

IC 13-26-14

Chapter 14. Foreclosure of Liens

IC 13-26-14-1

Additional or alternative remedy for collection of rates or charges

Sec. 1. A district may, as an additional or alternative remedy, foreclose a lien established by this article as a means of collection of rates or charges, including the penalty on the rates or charges.

As added by P.L.1-1996, SEC.16.

IC 13-26-14-2

Recovery by district

Sec. 2. (a) In all actions brought to foreclose the liens, the district is entitled to recover the following:

- (1) The amount of the rates or charges.
- (2) The penalty on the rates or charges.
- (3) A reasonable attorney's fee.

(b) The court shall order that the sale be made without relief from valuation or appraisal statutes.

As added by P.L.1-1996, SEC.16.

IC 13-26-14-3

Applicability of other rights and laws

Sec. 3. Except as otherwise provided by this article, in all actions to foreclose the liens:

- (1) the laws concerning municipal public improvement assessments; and
- (2) the rights, remedies, procedure, and relief granted the parties to the action;

apply.

As added by P.L.1-1996, SEC.16.

IC 13-26-14-4

Liens for unpaid rates, fees, or charges

Sec. 4. Rates, fees, or charges made, assessed, or established by the district are a lien, in the same manner established under IC 36-9-23 for municipal sewage works, on a lot, parcel of land, or building that is connected with or uses the works of the district. Liens under this chapter:

- (1) attach;
- (2) are recorded;
- (3) are subject to the same penalties, interest, and reasonable attorney's fees on recovery; and
- (4) shall be collected and enforced;

in substantially the same manner as provided in IC 36-9-23-31 through IC 36-9-23-34. A lien under this chapter that is the only lien on a property may not be foreclosed.

As added by P.L.131-2005, SEC.4. Amended by P.L.71-2011, SEC.3;

P.L.97-2012, SEC.15.