

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 An Act to amend and reenact § 58.1-3970.1 of the Code of Virginia, relating to appointment of special
3 commissioner to execute title to certain real estate in certain cities.

4 [H 1532]
5 Approved

6 **Be it enacted by the General Assembly of Virginia:**
7 **1. That § 58.1-3970.1 of the Code of Virginia is amended and reenacted as follows:**

8 § 58.1-3970.1. Appointment of special commissioner to execute title to certain real estate with
9 delinquent taxes or liens to localities.

10 **⚭ A.** *Except as provided in subsection B, in any proceedings under this article for the sale of a*
11 *parcel or parcels of real estate which meet all of the following: (i) each parcel has delinquent real estate*
12 *taxes or the locality has a lien against the parcel for removal, repair or securing of a building or*
13 *structure; removal of trash, garbage, refuse, litter; or the cutting of grass, weeds or other foreign growth,*
14 *(ii) each parcel has an assessed value of \$50,000 or less, and (iii) such taxes and liens, together,*
15 *including penalty and accumulated interest, exceed 50 percent of the assessed value of the parcel or such*
16 *taxes alone exceed 25 percent of the assessed value of the parcel, the locality may petition the circuit*
17 *court to appoint a special commissioner to execute the necessary deed or deeds to convey the real estate*
18 *to the locality in lieu of the sale at public auction. After notice as required by this article, service of*
19 *process, and upon answer filed by the owner or other parties in interest to the bill in equity, the court*
20 *shall allow the parties to present evidence and arguments, ore tenus, prior to the appointment of the*
21 *special commissioner. Any surplusage accruing to a locality as a result of the sale of the parcel or*
22 *parcels after the receipt of the deed shall be payable to the beneficiaries of any liens against the property*
23 *and to the former owner, his heirs or assigns in accordance with § 58.1-3967. No deficiency shall be*
24 *charged against the owner after conveyance to the locality.*

25 **B.** *For a parcel or parcels of real estate in the Cities of Norfolk, Richmond, Hopewell, Newport*
26 *News, and Petersburg, all of the provisions of subsection A shall apply except that the percentage of*
27 *taxes and liens, together, including penalty and accumulated interest, and the percentage of taxes alone*
28 *set forth in clause (iii) of subsection A shall exceed 35 percent and 15 percent, respectively, of the*
29 *assessed value of the parcel or parcels.*

ENROLLED

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