

**ROBIN L. MILLER, CLERK & MASTER
ELEVENTH JUDICIAL DISTRICT
OF TENNESSEE**

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PROCEDURE FOR REDEMPTION OF PROPERTY AFTER THE HAMILTON COUNTY DELINQUENT TAX SALE
T.C.A. §§ 67-5-2701 – 67-5-2706.

PART 1. WHO MAY REDEEM PROPERTY.

1.1 Any person who owns a legal or equitable interest in the property sold at the tax sale. (Taxpayer may redeem the property regardless of whether any other person has previously redeemed the property during the one-year redemption period. See **PART 3.**, below.)

1.2 Taxpayer Creditors with a lien on the property. (Once property has been redeemed by Taxpayer, no further redemptions is permissible.)

PART 2. WHEN TO REDEEM AND HOW.

2.1 Persons entitled to redeem property may do so not later than 1 year from the date of the ORDER OF CONFIRMATION OF SALE, as evidenced by the records in the OFFICE OF THE CLERK & MASTER OF THE HAMILTON COUNTY CHANCERY COURT.

2.2 Complete the **STATEMENT OF PERSON REDEEMING PROPERTY SOLD AT TAX SALE, FORM 269T**, the basis under which a person is entitled to redeem the property. Pay to the CLERK & MASTER the amount paid for the delinquent taxes, interest and penalties, court costs and any court ordered charges, and interest at the rate of 10% per annum **computed from the date of the sale** on the entire purchase price paid at the tax sale.

PART 3. PROPERTY PREVIOUSLY REDEEMED BY PERSON OTHER THAN TAXPAYER.

3.1 Not later than 1 year **from the date of the ORDER OF CONFIRMATION OF SALE**, as evidenced by the records in the OFFICE OF THE CLERK & MASTER OF THE HAMILTON COUNTY CHANCERY COURT, Taxpayer may redeem property previously redeemed by paying to the CLERK & MASTER the amount paid for the delinquent taxes, interest and penalties, court costs and any court ordered charges, and interest at the rate of 10% per annum **computed from the date of the sale** on the entire purchase price paid at the tax sale.

3.2 Upon the entry of the ORDER OF REDEMPTION using the procedure outlined in PART 4, below, the CLERK & MASTER will disburse the moneys paid to redeem, plus interest at a rate of ten percent (10%) per annum computed *from the date of the order of the previous redemption* to the person previously redeeming as ordered by the court.

PART 4. PROCEDURE WHEN REDEMPTION IS MADE.

4.1 Within 10 days of receipt of the money required for redemption as set forth in PART 2 and PART 3, above, and the STATEMENT OF PERSON REDEEMING PROPERTY SOLD AT TAX SALE, FORM 105T, the CLERK & MASTER will send **NOTICE OF REDEMPTION TO TAX SALE PURCHASER, FORM 270T** to the tax sale purchaser of the property. This notice will state that money to redeem the property has been tendered, the date of the tender, and that the purchaser has 30 days from the date of the tender to file **REDEMPTION PROTEST WAIVER, OR MOTIONS, FORM 271T**, waiving protest of or protesting the redemption and motion requesting additional amounts, if any, to be paid to *compensate the purchaser for any other lawful charges or money, including but not limited to property taxes due or delinquent on the property, reasonable payments made for required maintenance and insurance, expended to preserve the value of the property* (“LAWFUL CHARGES”). The Motion for Lawful Charges on Form 271T shall be supported by appropriate receipts and be duly sworn before a notary public.

4.2 If the Court finds the purchaser has LAWFUL CHARGES, the Court will order the person requesting redemption to pay such additional LAWFUL CHARGES to the CLERK & MASTER. After any additional sums have been paid to the CLERK & MASTER, the Court will order the redemption properly made, and the CLERK & MASTER will disburse the money pursuant to the order. If the Court finds no LAWFUL CHARGES are owing in order to redeem, or upon expiration of the 30-day period for the purchaser to file the motion, the court will order redemption properly made, and the CLERK & MASTER will disburse the purchase price, plus interest at a rate of 10% per annum computed **from the date of the sale**, and any other moneys so ordered by the court to the purchaser.

4.3 In lieu of the motion procedure in 4.1 and 4.2, the Court may by rule or Court order establish an alternate procedure.

PART 5. WASTE.

No person in possession of real property subject to the appropriate redemption period shall commit waste, and such persons shall take reasonable steps to prevent waste.

PART 6. TRANSFER OF TAXPAYER INTEREST IN PROPERTY TO PERSON REDEEMING.

Upon redemption of property, the person who redeems the property acquires the interest held by Taxpayer prior to the sale for delinquent taxes. A redeeming creditor may proceed to foreclose or otherwise enforce such creditor's lien. (N.b. A redeeming person not meeting the requirement of PART 1, above, does not acquire the interest held by Taxpayer prior to the sale for delinquent taxes.)