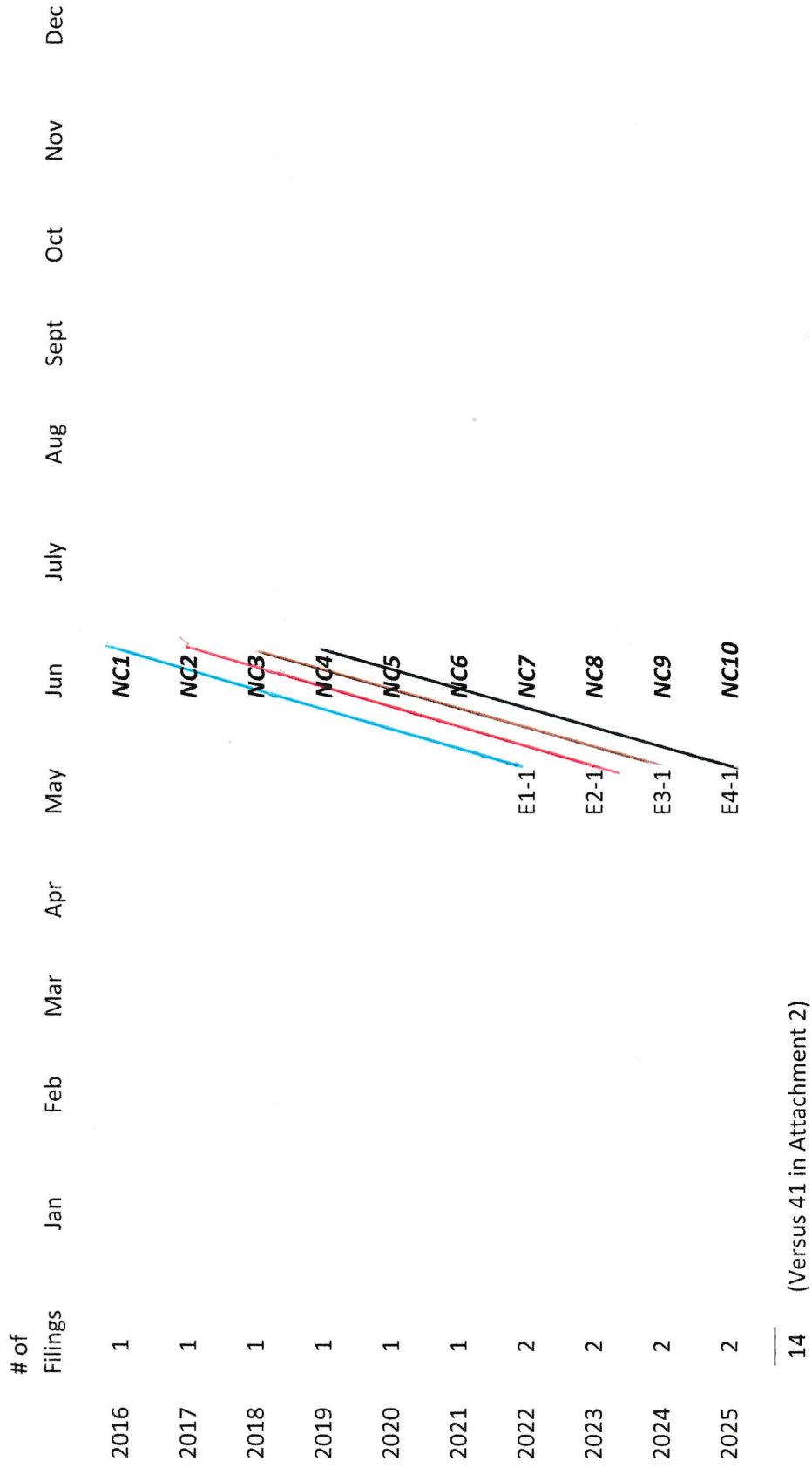


The Six-Year Lien Extension Period Proposed in LD-461
 Compared with the Current 18-Month Notice of Claim Extension Depicted in Attachment 2
Based on a Single Residence in Arrears



Legend: NC = Notice of Claim
 E = 6-Year Extension

James Bunting
Maine Alliance for Road Associations
LD 461

My name is James Bunting. I am the Treasurer of the Maine Alliance for Road Associations (MARA) and the past Treasurer and Board member of a Cumberland County statutory road association with some 80 property owners.

I would like to draw Committee members' attention to two charts that show – graphically – the need to approve a specific portion of LD 461; that is, the pressing need to modify the 18-month extension requirement contained in Section 3104 of MRSA Title 23.

The first of the two charts you should already have as it has been provided as Attachment 2 to MARA's March 13, 2023 submission in support of LD 461. The chart shows an actual case of a property owner in arrears for a seven-year period and then projects out to envision if non-payment were to continue for a 10-year period. The chart shows a dizzying array of Notice of Claims and, for each, the filing of Notice of Extensions every 18 months.

I can personally attest to the difficulties of submitting and then tracking each of these filings. The interest calculations alone can get very close to mind-numbing, as each separate event has different and collectible costs – the date road dues start to be in default; the date of forwarding the “20-day Letter” required by Section 3104 that we send certified mail/return receipt requested; the date the Notice of Claim is filed with the Registry; and then the dates the substantial numbers of Notices of Extension are filed. As you can see from Attachment 2, the number of Registry filings over a 10-year period totals 41, with an out-of-pocket cost for filing of \$902. Imagine if the number of property owners in arrears were increased from one to two or more – it quickly gets to be head-spinning.

The other chart is simple and straightforward. It shows a considerably more manageable situation where the Notice of Extension time requirement is modified from every 18 months to six years. As you can see, the number of Registry filings (and attendant costs) are reduced substantially. Instead of 41 filings (Notices of Claim and Notices of Extension) the number is dramatically reduced to 14. I urge the Committee to support and approve LD 461 and, in particular, the six-year modification to the Notice of Extension requirement.