

Proposed Rule
LSA Document #15-31

DIGEST

Adds [10 IAC 7](#) establishing the procedures for the homeowner protection unit of the attorney general's office to implement and maintain the tax sale blight registry of all persons ineligible to participate in a tax or abandoned home sale for use by county officials conducting tax or abandoned home sales. Effective 30 days after filing with the Publisher.

[IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses](#)

[10 IAC 7](#)

SECTION 1. [10 IAC 7](#) IS ADDED TO READ AS FOLLOWS:

ARTICLE 7. TAX SALE BLIGHT REGISTRY

Rule 1. Purpose

[10 IAC 7-1-1 Purpose of this article](#)

Authority: [IC 4-6-12-3](#)

Affected: [IC 4-6-12-2](#); [IC 4-6-12-3.6](#)

Sec. 1. This article applies to the operation and maintenance of the tax sale blight registry by the homeowner protection unit of the attorney general's office under [IC 4-6-12-2](#) and [IC 4-6-12-3.6](#) addressing all persons ineligible to participate in a tax or abandoned home sale.

(Office of Attorney General for the State; [10 IAC 7-1-1](#))

Rule 2. Definitions

[10 IAC 7-2-1 Applicability](#)

Authority: [IC 4-6-12-3](#)

Affected: [IC 4-6-12](#); [IC 6-1.1-1](#)

Sec. 1. The definitions in [IC 6-1.1-1](#) and this rule apply throughout this article.

(Office of Attorney General for the State; [10 IAC 7-2-1](#))

[10 IAC 7-2-2 "Person" defined](#)

Authority: [IC 4-6-12-3](#)

Affected: [IC 4-6-12](#); [IC 6-1.1-1](#)

Sec. 2. "Person" includes the following:

- (1) An individual.
- (2) An incorporated or unincorporated organization.
- (3) An association.
- (4) Any other legal entity.
- (5) An agent of any of the above.

(Office of Attorney General for the State; [10 IAC 7-2-2](#))

[10 IAC 7-2-3](#) "Registry" defined

Authority: [IC 4-6-12-3](#)

Affected: [IC 4-6-12](#); [IC 6-1.1-1](#)

Sec. 3. "Registry" means the tax sale blight registry as operated and maintained by the unit.

(Office of Attorney General for the State; [10 IAC 7-2-3](#))

[10 IAC 7-2-4](#) "Unit" defined

Authority: [IC 4-6-12-3](#)

Affected: [IC 4-6-12-2](#); [IC 6-1.1-1](#)

Sec. 4. "Unit" means the homeowner protection unit of the attorney general's office established under [IC 4-6-12-2](#).

(Office of Attorney General for the State; [10 IAC 7-2-4](#))

[10 IAC 7-2-5](#) "Website" defined

Authority: [IC 4-6-12-3](#)

Affected: [IC 4-6-12](#); [IC 6-1.1-1](#); [IC 32-30-10.6](#)

Sec. 5. "Website" means the public web portal where county officials and interested persons may check the eligibility of a person to participate in a tax sale or the sale of real property deemed vacant or abandoned under [IC 32-30-10.6](#).

(Office of Attorney General for the State; [10 IAC 7-2-5](#))

Rule 3. Operation of Registry

[10 IAC 7-3-1](#) Purpose

Authority: [IC 4-6-12-3](#)

Affected: [IC 4-6-12-3](#); [IC 4-6-12-3.6](#)

Sec. 1. This rule establishes requirements concerning the registry, which the unit shall develop, operate, and maintain under [IC 4-6-12-3](#) and [IC 4-6-12-3.6](#).

(Office of Attorney General for the State; [10 IAC 7-3-1](#))

[10 IAC 7-3-2](#) Management of registry

Authority: [IC 4-6-12-3](#)

Affected: [IC 4-6-12](#)

Sec. 2. (a) The unit may contract with individuals or organizations with specific expertise to develop software engineering services for the registry database, including the following:

- (1) Identification of current, disparate sources of information.**
- (2) Creation of software to aggregate and update information on a daily basis.**
- (3) Support services.**
- (4) Creation of a webpage interface.**

(b) The unit, in connection with the Indiana office of technology, will maintain direct control over any information collected.

(Office of Attorney General for the State; [10 IAC 7-3-2](#))

10 IAC 7-3-3 Information maintained in registry

Authority: [IC 4-6-12-3](#)

Affected: [IC 4-6-12](#); [IC 6-1.1-24-5.3](#); [IC 32-30](#); [IC 36-7-9](#)

Sec. 3. The registry shall include information regarding persons who are prohibited from purchasing certain properties at tax or abandoned home sales as described in [IC 6-1.1-24-5.3](#). This may include the following:

- (1) Name of person ineligible to participate.
- (2) Address of property or properties owned by the ineligible person who is subject to an enforcement order under [IC 32-30-6](#), [IC 32-30-7](#), [IC 32-30-8](#), or [IC 36-7-9](#).
- (3) Last known address of the ineligible person.
- (4) Last known phone number of the ineligible person.
- (5) Type of infraction against the property owned by the ineligible person.
- (6) County of the property subject to an infraction.
- (7) Date of the infraction.

(Office of Attorney General for the State; [10 IAC 7-3-3](#))

10 IAC 7-3-4 Process for adding or removing persons

Authority: [IC 4-6-12-3](#)

Affected: [IC 4-6-12](#)

Sec. 4. (a) This section addresses the process for adding persons to or removing persons from the registry.

(b) The unit shall promptly add persons ineligible to participate in a tax or abandoned home sale to the registry upon receipt of information from the county.

(c) The unit shall promptly remove persons from the registry upon certification from the county that they are no longer barred from participating in a tax or abandoned home sale.

(Office of Attorney General for the State; [10 IAC 7-3-4](#))

10 IAC 7-3-5 Access to registry

Authority: [IC 4-6-12-3](#)

Affected: [IC 4-6-12](#)

Sec. 5. (a) The information in the registry shall be made available to county officials responsible for conducting tax or abandoned home sales through the website.

(b) All interested persons may verify, via the website, whether a person is listed on the registry.

(c) County officials may include a link to the website as part of the tax or abandoned home sale registration process.

(Office of Attorney General for the State; [10 IAC 7-3-5](#))

10 IAC 7-3-6 Participation requirements

Authority: [IC 4-6-12-3](#)

Affected: [IC 4-6-12](#); [IC 6-1.1-24-5.3](#)

Sec. 6. (a) All counties that participate in the registry shall promptly submit all relevant information, as listed under section 3 of this rule, to the unit.

(b) To ensure compliance with this rule, all information shall be submitted in a format prescribed by

the unit.

(Office of Attorney General for the State; [10 IAC 7-3-6](#))

[10 IAC 7-3-7](#) Accuracy of information

Authority: [IC 4-6-12-3](#)

Affected: [IC 4-6-12](#)

Sec. 7. All information contained in the registry will be identified by the county providing the information, and that county is responsible for the accuracy, completeness, and correct status of the information at all times. The unit cannot assume responsibility for the accuracy of the information provided by any county.

(Office of Attorney General for the State; [10 IAC 7-3-7](#))

[Notice of Public Hearing](#)

Posted: 05/20/2015 by Legislative Services Agency

An [html](#) version of this document.