August 23, 2017

Bankruptcy Sale Does Not Obviate Chapter 91 Compliance

Christopher Stracco and Katharine Coffey authored an article, "Bankruptcy Sale Does Not Obviate Chapter 91 Compliance," for *Law360*. The article discusses the recent New Jersey Tax Court decision in 975 Holdings, LLC v. City of Egg Harbor, which is another in a series of defeats for taxpayers under N.J.S.A. 54:4-34 (Chapter 91). As described in the article, the decision extends Chapter 91's dismissal provisions to properties purchased through a bankruptcy asset sale pursuant to 11 U.S.C. § 363(f). The upshot of the decision, Stracco and Coffey write, "is that a taxpayer should always respond to a Chapter 91 request to avoid the dismissal of a subsequently filed property tax assessment appeal. Moreover, it is important to respond to such requests to protect the rights of subsequent purchasers, to avoid any future contractual liability by the seller, depending on the provisions of the sales contract which address property tax issues."

Authors



Christopher John Stracco
Of Counsel

Parsippany, NJ | (973) 966-8220

cstracco@daypitney.com



Katharine A. Coffey
Partner

Parsippany, NJ | (973) 966-8323

kcoffey@daypitney.com