

BERKS COUNTY TREASURER'S OFFICE

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633 Court Street
Reading, PA 19601
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TAX CLAIM BUREAU

**UNCLAIMED FUNDS
PROCEDURES**

Effective Date: September 14, 2017

A. BACKGROUND

The Real Estate Tax Sale Law (“RETSL”) requires the bureau to distribute all moneys collected as the result of any tax sale to the rightful recipients. RETSL requires that all liens, mortgages and judgments to be paid from the proceeds of the sale. In some cases, excess funds remain for payment to the former owner of the property sold as a result of delinquent taxes. Prior to the actual distribution of the funds, the bureau, in some cases, is required to petition the court of common pleas for a confirmation of distribution. There are times when the bureau is unable to locate the rightful recipient for the distribution. In these cases, RETSL provides that whenever no claim for payment of any balance due the owner of the property is presented by or on behalf of the owner within a period of three (3) years of the date of the sale, the balance of the proceeds shall be distributed to the respective taxing districts pro rata based on the millage imposed by the respective taxing districts as of the year such property was sold.

B. OBJECTIVES

These Rules and Regulations are designed to establish a uniform practice and procedure for an owner of the property to make a claim for payment of any balance due within a period of three (3) years of the date of the sale.

C. THE APPLICATION PROCESS

The application form and all required copies/documents must be submitted to the Berks County Tax Claim Bureau at 633 Court St., 2nd fl., Reading, PA 19601.

D. CLAIMANT/INDIVIDUAL

If you are the individual listed as the previous owner, you will be required to:

1. Fill out application
2. Provide photo copy of your driver’s license or other government issued photo identification
3. Provide proof associating you to the property sold at Tax Sale
 - a. utility bill
 - b. mortgage payment coupon that
 - c. post-marked envelope
 - d. driver’s license
 - e. canceled check
 - f. pay stub

E. ESTATES

The personal representative needs to provide a certified copy of the death certificate and a short certificate. The short certificate must be updated within two (2) years. Checks will be made payable to the Estate.

F. BUSINESS ENTITY

The representative needs to provide proof that they are an authorized representative of the business entity and that they have the authority to claim the funds on behalf of the entity.

G. POWERS OF ATTORNEY

The Bureau will honor personal Powers of Attorney as long as we receive a certified copy of the POA, signed by the owner. The POA may execute the claim forms on behalf of the owner. Please note, the Bureau requires all powers of attorney submitted to comply with 20 Pa C.S.A. Section 5601. Therefore, each power of attorney will need the required notice signed by the principal and required acknowledgement executed by the agent.

H. USE OF FINDERS

1. Under Pennsylvania law, no person may assist in the recovery of unclaimed property and receive compensation therefor unless the person has applied for and received a certificate of registration from the Pennsylvania Department of Treasury. It is illegal for finders to operate without the required Certificate of Registration.

2. Under Pennsylvania law, a certified finder is not permitted to charge more than 15% of the total amount claimed.

3. If a finder is engaged, the identity of the finder must be included on the claim form. Additionally, a copy of the agreement or contract with the finder must be submitted with the claim forms. The agreement must comply with the following guidelines as required by Pennsylvania law:

- a. Be in writing and duly signed and acknowledged by the owner;
- b. Clearly state the fee or compensation to be paid, which shall not exceed fifteen per centum of the value of the abandoned and unclaimed property;
- c. Disclose the exact amount of the unclaimed payment;
- d. Identify the name, address and telephone number of the person assisting in the recovery of the unclaimed payment; and
- e. Identify registration number assigned to the finder by the Pennsylvania Department of Treasury.

4. All unclaimed property payments will be made payable to and sent directly to the claimants and not to any third-party finders.

I. RIGHT TO PRIVACY

All report, returns and forms submitted to the Bureau are subject to public disclosure under the Pennsylvania Right To Know Law. The Bureau shall not disclose any information deemed confidential by the Bureau or which is protected by either state or federal statute, act or ordinance.

J. AMENDMENTS

The Bureau reserves the right to, from time to time, without advance notice, amend these Procedures.