

Because a community’s financial success depends on effectively bringing in the revenues needed to fund its operating budget each year, it is essential that the collector establish and maintain reliable recordkeeping systems and enforce collections timely.

All committed amounts must be supported with a warrant and detailed listing of the amounts due. From this listing, the collector generates and mails out bills. The final real estate bill for a parcel must also include a notice of any other taxes and charges not part of the current bill but overdue more than 90 days and liened on the parcel. This general statement of delinquency applies for overdue real estate taxes assessed for any prior fiscal year and for any other taxes, betterments, special assessments, or charges. The taxpayer is thereby given notice of other charges due and encouraged to pay before additional interest, charges, or other fees are added.

For past-due property tax accounts, the collector should promptly initiate the tax taking process. Subsequent to issuing demand notices, it is also advisable to complete the tax taking process on a timely schedule so as to shift remaining delinquent accounts from the community’s receivable balances into tax titles, where they can be further pursued by the treasurer.

The following is the typical enforcement process for property taxes.

Demand	When a tax bill becomes past due, the collector sends a demand notice requesting payment. The collector is required to issue a demand before initiating a tax taking.
Tax taking	When a municipality levies a tax on a parcel of real property, a lien for that tax arises automatically on the parcel. Unless the collector perfects this lien, however, it may be lost if the tax remains delinquent and the property subsequently changes ownership (M.G.L. c. 60, §37). A collector can avoid losing a tax lien by placing the subject property into tax title within five calendar years from the January 1st assessment date of the tax, a process which perfects the lien. Each year, if the demand notice does not result in payment, the collector should initiate tax taking procedures promptly rather than letting the outstanding charges linger. For new takings, the collector should advertise and then make tax takings in the fall, thus placing the delinquent properties in tax title. For existing tax titles, the collector should also annually add all new outstanding amounts to the accounts before the close of the fiscal year.
Foreclosure	Once in tax title, the treasurer is responsible for collection. After 90 days from the date of taking, the treasurer may work with the assessors to pursue land of low value foreclosures through DLS (M.G.L. c. 60, §79) based on the maximum valuation of qualifying parcels that DLS updates and publishes annually. For other properties, the treasurer must wait at least six months from the date of tax taking to initiate Land Court

	foreclosure proceedings. Initiating foreclosure proceedings, especially on high value properties, conveys to taxpayers the community’s serious intent to collect overdue taxes. The goal should be to move new tax titles into the foreclosure stage promptly and not have them languish for years. Each year, the treasurer should identify at least the 10 largest tax title accounts ripe for foreclosure and aggressively proceed on them in Land Court. Both types of foreclosure allow the community to take title and possession of a parcel, which it can then auction to recover the taxes and interest owed or can preserve as community-owned land.
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As with property taxes, the collector initiates enforcement of delinquent motor vehicle excise by sending demand notices. If the excise remains outstanding after the demand, the following measures are taken.

Deputy collector	Fourteen days after mailing the demand, the collector may issue warrants to one or more deputy collectors authorizing them to collect delinquent motor vehicle excise. The deputy may mark licenses and registrations or provide evidence that the accounts are uncollectable (e.g., due to death, insolvency, or other inability of the assessed person to pay).
Nonrenewal Program	Upon request, the Registry of Motor Vehicles marks the license and registration of delinquent excise payers for nonrenewal, a particularly effective enforcement tool.

The below list of other enforcement measures may be implemented at the collector’s discretion and/or subject to the community’s adoption of enabling legislation.

Dunning letters	As a way to encourage payment, the collector may issue dunning, or reminder, letters of delinquent amounts. This can be done as a courtesy, since there is no requirement to issue this type of correspondence.
Suspending local licenses and permits	A community may establish a bylaw or ordinance enabling it to deny an application for or to suspend or revoke a local license or permit issued for any delinquent taxpayer (M.G.L. c. 40, §57). To do this, the collector annually furnishes each licensing authority with a list of all delinquent taxpayers.
Bulk sale of tax receivables	A community may make bulk assignments of its delinquent property tax receivables and liens to third parties (M.G.L. c. 60, §2C).
Municipal charges lien	For delinquent water (M.G.L. c. 40, §§ 42A-F), sewer (M.G.L. c. 83, §§16A-F), and trash (M.G.L. c. 44, §28C(f)) charges, a community may lien these amounts on the property tax, provided it accepts the enabling legislation and files a certificate of acceptance at the Registry of Deeds. For other unpaid local charges and fees, a community may adopt M.G.L. c. 40, §58 separately for each purpose in order to lien each upon the property tax. The lien is created by recording a listing at the Registry of Deeds of a particular type of charge or fee (by parcel of land and by name).
Late interest	Late interest accrues automatically on overdue taxes and excise. To charge interest on overdue fees and charges, a community may establish a related ordinance or bylaw (M.G.L.

	c. 40, §21E). In the ordinance or bylaw, the community must establish due dates and set an overdue interest rate not to exceed the rate applied to overdue taxes (currently 14 percent annually).
Deputy collector	Besides motor vehicle excise, the collector can issue warrants to one or more deputy collectors authorizing them to collect other delinquent taxes, excises, and charges.
Civil lawsuit	A community can bring a civil lawsuit against a tax delinquent but only when the individual is personally liable for an unpaid excise or tax. This collection method is most frequently used for personal property and excise delinquencies. A collector would typically only employ this method to enforce real estate tax collection when the tax lien has been lost.

The execution of a systematic, deliberate program to collect taxes owed is intended not only to capture revenue but also to establish a clear policy that tax delinquents will be pursued aggressively. Timely execution of collection remedies, such as issuing demands immediately after bills become past due and initiating tax taxings shortly afterwards, dramatically increases the rate of collection of municipal monies, and thereby assists in the community’s financial stability.