

Lackawanna County

Tax Claim Bureau

123 Wyoming Ave., Suite 267

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ELDERLY EXTENSION OR DEFERRAL PROGRAM

In accordance with § 504 of the Real Estate Tax Sale Law, (72 P.S. § 5860.504), the Lackawanna County Board of Commissioners adopted Ordinance 16-0255, authorizing the Lackawanna County Tax Claim Bureau to extend or defer the payment of real estate tax claims related to residential real estate which is owned and occupied solely by a person sixty-five (65) years of age or older or is owned and occupied jointly by persons all of whom are sixty-five (65) years of age or older and whose household income is equal to or less than the maximum household income necessary to qualify for a property tax or rent rebate under the Senior Citizens Rebate and Assistance Act.

TERMS AND CONDITIONS OF PROGRAM

The Lackawanna County Tax Claim Bureau may upon the recommendation of the Lackawanna County Area Agency on Aging and NeighborWorks Northeastern Pennsylvania grant an extension or deferral of the time for payment of real estate tax claims. In order to be eligible for the program applicants must meet the following minimum criteria:

1. All owners and occupants of the property must be at least sixty-five (65) years of age;
2. The property must be residential and owner-occupied;
3. The property must be adequately insured if seeking deferral; and
4. The owner(s)' household income must not exceed the maximum qualifying household income under the Senior Citizens Rebate Assistance Act, which is currently \$35,000.00.

Applicants who meet the above criteria may obtain an application form from the Lackawanna County Tax Claim Bureau. A fully executed application should be submitted to the Lackawanna County Area Agency on Aging located at 123

Wyoming Avenue, Floor 4, Scranton, Pennsylvania 18503 along with the following documentation:

1. A copy of the deed for the property;
2. A copy of the property owner(s)' most current tax return, social security benefits verification letter, pension income statement and/or other proof of income;
3. A copy of any non-owner occupant(s)' most current tax return, social security benefit verification letter, pension income statement and/or other proof of income;
4. A signed copy of the elderly extension or deferral program terms and conditions;
5. A copy of the property owner(s)' last will and testament, if any;
6. A copy of the property owner(s)' power of attorney, if any;
7. Copies of current photo identification, e.g., driver's license, state identification card, Real ID, passport, etc., for everyone who resides at the property; and
8. A certificate of homeowners' insurance or a current homeowners' insurance declaration page (*required if applicant is interested in a recommendation for deferment*);

If the Lackawanna County Area Agency on Aging determines that the application is fully complete and that the age and financial hardship requirements of the program have been met, the application will be forwarded by the Area Agency on Aging to NeighborWorks Northeastern Pennsylvania.

NeighborWorks Northeastern Pennsylvania will contact each applicant to schedule a one-on-one financial coaching session which will include a comprehensive overview of the elderly extension or deferral program and its ramifications. NeighborWorks Northeastern Pennsylvania will also assist applicants in obtaining additional services or resources for which they may be qualified and that may otherwise prevent applicants from losing their residence or equity in their residence as a result of unpaid taxes. All applicants must participate in financial coaching with NeighborWorks Northeastern Pennsylvania. If it is determined that an Applicant(s) wishes to continue to reside in the property, stay the tax sale of same and defer the payment of tax claims, Applicant(s) will be required to attend annual financial coaching sessions with NeighborWorks Northeastern Pennsylvania as a condition of continued annual deferment. An applicant(s)' attorney-in-fact appointed through a

power of attorney, executor appointed through a last will and testament, guardian appointed by the Court or next of kin, if any, are required to participate in financial coaching provided by NeighborWorks Northeastern Pennsylvania.

Upon receipt of the report and recommendation of the Lackawanna County Area Agency on Aging and NeighborWorks Northeastern Pennsylvania the Tax Claim Bureau may:

1. Extend the period for discharge of the tax claim or claims for up to three (3) additional months if it appears to the bureau that suitable arrangement for payment of the tax claim or claims can be made within that period;
2. If it is determined that the owner desires to continue to reside in the residence and cannot afford to pay the tax claim or claims and continue to live in a comfortable lifestyle, stay the tax sale and defer payment of the tax claim or claims until such time as title to the property is transferred or the owner is no longer the sole occupant of the property. All taxes so deferred shall constitute a lien on the property and shall attach as of the date and in the same manner and shall be collected as other liens for taxes, but the taxes shall be due and payable only when title to the property is transferred or the eligible owner is no longer the sole occupant; or
3. If it is determined that the owner does not desire to continue to reside in the residence, or that a deferral of tax pursuant to paragraph (2) would jeopardize ultimate recovery of the tax claim or claims in full, and it appears that the owner has equity in the residence which would be lost at a regular tax sale, a special sale of the residence can be arranged. At least two (2) independent appraisals of the residence shall be obtained, and the residence shall be placed on the market at a price midway between such appraisals for a period not to exceed eleven (11) months from the date the property was initially scheduled for sale. If the property is sold within that period, the proceeds shall be distributed in the priority stated in § 205(d) of the Real Estate Tax Sale Law and confirmed as provided in § 205(e). Cost of the appraisals and seller's costs of the sale shall be borne by the owner. If the property is not sold within that period, the property shall be sold at the next regularly scheduled tax sale, and costs incurred shall be recouped by the Bureau at the sale.

All taxes that are deferred under this program shall bear simple interest from the date they become due and payable until the date they are paid and will constitute a lien on the property, which will be filed in accordance with the terms of Ordinance 16-0255. The interest rate per annum for each calendar year shall be the rate established by § 306 of the Real Estate Tax Sale Law, which is currently set a nine (9%) percent.

If the property is transferred, becomes occupied by others in addition to the owner-applicant(s), the owner(s) vacate the property, the owner-applicant(s) pass away or the Applicant(s) fail to comply with the terms of the program, the extension or deferral will be terminated and all delinquent real estate taxes owned will become due and payable.

s/ Joseph J. Joyce, III
Acting Deputy Director

ACKNOWLEDGEMENT

I hereby acknowledge that I have been provided with and have reviewed all of the foregoing terms and conditions of the elderly extension or deferral program, consisting of four (4) typewritten pages.

Applicant

DATED: _____

Co-Applicant

DATED: _____

Co-Applicant

DATED: _____

Co-Applicant

DATED: _____

Co-Applicant

DATED: _____