



Town of Chester Tax Enforcement Policy

Last Updated: 4/15/2026

Approved: 5/19/2026

PURPOSE

To provide guidance for equitably enforcing tax obligations and set expectations for both the Town and taxpayers, this policy clearly defines when and how the Town will transition unpaid property taxes from tax title through to foreclosure. It is in the best interest of the Town and its residents that property taxes be paid when due. The Town budget is set in anticipation of the collection of taxes, and taxes not paid by some property owners shift the cost burden onto others. The Town recognizes that individuals may go through periods of financial difficulty, but any taxpayer who becomes delinquent will be encouraged to find alternative resources to pay in full as soon as possible.

APPLICABILITY

This policy applies to the Collector's and Treasurer's relevant job duties, including the Treasurer's responsibility for managing services contracted through the Town's tax title attorney. Tax enforcement applies to all Chester real estate property owners whose taxes are not exempt.

POLICY

The Town intends to timely pursue all legal methods to collect taxes from delinquent property owners with the aim of achieving a minimum collection rate target of [98] percent by fiscal year-end. Tax delinquency is defined as a bill outstanding at least one year and one day after its final due date, and it represents a lien on property that remains in effect until all taxes, interest, and fees have been paid in full. The costs of all collection methods are added to the real estate tax bill and property lien. The Town will also periodically pursue foreclosure actions with the primary objective of receiving all monies due. Taxpayers are responsible for notifying the Town in writing of any mailing address changes.

A. Demands

Final taxes are due to be paid as of May 1 each year (the due date for the fourth quarter tax bill). No later than June 1, the Collector will issue demand notices to all assessed property owners who have failed to pay in full, have not been granted full exemptions, and do not have automatic stays on record due to bankruptcy filings.

B. Tax Taking

State law allows the tax taking process to begin as soon as 15 days after the demand, but, in every case, the Collector must complete the takings within 3½ years from the end of

the fiscal year for which the taxes were assessed to secure, or perfectly, the tax liens. The Collector will work with delinquent taxpayers to delay the tax taking process as long as the taxpayer is making scheduled payments of at least 10% of the outstanding tax.

The Collector will establish annual tax taking schedules for all delinquent taxpayers who have failed to respond to the demand notices or meet their partial payment requirements. The Collector will send at least five (5) enforcement letter to delinquent property owners as a courtesy to potentially avoid a tax taking advertisement. If this does not result in full remittance by [September 1], the Collector will publish a Notice of Tax Taking at the location of the property, a copy will be mailed to the owners address, it will be posted on the town's website and at the Chester Post office. From this point forward only certified checks, or cashier's check, are acceptable forms of payment.

Within 60 days of the tax taking announcements, the Collector will prepare an Instrument of Taking form for each delinquent property and record them at the Registry of Deeds to perfect the tax liens. After receiving the recorded Instruments back from the Registry, the Collector will notify the affected property owners of the liens by sending each of them a letter and a copy of the Instrument. The Collector will provide copies of the List of Recorded Takings to the Treasurer, Town Accountant, and Town Administrator.

The Collector shall carefully document the taking process to preserve the Town's rights for future actions.

C. Subsequent Taxes

After the demand bill and before June 15 each year, the Collector will certify all unpaid taxes for parcels of real estate taken into tax title for nonpayment of taxes in prior years and not yet redeemed and put them in a Subsequent Tax Takings report. The Collector will provide copies of the report to the Treasurer, Town Accountant, and Town Administrator and retain one on file.

D. Interest, Fees, and License Revocation

All delinquent taxpayers are subject to charges, which the Collector will add to their accounts and tax bills. These include interest accrued to the date of tax taking, advertising fees, certified mailing costs, legal fees, and all recording fees.

The Collector will create a list of all the individuals who are delinquent in paying taxes or other charges and provide it to the Town departments, boards, and committees that issue licenses and permits. These authorities will review the list to deny, suspend, or revoke delinquent taxpayers' licenses and permits.

E. Tax Title Payment Agreements

This section is subject to the adoption of a tax title payment agreement bylaw, M.G.L. c. 60, § 62A.

The Treasurer will pursue and establish payment agreements for parcels in tax title to allow delinquent taxpayers to pay off their tax liens over time. The Treasurer will actively monitor compliance with all such agreements, which will have the following features in common:

- Signed agreement between the Treasurer and taxpayer
- Upfront payment of at least 25 percent of the full balance owed
- Specific amount to be paid each month

- Incorporation of payments for the current tax bill
- Agreement term not exceeding five years

- *Statement that defaulting on the agreement will immediately trigger foreclosure action by the Town*

For taxpayers who fully comply with their payment agreements, the Treasurer will waive 50 percent of the interest accrued on their tax title accounts.

F. Redemption or Foreclosure

The primary policy goal of the foreclosure process is to receive the outstanding amounts owed. At least once every year, the Treasurer will review all tax title properties that are older than 180 days and do not have payment agreements or bankruptcy recordings. From these, the Treasurer will identify all properties of significant value to process for potential foreclosure in Land Court. To do this, the Treasurer will thoroughly verify the properties' enforcement histories before referring them to the tax title attorney, beginning with those having the largest dollar value of taxes owed.

As manager of the service contract, the Treasurer will ensure the tax title attorney complies with the objectives laid out in this policy section. The Treasurer will work with the tax title attorney to prepare parcels in tax title status for foreclosure, beginning by providing each Instrument of Taking and notification and payment history. The tax title attorney will research the tax title properties and mail new collection enforcement letters to the taxpayers informing them of the importance of redeeming the property and warning of potential foreclosure action.

Prior to the property being foreclosed, if a taxpayer or other party pays the outstanding amount on a tax title property, the Treasurer will prepare an Instrument of Redemption and file it at the Registry of Deeds to remove the lien. If the obligation remains unpaid, the tax title attorney will proceed with foreclosure action in Land Court, possibly resulting in auctioning of the property.

In addition to Land Court foreclosure referrals, the Treasurer is responsible for completing foreclosures on any properties below the "Land of Low Value" threshold, which is annually updated each spring by the Division of Local Services (DLS).

REFERENCES

M.G.L. c. 60, § 6 M.G.L. c. 60, § 16 MGL c. 60, § 22 M.G.L. c. 60, § 37

M.G.L. c. 60, § 40 M.G.L. c. 60, § 50 M.G.L. c. 60, § 53 M.G.L. c. 60, § 54

M.G.L. c. 40, § 57 M.G.L. c. 60, § 61 M.G.L. c. 60, § 62 M.G.L. c. 60, § 62A

M.G.L. c. 60, § 63 M.G.L. c. 60, § 76 M.G.L. c. 60, § 77 M.G.L. c. 60, § 79

M.G.L. c. 60, § 80

DLS Best Practice: *Enforcing Collections*

DLS Guidance: *Local Tax Collection FAQs*

DLS Informational Guideline Releases 03-210: *Collection Costs and Procedures*, 05-208: *Payment Agreements and Tax Receivable Assignments and Land of Low Value Foreclosure Valuation Limit* (updated annually)

Massachusetts Collectors & Treasurers Association: *Treasurer's Manual* and *Collector's Manual*

Attachment A
Residents Check List on Important Information for Tax Taking

1.) Stay Current

- Pay your full property tax bill by **May 1**
- Make sure the Town has your **correct mailing address**

2.) If You Miss a Payment

- Expect a **demand notice by June 1**
- Pay as soon as possible to avoid added **interest and fees**

3.) Avoid Tax Taking (Lien on Property)

- Respond to all Town notices (you may receive multiple letters)
- If you can't pay in full, make **partial payments (at least 10%)**
- Pay your balance before **September 1** to avoid public notice

4.) If Your Property Enters Tax Taking

- Be aware:
 - A **legal lien** will be placed on your property
 - Your debt will increase with **fees and legal costs**
 - Payments are limited to **checks or cashier's checks**
 - Act quickly—this stage becomes harder and more expensive to resolve

5.) Payment Plan Option (if available)

- Contact the Treasurer to set up a plan
- Be prepared to:
 - Pay **25% upfront**
 - Make **monthly payments**
 - Stay current on new taxes
 - Complete the plan to qualify for **up to 50% interest forgiveness**
 - Avoid missing payments—default may lead to **foreclosure**

6.) Important Consequences of Nonpayment

- Additional **interest, legal, and processing fees** will be added
- You may be **denied or lose licenses/permits**
- Your property could move toward **foreclosure**

7.) Foreclosure Risk

- Properties with unpaid taxes may be reviewed **each year**
- You will receive final notices before legal action
- To stop foreclosure, you must **pay the full amount owed**
- If unresolved, your property may be **foreclosed and sold**

8.) If You're Struggling

- Contact the Town **early** to discuss options
- Ask about:
 - Payment agreements
 - Possible exemptions or relief programs