement
33 and for disposing of property upon partial or complete
34 termination of the cooperative agreement.
- 35 (5) The manner in which the cooperative agreement is to be
36 administered.
- 37 (6) The manner of acquiring, holding, and disposing of real
38 and personal property that is the subject of the cooperative
39 agreement.

40 (c) Subject to subsection (d), a cooperative agreement may
41 include any lawful provision that is necessary or appropriate.

42 (d) An entity empowered by a cooperative agreement with the

C
o
p
y



1 authority to administer the cooperative agreement may take only
 2 those actions that at least one (1) of the parties to the cooperative
 3 agreement may carry out on its own. If a provision of a cooperative
 4 agreement purports to devolve a right, power, privilege, or
 5 immunity on the administrator of the cooperative agreement that
 6 a party to the cooperative agreement does not possess in the
 7 absence of the cooperative agreement, the provision of the
 8 cooperative agreement is void.

9 (e) A land bank may enter into a cooperative agreement with an
 10 entity to share the services of an employee employed by a party to
 11 the cooperative agreement.

12 (f) A cooperative agreement may allow the transfer of money
 13 from a land bank to another entity for a use authorized by the
 14 cooperative agreement.

15 **Sec. 29. A land bank or a unit that operates a land bank is not**
 16 **liable for damages, or subject to equitable remedies:**

- 17 (1) for breach of a common law duty;
- 18 (2) for a violation of law related to environmental protection
- 19 law and regulations;
- 20 (3) for a violation of any rule; or
- 21 (4) for a violation of any order, permit, license, variance, or
- 22 plan approval issued under Indiana law;
- 23 that is attributable to the condition of a tract or item of real
- 24 property at the time the land bank acquires the real property.

C
 o
 p
 y

