

**IN THE CHANCERY COURT FOR KNOX COUNTY, TENNESSEE**

STATE OF TENNESSEE, )  
for the use and benefit of )  
KNOX COUNTY, TENNESSEE, )  
Plaintiff, )  
v. )  
DELINQUENT TAXPAYERS )  
and PROPERTY OWNERS, )  
Defendants. )

Docket No. 206416-3  
and Consolidated Cases  
  
Tax Sale No. 24  
  
Tax ID No. \_\_\_\_\_  
Parcel No. \_\_\_\_\_

**VERIFIED MOTION TO REDEEM PROPERTY**

Comes the undersigned Movant, pursuant to Tenn. Code Ann. § 67-5-2701, and requests that this Court enter an Order allowing redemption of the parcel of real property identified by the Tax ID and Parcel numbers recited in the caption above (the "Parcel"). In support, the undersigned Movant would show as follows:

1. The undersigned Movant is a "person entitled to redeem," as defined in Tenn. Code Ann. § 67-5-2701(a)(3)(C), and offers the following facts to establish the undersigned Movant's right to redeem the Parcel [attached additional pages, if needed]:

\_\_\_\_\_

\_\_\_\_\_

- 2. The Parcel was sold in Tax Sale 24, which concluded on July 17, 2024.
- 3. The Court entered an order confirming the sale of the Parcel on August 20, 2024.
- 4. The undersigned Movant has served or will cause to be served a copy of this Motion to Redeem Property on the tax sale purchaser, each grantee of the tax sale purchaser's interest in the Parcel who has filed notice of the purchase and a mailing address with the Clerk of the Court, and all other interested person(s), as defined in Tenn. Code Ann. § 67-5-2701(a)(3)(C), as of the date of this Motion to Redeem Property is filed.

5. **The undersigned Movant, by signing below, verifies under oath that each statement above and any attached documents are true and accurate to the best of my knowledge, information, and belief.**

Respectfully submitted this \_\_\_\_ day of \_\_\_\_\_ 20\_\_.

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_  
Signature of Movant

Sworn and subscribed before me this  
\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
Notary Public  
My Commission expires: \_\_\_\_\_

\_\_\_\_\_  
City, State, Zip Code

## CERTIFICATE OF SERVICE

**Tenn. Code Ann. § 67-5-2701 requires the Movant to serve a complete copy of the Motion to Redeem Property and any exhibits or supporting information upon the tax sale purchaser, each grantee of the tax sale purchaser's interest in the parcel who has filed notice of the purchase and a mailing address with the Clerk of the Court, and all other interested persons as of the date of the Motion to Redeem Property in the manner set forth in Rule 5 of the Tennessee Rules of Civil Procedure for pleadings not asserting new or additional claims for relief.**

By signing below, the undersigned person certifies that a true and exact copy of the Motion to Redeem Property has been served as indicated below upon the following interested parties [attach additional pages, if needed, to show each interested party receiving a copy of this Motion to Redeem Property]:

Name and Address of Person Being Served	Method of Service
<div style="border-bottom: 1px solid black; margin-bottom: 5px;">Name</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">Mailing Address</div> <div style="border-bottom: 1px solid black;">City, State, Zip Code</div>	<ul style="list-style-type: none"> <li><input type="radio"/> U.S. Mail, First Class, postage prepaid</li> <li><input type="radio"/> Commercial Delivery Service</li> <li><input type="radio"/> Hand Delivery</li> <li><input type="radio"/> Other: _____</li> </ul>
<div style="border-bottom: 1px solid black; margin-bottom: 5px;">Name</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">Mailing Address</div> <div style="border-bottom: 1px solid black;">City, State, Zip Code</div>	<ul style="list-style-type: none"> <li><input type="radio"/> U.S. Mail, First Class, postage prepaid</li> <li><input type="radio"/> Commercial Delivery Service</li> <li><input type="radio"/> Hand Delivery</li> <li><input type="radio"/> Other: _____</li> </ul>
<div style="border-bottom: 1px solid black; margin-bottom: 5px;">Name</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">Mailing Address</div> <div style="border-bottom: 1px solid black;">City, State, Zip Code</div>	<ul style="list-style-type: none"> <li><input type="radio"/> U.S. Mail, First Class, postage prepaid</li> <li><input type="radio"/> Commercial Delivery Service</li> <li><input type="radio"/> Hand Delivery</li> <li><input type="radio"/> Other: _____</li> </ul>

Signed this \_\_\_\_ day of \_\_\_\_\_ 20\_\_.

\_\_\_\_\_  
Signature

## Tenn. Code Ann. § 67-5-2701

Current through Chapter 1069, with the exception of Chapter 688 secs 79, 80, and 83 of the 2024 Regular Session. The commission may make editorial changes to this version and may relocate or redesignate text.

Those changes will appear on Lexis Advance after the publication of the certified volumes and supplements. Pursuant to TCA sections 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code. Until the annual issuance of the certified volumes and supplements, references to the updates made by the most recent legislative session should be to the Public Chapter and not TCA.

*TN - Tennessee Code Annotated > Title 67 Taxes And Licenses > Chapter 5 Property Taxes > Part 27 Redemption*

### **67-5-2701. Procedure for redemption of property.**

---

(a)

(1)

(A) Upon entry of an order confirming a sale of a parcel, a right to redeem shall vest in all interested persons. The right to redeem shall be exercised within the time period established by this subsection (a) beginning on the date of the entry of the order confirming the sale, but in no event shall the right to redeem be exercised more than one (1) year from that date. The redemption period of each parcel shall be determined by the court prior to the tax sale of the parcel and may also be stated in the order confirming the sale.

(B) Unless the court finds sufficient evidence to order a reduced redemption period pursuant to this section, the redemption period for each parcel shall be one (1) year.

(C) The redemption period shall be determined for each parcel based on the period of delinquency. Once the period of delinquency is established, the redemption period shall be set on the following scale:

(i) If the period of delinquency is five (5) years or less, the redemption period shall be one (1) year from the entry of the order confirming the sale;

(ii) If the period of delinquency is more than five (5) years but less than eight (8) years, the redemption period shall be one hundred eighty (180) days from the entry of the order confirming the sale; or

(iii) If the period of delinquency is eight (8) years or more, the redemption period shall be ninety (90) days from the entry of the order confirming the sale.

(D) For all property for which a showing is made pursuant to subdivision (a)(2), the redemption period shall be thirty (30) days from the entry of the order confirming the sale without regard to the number of years of delinquent taxes owed on the property, beyond that required to make the property legally eligible for the sale.

**(2)** A reasonable basis to believe that real property is vacant, or, in the case of vacant land, a reasonable basis to believe that the property is abandoned, shall, at a minimum, be based upon periodic inspections of the property over a two-month period at different times of the day where three (3) or more inspections reveal evidence of abandonment.

**(3)** As used in this section:

**(A)** “Evidence of abandonment” includes, but is not limited to, any of the following conditions:

- (i)** Overgrown or dead vegetation;
- (ii)** Accumulation of newspapers, circulars, flyers, or mail;
- (iii)** Past due utility notices, disconnected utilities, or utilities not in use;
- (iv)** Accumulation of trash, refuse, or other debris;
- (v)** Absence of window coverings such as curtains, blinds, or shutters;
- (vi)** One (1) or more boarded, missing, or broken windows;
- (vii)** The property is open to casual entry or trespass;
- (viii)** The property has a building or structure that is or appears structurally unsound or has any other condition that presents a potential hazard or danger to the safety of persons; or
- (ix)** Any of the conditions in subdivisions (a)(3)(A)(i) - (viii) exist and, if there is a mortgage on the property, the mortgagor does not occupy the property and has informed the mortgagee or loan servicing company in writing that the mortgagor does not intend to occupy the property in the future;

**(B)** “Period of delinquency” means, with respect to a parcel, the longest consecutive number of years the property taxes on that parcel are delinquent and have not been paid to a jurisdiction, and for which years the collection of property taxes for that jurisdiction is being sought in the tax sale;

**(C)** “Person entitled to redeem” means, with respect to a parcel, any interested person, as defined in this chapter, as of the date of the sale or the date the motion to redeem is filed;

**(D)** “Vacant and abandoned” with respect to real property:

**(i)** Means:

- (a)** There is a reasonable basis to believe the property is not occupied as determined in accordance with subdivision (a)(2); or
- (b)** A court has determined that the property is a risk to the health, safety, or welfare of the public or any adjoining or adjacent property owners, or has otherwise declared the property unfit for occupancy; and

**(ii)** Does not include:

- (a)** An unoccupied building that is undergoing construction, renovation, or rehabilitation at the hands of a properly licensed contractor pursuant to a building

permit; is proceeding to completion; and is in compliance with all applicable ordinances, codes, regulations, and statutes;

**(b)** A building occupied on a seasonal basis that is otherwise secure;

**(c)** A building that is secure, but is the subject of a probate action, action to quiet title, or other similar ownership dispute; provided, that the owners are exercising diligence in pursuit of resolution of the dispute;

**(d)** A building damaged by a natural disaster and one (1) or more owners intend to repair and reoccupy the property; provided, that the owners are exercising diligence in pursuit of completion of repairs at the property in accordance with subdivision (a)(3)(D)(ii)(a); or

**(e)** Any property occupied by the owner, a relative of the owner, or a tenant lawfully in possession; provided, that neither subdivision (a)(3)(A)(viii) nor subdivision (a)(3)(D)(i)(b) applies to the property.

**(b)**

**(1)** In order to redeem a parcel, the person entitled to redeem shall file a motion to such effect in the proceedings in which the parcel was sold. The motion shall describe the parcel, the date of the sale of the parcel, the date of the entry of the order confirming the sale and shall contain specific allegations establishing the right of the person to redeem the parcel. Prior to the filing of the motion to redeem, the movant shall pay to the clerk of the court an amount equal to the total amount of delinquent taxes, penalty, interest, court costs, and interest on the entire purchase price paid by the purchaser of the parcel. The interest shall be at the rate of twelve percent (12%) per annum, which shall begin to accrue on the date the purchaser pays the purchase price to the clerk and continuing until the motion to redeem is filed. If the entire amount owing is not timely paid to the clerk or if the motion to redeem is not timely filed, the redemption shall fail.

**(2)** In any motion to enforce a right of redemption brought by a transferee against a tax sale purchaser or other interested party:

**(A)** The movant shall serve a copy of the motion to redeem upon the tax sale purchaser, each grantee of the tax sale purchaser's interest in the parcel, and all other interested persons as of the date the motion to redeem is filed, in the manner set forth in Rule 5 of the Tennessee Rules of Civil Procedure for pleadings not asserting new or additional claims for relief.

**(B)** The motion to redeem must be denied on the objection or response to the motion to redeem by the tax sale purchaser or any other interested party if it appears that the transferee is engaged in speculation or profiteering with respect to such right of redemption;

**(C)** Such speculation and profiteering is presumed if it appears that the transfer of the right of redemption was made for consideration in an amount less than the purchase price paid by the tax sale purchaser at the tax sale minus the amount the debtor would have been required to pay to redeem the property under this chapter; and

**(D)** If a motion to redeem by a transferee is denied under this subdivision (b)(2) based on a finding by the court of such speculation and profiteering, the court may award reasonable attorney's fees to the tax sale purchaser or any other interested party challenging the motion to redeem.

**(3)** Subdivision (b)(2) is intended to:

**(A)** Further the public policies of this state of protecting the interests of owners of real property subject to debt, protecting the integrity of the tax sale process, providing reliable tax sale titles to purchasers, and prohibiting the profiteering and speculation in rights of redemption; and

**(B)** Be remedial and construed to apply to any existing rights of redemption.

**(c)** Upon the filing of the motion to redeem and the payment of the required amount, the clerk shall within ten (10) days send a notice of the filing of the motion to redeem to the tax sale purchaser and each grantee of the tax sale purchaser's interest who has filed notice of the purchase and a mailing address with the clerk. The notice must be forwarded to the last known address of the addressee. The notice must state the amount paid at the time of the filing of the motion to redeem and refer the persons to this section.

**(d)** The purchaser may within thirty (30) days after the mailing of the notice of redemption, file a response seeking additional funds to be paid by the proposed redeemer to compensate the purchaser for amounts expended by the purchaser for the purposes set out in subsection (e). The response must specifically set out the basis for each category of additional funds claimed. The response may also allege that the motion to redeem was not properly or timely filed. If no response is timely filed, the court shall determine whether the redemption has been properly made, and if so, must cause an order to be entered declaring the parcel redeemed.

**(e)** Additional sums to be paid by the proposed redeemer at the demand of the purchaser, shall include the following:

**(1)** Additional ad valorem taxes, penalty, interest and court costs paid by the purchaser secured by a lien against the parcel, plus interest thereon at the rate set forth in subsection (b), accruing from the date of payment of the additional taxes by the purchaser until the date of payment by the proposed redeemer pursuant to order of the court;

**(2)** Reasonable payments made by the purchaser for insurance on the parcel and any improvements thereon;

**(3)** Reasonable cost paid by the purchaser to avoid permissive waste of the parcel;

**(4)** Reasonable expenses paid by the purchaser as a result of a judicial or administrative order or other official notice requiring the purchaser to immediately bring the property into compliance with applicable building code or zoning regulations;

**(5)** Reasonable payments by the purchaser for homeowner's association dues or obligations resulting from covenants running with the land which are secured by a lien against the parcel; and

**(6)** Additional interest at the rate set out in subsection (b), accruing from the date the motion to redeem was filed until the date the purchaser's response was filed. If the court determines that the purchaser has not delayed consideration of the motion to redeem and that any response

filed by the purchaser for additional funds was based on a reasonable expectation that the expenditures of the purchaser were reimbursable pursuant to this section, then the court may require the proposed redeemer to also pay additional interest at the same rate, accruing from the date the purchaser's response was filed until the date of such payment. If the court determines that disposition of a redemption motion has been unreasonably delayed, the court may decline or limit an award of additional interest under this subdivision (e)(6).

- (f)** Any additional funds ordered to be paid by the proposed redeemer under this section shall be paid to the clerk prior to the later of the following dates:
- (1)** The date of the expiration of the redemption period; or
  - (2)** Thirty (30) days after the entry of the order allowing additional funds.
- (g)** If the proposed redeemer timely pays the full amount of any additional funds ordered by the court, the court shall declare that the property has been redeemed.
- (h)** If the proposed redeemer fails to timely pay the full amount of any additional funds ordered by the court, the redemption shall fail and any funds paid by the proposed redeemer shall be refunded to him less the clerk's fee and any other court costs.
- (i)** In the event a person tenders the full amount owing in the proceeding at a time after the date of sale and prior to the entry of an order confirming the sale, the person shall also pay interest computed as established by subsection (b) on the total purchase price paid by the purchaser.
- (j)** The court in which the proceedings are pending may order that any proposed redeemer shall also pay to the clerk the amount necessary to record any orders of the court in the office of the register of deeds. Such payment may be required to be paid upon the filing of the motion to redeem or upon determining whether any additional funds are to be allowed.
- (k)** Upon any order pertaining to redemption becoming final, the clerk shall make such disbursements as are provided in the order.
- (l)** In the event the court directs the delinquent tax attorney or an attorney ad litem to participate in the redemption portion of the proceedings as an assistance to the court, the court may allow a reasonable attorneys fee to be paid by either the movant or the purchaser as directed by the court.
- (m)** In the event all parties to the action waive their right to appeal all issues in the cause, the clerk shall immediately disburse all amounts owing.
- (n)** Upon entry of an order of the court declaring that the redemption is complete, title to the parcel shall be divested out of the purchaser, and the clerk shall promptly refund the purchase money and pay all sums due to the purchaser under this section. The interests of the taxpayer and other interested parties, or their successors in interest, shall be restored to that state which existed as of the date of entry of the order confirming the sale. Any lienholder who redeems the parcel may thereafter proceed to foreclose upon the parcel or otherwise enforce such lien.
- (o)** During the redemption period, the purchaser shall have no obligation to purchase insurance on the parcel and shall not be liable to a person redeeming the parcel for damages to the parcel during such redemption period unless such damages are directly caused by intentional acts of the purchaser. This subsection (o) is intended to be procedural and remedial in application and is made applicable retroactively to the extent allowed by law.

(p) During the redemption period and thereafter, a taxing entity which has purchased a parcel pursuant to § 67-5-2501 shall have no obligation to preserve the value of the parcel. This subsection (p) is intended to be procedural and remedial in application and is made applicable retroactively to the extent allowed by law.

## History

---

Acts 2014, ch. 883, § 17; 2015, ch. 414, §§ 18-24; 2015, ch. 486, § 1; 2017, ch. 299, §§ 16-18; 2018, ch. 778, § 1; 2019, ch. 170, § 7; 2024, ch. 967, §§ 25-28.

TENNESSEE CODE ANNOTATED

Copyright © 2024 by The State of Tennessee All rights reserved

---

End of Document