

Bond Case Briefs

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FORECLOSURE - MAINE

Stoops v. Nelson

Supreme Judicial Court of Maine - March 5, 2013 - A.3d - 2013 ME 27

Court upholds town's foreclosure of property for unpaid taxes and subsequent conveyance via municipal quitclaim deed.

Town foreclosed on property for unpaid taxes and subsequently conveyed the property via municipal quitclaim. Original owners brought action to quiet title against subsequent purchaser and town, alleging violations of their due process rights.

The Supreme Judicial Court of Maine held that:

- Town complied with statutory notice requirements for imposition of tax lien, as prerequisite to automatic foreclosure;
- Provision of tax lien foreclosure statute that municipality “shall notify” record property owner of automatic foreclosure did not require that taxpayers received actual notice of pending foreclosure; and
- Automatic foreclosure on tax lien did not violate due process.