



PROPERTY TAX DEED OVERVIEW

*New
Collectors
2026*

RSA 80:76 TAX DEED

The collector, **after 2 years** from the execution of the real estate tax lien, **shall execute** to the lienholder (municipality) a **deed** of the land subject to the real estate tax lien and not redeemed. With the following exceptions:



RSA 80:76 TAX DEED (EXCEPTIONS)

acceptance and ownership of the real estate would subject the municipality to undesirable obligations or liability risks, including obligations under real estate covenants or obligations to tenants, or for any other reason would

The governing body has deemed the property an environmental liability.

Such a decision **shall not be made solely for the benefit of a taxpayer.**

RSA 80:76 TAX DEED (CONT.)

- When a governing body has, under paragraph II or II-a, served notice (deed waiver) upon the collector it shall not accept the deed, the **tax lien shall remain in effect indefinitely**, retaining its priority over other liens. The taxpayer's **right of redemption** as provided by RSA 80:69 shall likewise be **extended indefinitely**, with interest continuing to accrue as provided in that section.
 - The **tax lien may be enforced by the municipality by suit** as provided under RSA 80:50, and through any remedy provided by law for the enforcement of other types of liens and attachments.

- If, at any time, in the judgment of the municipal governing body, the **reasons** for refusing the tax deed **no longer apply**, and the tax lien has not been satisfied, the **governing body may instruct the collector** to issue the **tax deed**, and the collector shall do so after giving the notices required by RSA 80:77 and 80:77-a.



RSA 80:76 TAX DEED (CONT.)

PREPARE FOR TAX COLLECTOR'S DEEDING

Set Deed Date – be sure it coincides with the governing body's meeting date AS WELL AS the originating lien date.



PREPARE FOR TAX COLLECTOR'S DEEDING (CONT.)

- Run reports listing all properties eligible for deed.
- Send list to search company; identify mortgagees.
- Check to see if any properties are in bankruptcy.



CAUTION: You shall not send an impending deed notice to any property in bankruptcy.

PREPARE FOR TAX COLLECTOR'S DEEDING (CONT.)

Compile deed folders for
each property eligible.

Sample can be found in the
best practice manual on the
NHTCA website:
<http://nhtaxcollectors.org>



ADMINISTRATIVE CHECKLIST

Found on **PAGE 119**
Recommended Policy and
Procedure Manual

Administrative Checklist for Tax Deeding

Owner: _____

Map/Lot: _____

Lien Perfected: _____ RSA 80:64

<input type="checkbox"/>	Current Assessing Card	
<input type="checkbox"/>	Total Due as of Deed Date	Date: _____
<input type="checkbox"/>	Both tax bills	Second Issue Due Date _____
<input type="checkbox"/>	Notice of Delinquent Taxes	RSA 78:11-b _____
<input type="checkbox"/>	Notice of Impending Lien	RSA 80:60 _____
<input type="checkbox"/>	Lien Mortgagee Search	RSA 80:65 _____
<input type="checkbox"/>	Notice of Impending Deed	RSA 80:77 _____
<input type="checkbox"/>	Deed Mortgagee Search	RSA 80:77-a _____
<input type="checkbox"/>	Any Coorespondence - rtd mail, phone calls	
<input type="checkbox"/>	Deed Waiver	
<input type="checkbox"/>	Deed	

At least 30 days prior to executing the deed:

- Tax Collector shall notify the **current owner** of the property or his representative or executor.
- By **certified mail**, return receipt requested.
- Tax Collector shall notify each person holding a **mortgage** upon such property.
- Any mortgagee whose mortgage was recorded in the office of the register of deeds at least 30 days prior to the mailing of the notice.

**RSA 80:77 NOTICE TO
CURRENT OWNER
RSA 80:77-A NOTICE TO
MORTGAGEE**

**RSA 80:77
NOTICE TO
CURRENT
OWNER, RSA
80:77-A
NOTICE TO
MORTGAGEE
(CONT.)**

Notice shall, at the minimum, contain:

Name of the delinquent **taxpayer(s)**.

Description of the **property** subject to the tax lien.

Amount of the tax lien and the amount of fees and expenses necessary for redemption.

Issue **date** of the tax lien **deed**.

Expiration date of the right of redemption.

Warning that the **legal interest** of the taxpayer and each mortgagee will be **extinguished** by the tax lien deed.

RSA 80:77

Notice to Current Owner

Impending Tax Deed to Current Owner Fees include:

Collector's Fee: \$10.00

Certified Mail Fee: \$9.70

Printing Fee: \$1.30

TOTAL: \$21.00* (7/13/2025)

NOTE: Fees subject to adjustment if postage rates change*.

Please reference the NHTCA website: <http://nhtaxcollectors.org>
under "Technical References" for a current list of fees.

Add fees to amount owed prior to noticing!

RSA 80:77-A NOTICE TO MORTGAGEE

Identify Mortgagee(s) (delegated by governing body)

Impending Tax Deed notice to each identified Mortgagees

Fees include:

- 1) Minimum Fee for search: *\$10.00
- 2) Collector's Fee: \$10.00
- 3) Certified Mail Fee: \$9.70
- 4) Printing Fee: \$1.30

Add fees to amount owed prior to noticing!

NOTE: Fees subject to adjustment if postage rates change. Please reference the NHTCA website: <http://nhtaxcollectors.org> under "Technical References" for a current list of fees.

*Or reimbursement of full cost of search service.



26 U.S.C. 7425. REAL ESTATE SUBJECT TO IRS TAX LIENS

Although *property tax liens* can take **priority** over *federal tax liens* (26 USC 6323 (b)(6), a tax deeded property will be subject to the lien (26 USC 7425 (a)(1), unless appropriate notice is provided to the **IRS**.



26 U.S.C. 7425. REAL ESTATE SUBJECT TO IRS TAX LIENS (CONT.)

The notice required **must**:

- Be sent at least **25 days** before the date of deeding
- Be sent registered or **certified mail** to the District Director (IRS Advisory Group), marked for the attention of the “**New England Advisory Group**”
- Include **your name and address**
- Include a **copy of the IRS lien**
- Provide a detailed description of the **property** to be deeded
- The **date**, time and place of the “sale” (notice of impending deeding should suffice)
- The **amount** of the obligation due from the taxpayer
- Even if notice is given, the IRS has a “**redemption right**” for **120 days** after the deeding to claim the property by paying the purchase the amount paid and taking title

If complete redemption is not made before a deed of the real estate is issued, the collector **shall within 10 days** direct the selectmen to issue an order upon the town treasurer to **refund** to the person making such partial payments or his heirs or assigns the **sum so paid**. If the order is **not issued within 30 days**, the sum to be refunded shall draw interest at the rate of **6 percent** per annum.



RSA 80:71 PARTIAL PAYMENTS IN REDEMPTION

Scared?

DON'T BE. We can help!

- County Coordinators
- Executive Committee
- Neighboring Collectors
- Department of Revenue Administration Advisors
- NHTCA Google Group
- NH Tax Collectors' Facebook Group
- New Hampshire Municipal Association

<https://www.facebook.com/groups/nhtaxcollectors>

