

Chapter 20
COLLECTION PROCEDURES; PENALTY, INTEREST AND
SCHEDULE OF ATTORNEY FEES

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| <p>§ 20-1. Fees to be added to the unpaid claim.</p> <p>§ 20-2. Costs to be added to the unpaid claims.</p> <p>§ 20-3. Interest.</p> | <p>§ 20-4. Collection procedures.</p> <p>§ 20-5. Related action.</p> <p>§ 20-6. Appointment of solicitor.</p> |
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[HISTORY: Adopted by the Borough Council of the Borough of East Washington 6-3-2013 by Ord. No. 515. Amendments noted where applicable.]

§ 20-1. Fees to be added to the unpaid claim.

East Washington Borough hereby approves the following fee schedule for the collection of unpaid claims, which fees shall be added to the unpaid claim.

- A. Notice expense. A charge, not to exceed \$50, plus postage, shall be added to the unpaid claim for providing notice of delinquency pursuant to § 3 of the Municipal Claims and Tax Liens Act, 53 P.S. §7106. The East Washington Borough may hire a private company to perform this service and add the amount of this charge to the unpaid claim.

- B. Collection fees.

Handling fee for returned check	\$30
Handling fee to issue refund check	\$20
Bookkeeping fee for payment plan of three months or less	\$25
Bookkeeping fee for payment plan of more than three months	\$50
Guaranteed payoff fee	\$25

- C. Legal fees.

Initial review and sending first demand letter	\$160
File lien and prepare satisfaction	\$250
Prepare writ of scire facias	\$250
Obtain re-issued writ	\$30
Prepare and mail letter under Pa. R.C.P. 237.1	\$30
Prepare motion for alternate service	\$250

Prepare request for production of documents in preparation for trial	\$25
Prepare pre-trial memorandum	\$150
Prepare motion for judgment for want of sufficient affidavit of defense pursuant to 53 P.S. § 7271	\$150
Prepare default judgment	\$175
Prepare writ of execution	\$800
Attendance at sale; review schedule of distribution and resolve distribution issues	\$400
Continue sheriff sale	\$50
Petition to assess damages	\$50
Petition for free and clear sale	\$400
Prepare bankruptcy proof of claim	\$100
Services not covered above	At an hourly rate between \$60–\$275 per hour

§ 20-2. Costs to be added to the unpaid claims.

In addition, the reasonable and necessary out-of-pocket charges, costs, expenses, commissions and fees incurred in collection, such as but not limited to, postage, title searches, prothonotary fees and sheriff fees, shall be added to the unpaid claims.

§ 20-3. Interest.

Interest will be assessed upon all delinquent unpaid municipal claims at a rate of 10% per annum and added to the unpaid claim.

§ 20-4. Collection procedures.

The following collection procedures are hereby established in accordance with the Act:

- A. At least 30 days prior to assessing or imposing attorney fees in connection with the collection of an account, East Washington Borough or its designee shall mail or cause to be mailed, by certified mail, return receipt requested, a notice of such intention to the taxpayer or other entity liable for the account (the “property owner”).
- B. If the certified mail notice is undelivered, then, at least 10 days prior to the assessing or imposing such attorney fees, East Washington Borough or its designee shall mail or cause to be mailed, by first class mail, a second notice to the property owner.

- C. All notices required by this chapter shall be mailed to the property owner's last known post office address as recorded in the records or other information of East Washington Borough or such other address as it may be able to obtain from the County Office of Assessment and Revision of Taxes.
- D. Each notice as described above shall include the following:
- (1) The type of tax or other charge, the date it became due and the amount owed, including penalty and interest.
 - (2) A statement of East Washington Borough's intent to impose or assess attorney fees within 30 days after the mailing of the first notice, or within 10 days after the mailing of the second notice.
 - (3) The manner in which the assessment or imposition of attorney fees may be avoided by payment of the account.
 - (4) The place of payment for accounts and the name and telephone number of East Washington Borough's representative designated as responsible for collection matters.

§ 20-5. Related action.

The proper officials of East Washington Borough are hereby authorized and empowered to take such additional action as they may deem necessary or appropriate to implement this chapter.

§ 20-6. Appointment of solicitor.

East Washington Borough appoints Michelle R. Portnoff, Esquire, as solicitor for the limited purpose of collecting delinquent real estate taxes and municipal claims and hereby authorizes her, and attorneys under her supervision, to sign any and all documents, including real estate tax claims, on behalf of the East Washington Borough.

