



Legislation Details (With Text)

File #: 2004-0174 **Version:** 1

Type: Resolution **Status:** Passed Finally

File created: 3/16/2004 **In control:** Committee on Finance & Budget

On agenda: **Final action:** 4/6/2004

Enactment date: 4/6/2004 **Enactment #:** 144

Effective date: 4/15/2004

Title: Resolution adopting a schedule of attorney fees in connection with the collection of delinquent real estate taxes and other municipal claims, pursuant to the Municipal Claims and Tax Lien Act of May 16, 1923, P.L. 207, No. 153, as amended.

Sponsors:

Indexes: MISCELLANEOUS

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
4/15/2004	1	Mayor	Signed by the Mayor	
4/6/2004	1	City Council	Passed Finally	Pass
4/6/2004	1	City Council	Passed Finally	Pass
4/6/2004	1	City Council	Passed Finally	Pass
3/31/2004	1	Committee on Finance & Budget	AFFIRMATIVELY RECOMMENDED	Pass
3/30/2004	1	City Council	RECOMMITTED	Pass
3/24/2004	1	Committee on Finance & Budget	AFFIRMATIVELY RECOMMENDED	Pass
3/16/2004	1	City Council	Read and referred	

Presented by Mr. Hertzberg

Resolution adopting a schedule of attorney fees in connection with the collection of delinquent real estate taxes and other municipal claims, pursuant to the Municipal Claims and Tax Lien Act of May 16, 1923, P.L. 207, No. 153, as amended.

WHEREAS, the City of Pittsburgh is required from time to time to enforce collection of delinquent real estate taxes and other municipal claims; and

WHEREAS, the expense of such enforcement, when absorbed by the City constitutes a further demand on the City's resources; and

WHEREAS, Act 20 of 2003 amends the Municipal Claim and Tax Lien Act of May 16, 1923, P.L. 207, no. 153, as amended, to permit the City to recover reasonable attorney's fees in connection with the collection of taxes and municipal claims as defined under the Act from the persons and property owing such claims; and

WHEREAS, the City desires to exercise such right in order to encourage timely payment of municipal claims

including real estate and the collection of delinquent accounts, and to reduce the expense to other taxpayers of enforced collection; now therefore

Be it resolved by the Council of the City of Pittsburgh as Follows:

Section 1. This resolution shall be known as the Delinquent Tax and Municipal Claim Attorney's Fees Resolution.

Section 2. Schedule of Fees. The City hereby approves the following schedule of attorney's fees for services in connection with the collection of accounts, which is hereby determined to be fair and reasonable compensation for the services set forth below, all in accordance with Act 20 of 2003:

LEGAL SERVICES	FEE FOR SERVICES
Filing of Lien	\$75.00
Title Search	\$250.00
Preparation and Service of Writ of Scire Facias	\$400.00
Required additional notice and presentation of related Motions regarding Federal tax liens, judgements and mortgages	\$150.00
Alternative service of legal Pleadings	\$280.00
Entry of Judgment	\$120.00
Preparation of Writ of Execution and attend Sheriff Sale	\$600.00
Services not covered above are billed hourly	\$150/hr. - attorney \$75/hr. - paralegals

- (a) There shall be added to the above amounts the reasonable out-of-pocket expenses of counsel in connection with each of these services, including Sheriff's and Prothonotary's fees.
- (b) The amount of fees determined as set forth above shall be added to the claim in each account.

Section 3. Fee Accrual and Filing Claims. Fees shall be accrued for all efforts in collection from and after the 30th day following the Notice provided under Section 2 hereof, on all accounts referred to counsel for enforcement. Fees accumulated with respect to enforced collection shall be certified by duly appointed counsel and, if not collected in due course with the debt as by voluntary agreement, shall be included in all claims

(including liens) filed on behalf of the City in the course of enforcement including, if accrued before lienning, any claim originally filed with the Prothonotary.

Section 4. Notice. The notice required by Section 3(a.3) of Act 20 shall be provided in accordance therewith and shall be incorporated into the first and all subsequent collection or delinquency notices sent by the City or its agent or counsel.

Section 5. Effective Date. This Resolution shall take effect immediately.

Section 6. Finally, that any Ordinance or Resolution or part thereof conflicting with the provisions of this Resolution, is hereby repealed so far as the same affects this resolution.