

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 58.1-3970.1 of the Code of Virginia, relating to real estate with*  
3 *delinquent taxes or liens; appointment of special commissioner; City of Martinsville.*

4 [H 2405]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 58.1-3970.1 of the Code of Virginia is amended and reenacted as follows:**8 **§ 58.1-3970.1. Appointment of special commissioner to execute title to certain real estate with**  
9 **delinquent taxes or liens to localities.**

10 A. Except as provided in subsection B, in any proceedings under this article for the sale of a parcel  
11 or parcels of real estate which meet all of the following: (i) each parcel has delinquent real estate taxes  
12 or the locality has a lien against the parcel for removal, repair or securing of a building or structure;  
13 removal of trash, garbage, refuse, litter; or the cutting of grass, weeds or other foreign growth, (ii) each  
14 parcel has an assessed value of \$50,000 or less, and (iii) such taxes and liens, together, including  
15 penalty and accumulated interest, exceed 50 percent of the assessed value of the parcel or such taxes  
16 alone exceed 25 percent of the assessed value of the parcel, the locality may petition the circuit court to  
17 appoint a special commissioner to execute the necessary deed or deeds to convey the real estate to the  
18 locality in lieu of the sale at public auction. After notice as required by this article, service of process,  
19 and upon answer filed by the owner or other parties in interest to the bill in equity, the court shall allow  
20 the parties to present evidence and arguments, ore tenus, prior to the appointment of the special  
21 commissioner. Any surplusage accruing to a locality as a result of the sale of the parcel or parcels after  
22 the receipt of the deed shall be payable to the beneficiaries of any liens against the property and to the  
23 former owner, his heirs or assigns in accordance with § 58.1-3967. No deficiency shall be charged  
24 against the owner after conveyance to the locality.

25 B. For a parcel or parcels of real estate in the Cities of Norfolk, Richmond, Hopewell, Newport  
26 News, Petersburg, Fredericksburg, ~~and~~ Hampton, *and Martinsville*, all of the provisions of subsection A  
27 shall apply except (i) that the percentage of taxes and liens, together, including penalty and accumulated  
28 interest, and the percentage of taxes alone set forth in clause (iii) of subsection A shall exceed 35  
29 percent and 15 percent, respectively, of the assessed value of the parcel or parcels or (ii) that the  
30 percentage of taxes and liens, together, including penalty and accumulated interest, and the percentage of  
31 taxes alone set forth in clause (iii) of subsection A shall exceed 20 percent and 10 percent, respectively,  
32 of the assessed value of the parcel or parcels, and each parcel has an assessed value of \$100,000 or less,  
33 provided that under this clause the property is not an occupied dwelling, and the locality enters into an  
34 agreement for sale of the parcel to a nonprofit organization to renovate or construct a single-family  
35 dwelling on the parcel for sale to a person or persons to reside in the dwelling whose income is below  
36 the area median income.

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