
Coates' Canons Blog: More In Rem Resources

By Chris McLaughlin

Article: <https://canons.sog.unc.edu/more-in-rem-resources/>

This entry was posted on May 27, 2016 and is filed under Finance & Tax, Property Taxes

In rem foreclosure is becoming an increasingly popular remedy for enforcing local government liens on real property. The process is quicker and cheaper than traditional mortgage-style foreclosures and can be used for a variety of liens including property tax liens, nuisance abatement liens, minimum housing code enforcement demolition liens, and ambulance service liens.

The increased popularity of *in rem* foreclosure has led to increased demand for *in rem* guidance and resources. I'm hopeful my newest publication, *In Rem Foreclosure Forms and Procedures*, will help satisfy that demand.

Produced with input from experienced *in rem* practitioners across the state, this new book gives detailed, step-by-step instructions on how to conduct an *in rem* foreclosure. It replaces the *in rem* section of Bill Campbell's foreclosure book that was last updated more than a dozen years ago. The rest of Bill's book remains a good source for guidance on traditional mortgage-style foreclosure proceedings. Both books can be purchased jointly at a discount here.

In Rem Foreclosure Forms and Procedures helps solve common concerns about the process like these:

What questions do we need to answer before we start a foreclosure? (page 7)

What taxes should be included? (page 27)

How is interest calculated? (page 29)

What disclosures must be made before the foreclosure sale? (page 39)

How does the auction sale and upset bid period work? (page 40)

How are the sale proceeds distributed? (page 48)

What happens if the local government is high bidder and purchases the property? (page 53)

What should we do with taxes that remain unpaid after a foreclosure sale? (page 58)

Purchasers also receive 19 detailed *in rem* foreclosure forms in electronic format so that they can be easily customized for the needs of each local government.

Local governments looking to learn even more about the *in rem* process should consider last year's *in rem* webinar. It features legal and practical advice from experienced practitioners and is available for on-demand viewing here.

Also helpful are past blog posts on the *in rem* process here, here, here, and here.

Links

- www.sog.unc.edu/publications/books/rem-foreclosure-forms-and-procedures-downloadable-zip-file-forms-word-and-pdf-formats
- www.sog.unc.edu/publications/books/property-tax-lien-foreclosure-forms-and-procedures-package-sixth-edition-and-forms-sixth-edition



-
- www.sog.unc.edu/publications/books/rem-foreclosure-forms-and-procedures-zip-file-forms-word-and-pdf-formats-and-property-tax-lien
 - www.sog.unc.edu/courses/webinars/webinar-demand-rem-foreclosure
 - canons.sog.unc.edu/the-tax-foreclosure-decision/
 - canons.sog.unc.edu/in-defense-of-in-rem/
 - canons.sog.unc.edu/when-a-local-government-purchases-property-at-a-tax-foreclosure-part-i/
 - canons.sog.unc.edu/when-a-local-government-purchases-property-at-a-tax-foreclosure-part-ii/