Land of Low Value

After 90 days from the date of taking, the treasurer may work with the assessors to pursue land of low value foreclosure (MGL Chapter 60 §79) through DOR, an alternative foreclosure procedure to seeking a decree from Land Court. Annually, DLS publishes the maximum valuation of parcels qualifying for the land of low value foreclosure procedure.

Local officials can submit all information for a Land of Low Value foreclosure through this module.

Process Summary:

1. Community Treasurer and Assessor enter all required fields for a Land of Low Value (hereafter LOLV) parcel. Treasurer sections (1 through 5) establish the validity of the tax title status. Assessor section (6) details the reasons for low valuation, e.g. it is not a buildable lot because of size or zoning.

Community Treasurer and Assessor enter additional LOLV parcels that will be part of a batch of LOLV parcels to be reviewed and approved by DLS and submitted back to the community as part of affidavit(s) (from the Commissioner of Revenue that the parcel(s) in tax title are of such little value that an alternative foreclosure process is warranted). The community will submit the parcel(s) as a batch to minimize recording fees. The system will assign a submission batch ID.

2. The Assessor signs and saves Section 6 for each parcel. The Treasurer indicates which parcels are parts of a review & approval batch by clicking the checkbox under Batch Selection. The Treasurer signs and submits forms for each parcel. If all required fields have not been filled or if the values in certain fields do not meet legal requirements, the system will not allow submission of that parcel. After submittal, the Treasurer will print hard copies of each parcel application, sign, and reserve these for later filing with the DOR-generated affidavit.

3. DLS attorneys in the Municipal Finance Law Bureau review each parcel in a batch and indicate successful review by clicking the checkbox under OK for Affidavit on the Search screen for each parcel and clicking the OK for Affidavit button when all parcels have been reviewed for the desired batch. The system will generate an affidavit batch ID for the parcel(s) and send a notification to the MFL Chief that a LOLV batch is ready for final approval.

4. The MFL Chief will see an Approve button on the screen of each parcel that attorneys have successfully reviewed in an affidavit batch. As part of the final approval process, the MFL Chief will individually review and approve each parcel in the attorney-reviewed batch.

5. In Affidavit Report under DLS Only, MFL staff can preview and then generate an affidavit for each batch of LOLV parcels by type, either recorded, registered, or both. After generation, the system will fill the “Date Affidavit Generated” field in each parcel. Upon MFL Chief’s clicking Affidavit Generation, the system sends an email notification to the respective community’s treasurer.

6. A hard copy of the affidavit is then printed for the Deputy Commissioner’s notarized signature. The signed & notarized hard copy is then scanned and uploaded by MFL staff into the Legal – Opinion Maintenance module as part of the bureau’s case management. Local officials can display and print the signed affidavits for their communities through the Affidavits screen which will present a grid of approved affidavits for their community.

Search:

The Search screen allows searches of Land of Low Value parcel applications within specified jurisdictions but the screen also serves as a workflow management and parcel batch creation tool for both local officials and DLS reviewer/approvers. Two versions of the Search screen exist, one for local officials and one for DLS staff.

Local officials can filter the search by the following variables:

Assessed Owner:	Searches for a text string that within the owner's recorded name that matches the entered value.
Street Name:	Searches for a text string that begins with the entered value.

DLS staff can filter the search by the following variables:

Case Number:	Assigned by the system within the Legal/Opinion Maintenance module. A case is opened after a community batch submittal.
Assessed Owner:	Searches for a text string that within the owner's recorded name that matches the entered value.
Street Name:	Searches for a text string that begins with the entered value.
Jurisdiction:	For DLS users, dropdown lists 352 cities and towns. For local officials, dropdown is disabled and box is filled with their community.
Status:	Refers to the status of the parcel application. Dropdown limited to Entered, Submitted, Reviewed, and Approved.

When the appropriate parcels are in the grid, the local user can click the Batch Selection check box for each parcel the user wants to include in a batch for review, approval, and affidavit generation. The DLS reviewer can work from the search screen to review the details of each parcel (clicking on the link under Parcel ID) and indicating successful review by clicking the OK for Affidavit checkbox. The DLS approver can similarly inspect the parcel details and approve same within the Parcel Information form. That approval date will appear on the Search grid, as will the Date Affidavit Generated when that step is complete.

Parcel Information:

Treasurer sections 1 through 5 establish the validity of the tax title status. Aside from required fields, certain date must follow certain rules in order for an application for Land of Low Value to be valid. The system will not allow a submission unless the following rules are met.

Fields that Must Be Correct to Submit Applications	**Validation or Rule**
Section 1: 1b. Date of Taking	Date must be at least 14 days after 3c. Date Demand Mailed (in Section 3) and 3f. Date Notice of Taking Posted (in Section 3) or a message will appear "Date of Taking must be at least 14 days after Date Notice of Taking advertised and posted" and Submit will be disabled.
Section 1: 1d. Date Instrument of Taking Recorded	Date must be no later than 60 days after 1b. Date of Taking (in Section 1) or a message will appear "1d. Date Instrument of Taking recorded must not exceed 60 days after 1b. Date of Taking" and Submit will be disabled.

Section 3: 3c. Date Notice of Taking Advertised	Date must be at least 14 days after 3a. Date Demand Mailed (in Section 3) or a message will appear "Date Notice of Taking advertised and posted must be at least 14 days after 3a. date demand mailed" and Submit will be disabled.
Section 3: 3f. Date Notice of Taking Posted	Date must be at least 14 days after 3a. Date Demand Mailed (in Section 3) or a message will appear "Date Notice of Taking advertised and posted must be at least 14 days after 3a. date demand mailed" and Submit will be disabled.

Section 6 is completed by the assessor to detail the reasons for low valuation, e.g. it is not a buildable lot because of size or zoning.

Affidavits

Signed and notarized hard copies of affidavits generated by DLS staff are scanned and uploaded into DLS Gateway. Authorized local officials can display and print these executed affidavits from the **Affidavits** screen. A grid will display PDF versions of all affidavits uploaded to LOLV cases for a given jurisdiction.

DLS Only

Batch Maintenance:

Batch Maintenance allows a DLS user to further reverse the approval process after parcels have been unapproved. If parcels require editing, DLS users can

1. Select Undo Batch Affidavit, which reverts unapproved parcels to a submitted but not reviewed status.
2. Select Undo Batch Submission, which reverts unreviewed parcels to an unsubmitted status.

Affidavit Generation:

The authorized DLS user enters a case number from the Legal module.

Instrument Type selection of *Recorded*, *Registered*, or *Both* will generate respectively a recorded-type affidavit for *Recorded* or a registered-type affidavit for *Registered* or *Both.*

Clicking the **Preview** button will generate a pdf file in the desired format with the selected parcels.

Clicking the **Generate Affidavit** button will generate the pdf file, flag the parcels as “generated”, and notify the community Treasurer that the affidavit has been produced for printing, signing, and notarization by the Deputy Commissioner.

Outline of Steps to Process Land of Low Value Application:

1. Local treasurer and assessor enter parcel data and click Save on Parcel Screen.
2. When data passes validation and is complete, treasurer and assessor sign form electronically and treasurer clicks Submit on Parcel Screen.

3. On Search screen, treasurer designates all parcels to be submitted as a batch to DLS by clicking the Batch checkbox for each parcel to be included.
4. When the treasurer has designated all parcels, clicking the “Report as Batch” button creates the batch of parcels and alerts DLS that they are ready for review as a batch.
5. DLS staff in their Legal/Opinion Maintenance module create a case for the LOLV application and the system assigns a case number.
6. DLS staff complete review of each parcel by assigning the correct case number from the dropdown and by clicking the Review button in each Parcel screen to indicate the parcel is ready for bureau chief approval.
7. On the Search screen, DLS staff can batch together all parcels ready for affidavits for a particular community by clicking the check box Confirm for Affidavit for each parcel to be included.
8. When all parcels have been confirmed for current affidavits, DLS staff clicks the Confirm for Affidavit button.
9. The bureau chief enters each parcel confirmed for affidavit and after inspection of details clicks the Approve button.
10. On the Affidavit Generation screen available to DLS users only, DLS staff click the Preview Affidavit button after specifying community and affidavit type. The resulting PDF is inspected for completeness & accuracy.
11. Clicking the Generate Affidavit button, produces and stores the PDF of the affidavit, and notifies the local treasurer that the affidavit has been generated and can be expected in the mail after signing and notarization. **The process <u>cannot</u> be reversed from this point and parcels cannot be edited. Mistakes would involve invalidating the entire case and batches and re-data entering all affected parcels from step 1. Careful review must precede affidavit generation.**
12. DLS print the affidavit(s) and the Deputy Commissioner signs and notarizes it.
13. DLS staff scan and upload the affidavit(s) in the Legal/Opinion Search and Maintenance modules in the document section reserved for affidavits in LOLV opinion type.
14. DLS mail the original signed affidavit(s) to the local treasurer for compilation with parcel reports and submission to the registry.

Outline of Steps to Reverse Process from Step 8 Confirm for Affidavit

1. DLS users in Batch Maintenance select Undo Batch for Affidavit from dropdown and click Search.
2. DLS users click checkbox Undo Batch Submit/Batch Affidavit for each parcel and then click Undo Batch Submission button.
3. In each parcel, click the Unreview button
4. To revert to entered but unsubmitted status to allow local editing, DLS users in Batch Maintenance select Undo Batch Submission from dropdown and click Search.
5. DLS users click checkbox Undo Batch Submit/Batch Affidavit for each parcel and then click Undo Batch Submission button.
6. DLS user changes case assignment in Parcel screen dropdown to -- Select Case --, clicks either Unlock for Community Update or Unlock for DLS Update and clicks the Save button.
7. Parcel is now in unsubmitted status and either DLS or the local users can edit depending on the selection in #6 above.