Tax Compromise Checklist and Application

Please use this checklist to organize the packet of materials you will include as part of your application. Be sure to clearly label documents with the appropriate exhibit number. For example, the copy of the deed should clearly be identified as "Exhibit A."

Submitted documents should be collected in a single envelope or folder, in the order listed below. Applications not submitted in the manner described above will not be accepted. Completed applications should be submitted to the Code Enforcement Office in the Wilkinsburg Borough Building, 2nd floor, 605 Ross Avenue, Wilkinsburg, PA 15221. 412-244-2900.

Checklist

___ Application Fee

$2,500 (non-refundable) due upon submission and payable via check or money order to Borough of Wilkinsburg. Applicant is responsible for all court, attorney and other fees associated with the tax compromise process. In the event the application fee does not cover all of these costs, the applicant shall be billed by the Borough accordingly.

___ Completed written application form

All parties to the transaction must be identified in the application, both owner and purchaser, including the names and contact information of any individual(s) having an ownership interest as an individual, or an ownership interest as an entity that is party to the transaction.

___ Exhibit *A*: Copy of deed

You may obtain a copy of the deed from the Allegheny County Recorder of Deeds Office (412) 355-4300. There may be a fee for this service.

__ *Exhibit B*: Evidence of financial capacity to complete planned improvements.

Proof can include copies of funding commitment letters and / or other proof of financial capacity such as a personal financial statement, bank statement, or tax return.

___ Exhibit C: Title report issued in the last 60 days

A title report on the property in question must be issued within 60 days of the application, and must be submitted by a title searcher or attorney affiliated with a title insurance company, and said searcher or attorney cannot have any legal or equitable interest in the property.

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___ Exhibit D: Documentation of assessed value

Acceptable documentation includes a copy of a notice from the Allegheny County Office of Property Assessment.

___Exhibit E: Copy of building permit(s) if required and description of work

In some cases, a building permit can be submitted up to 90 days after approval of application; approval to be revoked if permit not submitted.

____ Exhibit G: Affidavit of Non-Collusion

Format of this affidavit is included in the application packet

____ Exhibit H: Tax Certification from Berkheimer

You must contact Berkheimer to request tax certification. There is a fee for this service.

____ Exhibit I: A verifiable and notarized sales agreement for the property. Transfer value cannot exceed the lessor of 10% of the delinquent taxes or *(insert amount, ~$2,500)*.

Tax Compromise Application

Overview

This application is for any person, organization, corporation, limited liability company, partnership or association seeking tax compromise on a property in the Borough of Wilkinsburg for which they have verifiable and notarized sales agreement with the property owner.

The applicant cannot be the owner of the property in question at the time of application or during review of application for tax compromise. The sales agreement cannot exceed the lesser of 10 percent of the property's appraised value or (*insert amount; ~$2,500)*.

If the Applicant fails to submit this form in compliance with the instructions herein then the applicant will be ineligible for tax compromise.

Review Process

Applications for tax compromise will be submitted to the Borough Code Enforcement Department. Code Enforcement shall review the application for completion and shall submit the application to the Wilkinsburg Joint Committee on Administrative Process to Reclaim Vacant Properties who will either approve or reject this application. The applicant will be notified of the Joint Committee's decision via a letter from the Borough Manager.

If the application meets the requirements of all applicable laws and upon approval of the application by the Joint Committee, then the Borough Manager or his/her designee shall cause a petition to be filed on behalf of the property(ies) identified herein. Wilkinsburg Borough and School District cannot promise or guarantee the outcome of said petition for tax compromise because said decisions are contingent upon the approval of the Allegheny County Court of Common Pleas to accept less than the total taxes and/or penalties due in full satisfaction of the tax debt where the amount owed exceeds either the amount which could be realized at tax sale or the amount which could be obtained by enforced collection.

The applicant shall pay with the submission of this application, an application fee of $2,500. This application fee must be paid in the form of a certified check, cashier's check or money order payable to The Borough of Wilkinsburg. This application fee shall be applied toward all court, attorney and other fees associated with the tax compromise process. Applicant is responsible for all court, attorney and other fees associated with the tax compromise process requested herein. In the event the application fee does not cover all of these costs, the applicant shall be billed by the Borough accordingly.

Additional Information and Assistance

Additional information on the tax compromise program is available by contacting the Code Enforcement Office at (412) 244-2900 or code@wilkinsburgpa.gov.

Applicant Information

General Information

Property Address: _____

Lot and Block #: _____

Name of Applicant: _____

Mailing Address: _____

_____

Daytime Phone: _____

Evening Phone: _____

Email Address: _____

Is Applicant current on all real estate taxes for properties owned in Allegheny County?

☐ Yes ☐ No ☐ Not Applicable

Does Applicant have any open building code violations for properties owned in AlleghenyCounty?

☐ Yes ☐ No ☐ Not Applicable

Additional Property* _____

_____

_____

* Note: List all other real property in Allegheny County owned by the applicant or in which the

applicant has any shared ownership interest. Include addresses and lot and block #s. Attach an additional sheet if necessary.

Building and Improvement Information

Building Permit # (if required for improvements) and Date of Issuance _____

Project Type: ☐ Residential ☐ Commercial ☐ Mixed-

UseConstruction Start Date: _____

Estimated Total Construction Costs: _____

Brief Description of the Planned Improvements: _____

_____

_____

_____

Attach additional pages if necessary

Summarize the Plan for Financing. Please include amounts and whether or not the financing source has been approved. Attach funding commitment letters and / or other proof of financial capacity such as a personal financial statement, bank statement, or tax return.

_____

_____

_____

Current assessed value: _____

Date of last assessment: _____

Title and Equitable Owner Information

Name of Owner as it Appears on the Deed: _____

Current Occupant of the Property: _____

Will any businesses or residents be permanently displaced as a result of the plannedimprovements?

☐ Yes ☐ No

Is There a mortgage on the property?

Origination Date: _____

Principal Amount: _____

Interest Rate: ____

Term: _____

Title and Equitable Owner Information Continued

Are there any unpaid tax, water, utility bills, municipal service fees and/or other liens against theproperty or any other properties that the Applicant has an interest in that are located in Allegheny County?

If yes, please describe: _____

Attachments

Please attach the following items to this application:

1) Application Fee of $2500 payable by cashier's check, certified check, or money order to Borough of Wilkinsburg. **Application Fee is non-refundable.**
2) Copy of the deed
3) Appraisal of fair market value
4) Title report issued in the last sixty days

5) Documentation of assessed value
6) Copy of building permit(s) if required, and a description of work to be completed
7) Evidence of financial capacity such as a personal financial statement, bank statement, or tax return
8) Verifiable Sales Agreement
9) Copy of the Demolition or Building Permit (if required for the planned improvements)
10) Affidavit of Non-Collusion
11) Tax Certification from local tax collector

Please be advised, withdrawing the application after submitting will result in a $250 processing fee.

Affirmation

IT IS A MISDEMEANOR UNDER THE ACT OF DECEMBER 6, 1972, 18 PA C.S.A. §4984 TOMAKE A FALSE STATEMENT WITH INTENT TO MISLEAD PUBLIC OFFICIALS.

I hereby certify that the statements made in this Application are true and correct to the best ofmy knowledge, information and belief. I understand that these statements will be relied upon and that false statements are grounds for revocation of the approval of this Application.

Date:_____ Signature of Applicant: _____

Exhibit G

Affidavit of Non-Collusion

We, _____(Full Name of APPLICANT Making Sworn Statement) of__
_____(Address of APPLICANT Making Sworn Statement), being of legal age (hereinafter APPLICANT),

And

_____(Full Name of OWNER of property(ies) Making Sworn Statement) of_____(Address of Owner Making Sworn Statement) being of legal age (hereinafter OWNER),

Understand the obligation to tell the truth in applying for tax compromise and understand there may be legal and financial penalties for knowingly making false statements or negligently omitting important facts and do hereby depose and say under oath as follows:

1. We make this affidavit for no improper purpose.

2. We have a written, executed agreement for the sale of real estate in the Borough of Wilkinsburg.

3. The aforementioned Agreement was made at arms-length and includes a bonafide purchase price for the property(ies).

4. APPLICANT and OWNER are not related through business, investment or family.

5. APPLICANT and OWNER do not share any financial interests as follows:

A. Financial Interest: APPLICANT and OWNER share a financial interest if they have, directly or indirectly, through business, investment, or family:

(i) An ownership or investment interest in any entity with which they have a transaction or arrangement,,

(ii) A compensation arrangement with one another above and beyond the purchase of the property(ies) to be tax compromised or with any entity or individual with which the APPLICANT or OWNER has a transaction or arrangement, or

(iii) A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which either APPLICANT or OWNER is negotiating a transaction or arrangement. For purposes of this Affidavit, “compensation” includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

5. The aforementioned Agreement for the sale and purchase of property(ies) was not entered into solely for the purpose of obtaining the compromise of taxes.

Witness our hand under the penalties of perjury _____
(Date of Statement)

_____
Signature Of First Deponent

_____
Signature Of Second Deponent

Commonwealth of Pennsylvania
COUNTY OF Allegheny

On_____before me,_____:,
Personally, appeared _____ , personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose name are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacity, and that by their signature on the instrument the person executed the instrument.

WITNESS my hand and official seal.

_____
Signature

Receipt

Please make sure to get this receipt signed and retain it for your records. It will serve as proofthat your application was submitted.

Property Address: _____

Name of Applicant: _____

To be Completed by Borough

Date Received: _____

Signed: _____