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FOREWORD

The *ad valorem* tax upon real estate has long been a principal source of revenue to the states and to the local governmental units within them. Severe economic depression has strained this tax almost to the breaking point. On the one hand, delinquencies have mounted in many communities to so high a proportion of the tax levy as to jeopardize the payment of governmental obligations and the maintenance of essential services which have been dependent upon this tax. On the other hand, accentuation of the tax burden by the depression has led to the organization of important pressure groups working for a variety of measures which may be subsumed under the slogan, "relief for real estate." These proposals are numerous and their ramifications are myriad. They present such grave questions of economic and social policy that in this symposium, which is focused upon the collection of the real property tax, it has been impossible to develop, except to a very limited extent, their evident relationship to the subject under consideration.

In this complex of interrelated problems, tax collection procedure may seem of limited significance. Admittedly it is not basic. Yet evidence is not lacking that a considerable share of blame for the present crisis may be laid at the door of the clumsy, inefficient, and often badly administered systems for real property tax collection which had been permitted to creak along unheeded in times of prosperity. Certainly so long as the real property tax remains an important source of governmental revenue, there is a need for adequate machinery for its collection. And now that the peak of the crisis in tax delinquency is passed, now that the almost irresistible pressure to retard still further the collection of delinquent taxes has diminished, the time seems appropriate for an examination of existing tax collection devices with a view to ascertaining how these may be remodelled to meet current needs. The articles comprising this symposium are directed in the main to a scrutiny of the present laws and to an inquiry into the possibilities for corrective change.

Since the tax collection process segregated for study in this symposium is but a segment of a larger whole and since each step in the process is organically related to the steps which precede and follow it, in delimiting the scope of the issue and of individual articles it has been necessary to draw lines dictated by editorial considerations rather than by those inherent in the subject matter to be treated. Thus, limitations upon space precluded separate treatment of that important factor in the property tax collection problem, the special assessment. Moreover, the hazards which

attend the editing of symposia operated to prevent the treatment of two topics when the persons who had consented to write thereon were precluded from doing so at a time too late for the enlistment of alternates. These topics are so closely related to those discussed in the issue that brief mention of them seems indicated at this point.

The first topic for which provision had been made was the consideration of that serious impediment to the efficient collection of taxes, the overlapping of taxing units. Not only does this wastefully augment the overhead costs of tax collection but it serves to confuse and burden the taxpayer. Perhaps of more consequence still is the fact that it leads frequently to a division of responsibility for the enforcement of delinquent tax liens among several governmental bodies, with the inevitable tendency to inaction which such division fosters. Schemes which make one of several units primarily responsible for collection or which erect a hierarchy of tax lien priorities not infrequently have operated to the disadvantage of certain of the units involved. Obviously the basic remedy for this situation is consolidation of the overlapping units, but for political reasons this proposal approaches counsel of perfection. Consolidation of tax collection and enforcement functions is probably more feasible, and the devices, statutory and administrative, to this end imperatively call for careful consideration at this time. And related to this problem is that of assuring the vesting of responsibility for tax collection in a competent appointive official, clothed with adequate powers, served by an adequate staff, and subject to supervision by a state administrative agency.

The second of these topics was the problem of how urban communities can best utilize tax delinquent land which has reverted to them. This problem is, of course, analogous to that facing rural regions, which is considered in Professor Wager's article in this issue. Certain sections in almost every city have, as a consequence of unplanned and uncontrolled development, reached a point where chronic delinquency is inevitable. Tax sales of properties in these sections do not result in their passing into "stronger hands." Unless the city is able to arrest the process, neighboring areas are likely to be affected similarly. Careful planning, coupled with prompt and decisive action by tax enforcement officials, may, however, not merely eradicate this source of urban blight but also convert what has been a liability into a valuable asset to the community.

D. F. C.