

## TAX INSTALLMENT RULES

1. Maximum term of agreement shall not exceed 24 months  
  
The payment schedule shall be monthly  
  
The required initial down payment will be a minimum of 10%  
  
Any property within Chemung County will be eligible for the installment payment plan.
2. A property owner shall not be eligible to enter into an agreement if any of the following conditions exist.  
  
There is a delinquent tax lien on the same property for which the application is made or on another property owned by such person and such delinquent tax lien is not eligible to be made part of the agreement.  
  
Such person is the owner of another parcel within the tax district on which there is a delinquent tax lien, unless such delinquent tax lien is eligible to be and is made part of the agreement.  
  
Such person was the owner of another parcel within the county on which there existed a delinquent tax lien and which the lien was foreclosed within three (3) years of the date on which an application is made to execute an agreement.  
  
Such person defaulted on a repayment agreement with Chemung County within three (3) years of the date on which an application is made to execute a new agreement.
3. A property owner shall be eligible to enter into an agreement no earlier than thirty (30) days after the delivery of the return of unpaid taxes to the enforcing officer.
4. The amount due under the installment agreement shall be the eligible delinquent taxes plus the interest that is to accrue on each installment payment up to and including the date on which each payment is to be made. The agreement shall provide that the amount due shall be paid, as nearly as possible, in equal amounts on each payment due date. Each payment shall be due on the last day each month.
5. Interest on the total amount of eligible delinquent taxes, less the amount of the down payment made by the eligible owner, if any is required, shall be 12% per annum. The rate of interest in effect on the date the agreement is signed shall remain constant during the period of the agreement. If an installment is not paid on or before the date it is due, interest shall be added at the applicable rate for each month or portion thereof until paid. In addition, if an installment is not paid by the end of the fifteenth (15) calendar day after the payment due date, a late charge of five (5%) percent of the overdue payment shall be added.
6. The eligible owners shall be deemed to be in default of the agreement upon:  
  
Non-payment of any installment within thirty (30) days from the payment due date.  
  
Non-payment of any tax, ad valorem levy or special assessment which is levied subsequent to the signing of the agreement by the tax district, and is not paid prior to the receipt of the return of unpaid taxes by the enforcing officer.  
  
Default of the eligible owner on another agreement made and executed by Chemung County.
7. In the event of a default, the county shall have the right to require the entire unpaid balance, with interest and late charges, to be paid in full. The county shall also have the right to enforce the collection of the delinquent tax lien pursuant to the applicable sections of the law, special tax act, charter or local law.
8. Where an eligible owner is in default and the county does not either require the eligible owner to pay in full the balance of the delinquent taxes or elect to institute foreclosure proceedings, the county shall not be deemed to have waived the right to do so.
9. Notification of potential eligible owners:  
  
Within forty-five (45) days after receiving the return of unpaid taxes from the collecting officer, or as soon thereafter as practicable, the enforcing officer shall notify, by first class mail, all potential eligible owners of their possible eligibility to make installment payments in such taxes delinquencies. The enforcing officer shall add \$1.00 to the amount of the tax lien for such mailing.  
  
The failure to mail any such notice, or the failure of the addressee to receive the same, shall not in any affect the validity of taxes or interest prescribed by law thereto.  
  
The enforcing officer shall not be required to notify the eligible owner when an installment is due.

10. The provisions of this section shall not affect the tax lien against the property except that the lien shall be reduced by the payments made under an installment agreement, and that the lien shall not be foreclosed during the period of installment payments provided that such installment payments are not in default.