

50 state guide on Asset Recovery

Alabama

Tax overage state statutes: [Title 40-10-28](#)

Mortgage foreclosure statutes: <https://law.justia.com/codes/alabama/2019/title-35/chapter-10/>

Alaska

Tax overage statutes:

<https://codes.findlaw.com/ak/title-29-municipal-government/ak-st-sect-29-45-480.html>

(make sure you file within 6 months or funds gone)

Mortgage foreclosure statutes: <https://www.akleg.gov/basis/statutes.asp>

Arizona

They do Tax lien and mortgage foreclosures finder fee capped at \$2,500

Statutes: <https://www.azleg.gov/ars/33/00812.htm>

Arkansas

Tax overage statutes: <https://codes.findlaw.com/ar/title-26-taxation/ar-code-sect-26-37-205.html>

Mortgage foreclosure statutes:

<https://law.justia.com/codes/arkansas/2017/title-18/subtitle-4/chapter-50/section-18-50-109/>

No limit for mortgage foreclosures, but for tax overages 10% is cap

California

Tax overage statutes:

<https://casetext.com/statute/california-codes/california-revenue-and-taxation-code/division-1-property-taxation/part-8-distribution/chapter-13-distribution-of-proceeds-from-sale-of-tax-deeded-property/section-4675-claim-for-excess-proceeds>

Mortgage foreclosure:

https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=CIV§ionNum=2924k.

No cap on how much you can charge but for tax overages you have 12 months to get a claim in after they have posted final sale information, for mortgage foreclosure use an attorney and provide the service of assisting the attorney bringing them leads.

Colorado

Mortgage foreclosures: <https://leg.colorado.gov/bills/hb16-1090>

Must wait 2 ½ years before you can assist and capped at 20%, if you wait 3 years then you can get up to 30%

Connecticut

Tax overage

statutes: <https://law.justia.com/codes/connecticut/2018/title-12/chapter-204/section-12-157/>

Mortgage foreclosure statutes: https://www.cga.ct.gov/current/pub/chap_846.htm

Deleware

Tax overage

statute:<https://law.justia.com/codes/delaware/2018/title-9/chapter-87/subchapter-iv/section-8779/>

Mortgage foreclosure statute:

<https://law.justia.com/codes/delaware/2018/title-10/chapter-49/subchapter-xi/section-5067/>

DC

Tax overage statute:<https://code.dccouncil.gov/us/dc/council/code/sections/47-1307.html>

Mortgage foreclosure statute:<https://code.dccouncil.gov/us/dc/council/code/titles/42/chapters/8/>

Florida

Tax overage statute:

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0197/Sections/0197.582.html

Mortgage foreclosure statute:

http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0000-0099/0045/0045.html

For Mortgage foreclosures, recommended to use an attorney but if you use an assignment of interest you'll be capped at 12%

Georgia

Tax overage

statute:<https://law.justia.com/codes/georgia/2018/title-48/chapter-4/article-1/section-48-4-5/>

Mortgage foreclosure statute:

<https://law.justia.com/codes/georgia/2018/title-44/chapter-14/article-7/part-2/section-44-14-190/>

Just because the county says they don't work with third parties doesn't mean you can't work there, just use an attorney

Hawaii

Tax overage

statute:<https://law.justia.com/codes/hawaii/2009/volume-04/title-14/chapter-246/hrs-0246-0063-hm/>

Mortgage foreclosure

statute:<https://law.justia.com/codes/hawaii/2018/title-36/chapter-667/section-667-31/>

Deposited in state fund must wait 24 months then capped at 25%

Idaho

Tax overage

statute:<https://legislature.idaho.gov/statutesrules/idstat/Title31/T31CH8/SECT31-808/>

Mortgage foreclosure

statute:<https://legislature.idaho.gov/statutesrules/idstat/title45/t45ch15/sect45-1507/>

Illinois

Mortgage foreclosure

statute:<https://www.ilga.gov/legislation/ilcs/ilcs4.asp?DocName=073500050HArt.+XV&ActID=2017&ChapterID=56&SeqStart=107200000&SeqEnd=115900000>

Indiana

Tax overage statute:<https://law.justia.com/codes/indiana/2016/title-6/article-1.1/chapter-24/>

Mortgage foreclosure statute:<https://iga.in.gov/legislative/laws/2017/ic/titles/032>

For tax overages capped at 10%

Iowa

Mortgage foreclosure statutes:<https://www.legis.iowa.gov/docs/code/2018/654.7.pdf>

Kansas

Tax overage statutes:https://www.ksrevisor.org/statutes/chapters/ch79/079_028_0003.html

Mortgage foreclosure

statutes:http://kslegislature.org/li_2012/b2011_12/statute/058_000_0000_chapter/058_002_0000_article/058_002_0013_section/058_002_0013_k/

Kentucky

Mortgage foreclosure

statute:<https://law.justia.com/codes/kentucky/2022/chapter-426/section-426-552/>

Louisiana

Mortgage foreclosure statute:<http://www.legis.la.gov/legis/Law.aspx?d=111445>

Maine

Tax overage statute:<https://legislature.maine.gov/statutes/36/title36sec949.html>

Mortgage foreclosure

statutes:<https://www.mainelegislature.org/legis/statutes/14/title14sec6203-A.html>

Maryland

Tax overage statutes:<https://codes.findlaw.com/md/tax-property/>

Mortgage foreclosure statute:v

Massachusetts

Tax overage statutes:<https://law.justia.com/codes/massachusetts/2006/gl-pt1-toc/60-28.html>

Mortgage foreclosure

statute:<https://malegislature.gov/Laws/GeneralLaws/PartII/TitleI/Chapter183/Section27>

Michigan

Tax overage

statutes:[http://www.legislature.mi.gov/\(S\(eomgn1nuihbcvr112aa221h\)\)/mileg.aspx?page=GetObject&objectname=mcl-211-78t](http://www.legislature.mi.gov/(S(eomgn1nuihbcvr112aa221h))/mileg.aspx?page=GetObject&objectname=mcl-211-78t)

Mortgage

foreclosures:[http://www.legislature.mi.gov/\(S\(oq4scmrnqkdImbg4uj4leou5\)\)/mileg.aspx?page=GetObject&objectname=mcl-600-3252](http://www.legislature.mi.gov/(S(oq4scmrnqkdImbg4uj4leou5))/mileg.aspx?page=GetObject&objectname=mcl-600-3252)

Minnesota

No Tax overages could change in the future

Mortgage foreclosure statute:<https://www.revisor.mn.gov/statutes/cite/580.01>

Mississippi

Tax overage

statute:<https://law.justia.com/codes/mississippi/2018/title-27/chapter-41/general-provisions/section-27-41-77/>

Mortgage foreclosure statute:<https://law.justia.com/codes/mississippi/2010/title-89/>

Missouri

Tax overage

statute:<https://revisor.mo.gov/main/OneSection.aspx?section=140.230&bid=35004&hl=>

Mortgage foreclosure statute:<https://revisor.mo.gov/main/OneSection.aspx?section=443.410>

Montana

Tax overage

statutes:https://leg.mt.gov/bills/mca/title_0150/chapter_0180/part_0020/section_0210/0150-0180-0020-0210.html

Mortgage foreclosure

statute:https://leg.mt.gov/bills/mca/title_0710/chapter_0010/part_0030/section_0160/0710-0010-0030-0160.html

Nebraska

Mortgage foreclosure statute:<https://nebraskalegislature.gov/laws/statutes.php?statute=76-1011>

Nevada

Tax overage statute:<https://www.leg.state.nv.us/NRS/NRS-361.html#NRS361Sec610>

Mortgage foreclosure statute:<https://www.leg.state.nv.us/NRS/NRS-040.html#NRS040Sec462>

Tax overages capped at 10% mortgage foreclosures \$2,500

New Hampshire

Tax overage statute:<https://www.gencourt.state.nh.us/rsa/html/V/80/80-88.htm>

Mortgage foreclosure

statute:<https://law.justia.com/codes/new-hampshire/2015/title-xlvi/chapter-479/>

New Jersey

Tax overage statute: <https://law.justia.com/codes/new-jersey/2013/title-54/section-54-38-6/>
Mortgage foreclosure
surplus: <https://law.justia.com/codes/new-jersey/2018/title-2a/chapter-50/section-2a-50-37/>

New Mexico

Tax overage statute: <https://codes.findlaw.com/nm/chapter-7-taxation/nm-st-sect-7-38-71.html>
Mortgage foreclosure
statute: https://www.lawserver.com/law/state/new-mexico/nm-statutes/new_mexico_statutes_48-10-15

New york

Tax overage statute: <https://codes.findlaw.com/ny/real-property-tax-law/rpt-sect-1194/>
Mortgage foreclosure
statute: <https://codes.findlaw.com/ny/real-property-actions-and-proceedings-law/>

North Carolina

Tax overage
statute: https://www.ncleg.gov/EnactedLegislation/Statutes/PDF/BySection/Chapter_105/GS_105-374.pdf
Mortgage foreclosure
statute: https://www.ncleg.gov/EnactedLegislation/Statutes/PDF/BySection/Chapter_45/GS_45-21.31.pdf
\$1,000 cap for recovery

North Dakota

Tax overage
statute: <https://casetext.com/statute/north-dakota-century-code/title-57-taxation/chapter-57-28-rights-of-county-when-lands-not-redeemed/section-57-28-20-disposition-of-proceeds-of-sales>
Mortgage foreclosure statute: <https://www.ndlegis.gov/cencode/t32c19.pdf>

Ohio

Tax overage
statute: <https://www.butlercountytreasurer.org/egov/apps/document/center.egov?view=item&id=2>
Mortgage foreclosure: [Section 2329.44 - Ohio Revised CodeOhio.govhttps://codes.ohio.gov/section-2329](https://codes.ohio.gov/section-2329)

Oklahoma

Tax overage: <https://law.justia.com/codes/oklahoma/2018/title-68/section-68-3131/>
Mortgage foreclosure statute: <https://law.justia.com/codes/oklahoma/2018/title-46/section-46-48/>

Oregon

Mortgage foreclosure statute: https://oregon.public.law/statutes/ors_86.794

Pennsylvania

Tax overage statute: <https://codes.findlaw.com/pa/title-72-ps-taxation-and-fiscal-affairs/>

Mortgage foreclosure

statute: <https://www.pacodeandbulletin.gov/Display/pacode?file=/secure/pacode/data/231/chapter3000/s3136.html&searchunitkeywords=3136&origQuery=3136&operator=OR&title=null>

Rhode Island

Tax overage

statute: <https://law.justia.com/codes/rhode-island/2012/title-44/chapter-44-9/chapter-44-9-37/>

Mortgage foreclosure

statute: <https://law.justia.com/codes/rhode-island/2018/title-34/chapter-34-11/section-34-11-22/>

South Carolina

Tax overage

statute: <https://law.justia.com/codes/south-carolina/2018/title-12/chapter-51/section-12-51-130/>

Mortgage foreclosure statute: <https://www.scstatehouse.gov/code/t29c003.php>

South Dakota

Tax overage statute: https://sdlegislature.gov/Statutes/Codified_Laws/2038118

Mortgage foreclosure statute: https://sdlegislature.gov/Statutes/Codified_Laws/2046690

Tennessee

Tax overage

statute: <https://law.justia.com/codes/tennessee/2017/title-67/chapter-5/part-25/section-67-5-2506/>

Mortgage foreclosure statute: <https://law.justia.com/codes/tennessee/2010/title-35/chapter-5/>

Texas

Tax overage statute: <https://statutes.capitol.texas.gov/Docs/TX/htm/TX.34.htm>

Mortgage foreclosure statute: <https://codes.findlaw.com/tx/property-code/prop-sect-70-007.html>

tax overages not recommended

Utah

Tax overage statute : https://le.utah.gov/xcode/Title59/C59_1800010118000101.pdf

Mortgage foreclosures

statute: https://le.utah.gov/xcode/Title57/Chapter1/C57-1-S29_2017050920170509.pdf

Vermont

Tax overage statute: <https://legislature.vermont.gov/statutes/section/32/133/05061>

Mortgage foreclosure

statute:<https://casetext.com/rule/vermont-court-rules/vermont-rules-of-civil-procedure/xi-special-rules-for-certain-actions/rule-801-foreclosure-of-mortgages-and-judgment-liens>

Virginia

Tax overage statute:<https://law.justia.com/codes/virginia/2006/toc5801000/58.1-3967.html>

Mortgage foreclosure

statute:<https://law.justia.com/codes/virginia/2018/title-55/chapter-4/section-55-59.4/>

Washington

Tax overage statute:<https://app.leg.wa.gov/RCW/default.aspx?cite=84.64.080>

Mortgage foreclosure statute:<https://app.leg.wa.gov/RCW/default.aspx?cite=61.24.080>

Tax overages no longer limited to 5%

West Virginia

Tax overage

statute:<http://www.wvlegislature.gov/WVCODE/ChapterEntire.cfm?chap=11A&art=3§ion=10>

Mortgage foreclosure statute:<http://www.wvlegislature.gov/WVCODE/code.cfm?chap=38&art=1>

Wisconsin

Tax overage statute:<https://docs.legis.wisconsin.gov/statutes/statutes/75/69>

Mortgage foreclosure statute:<https://docs.legis.wisconsin.gov/statutes/statutes/846/08>

Wyoming

Tax overage

statute:<https://law.justia.com/codes/wyoming/2017/title-39/chapter-13/section-39-13-108/>

Mortgage foreclosure

statute:<https://law.justia.com/codes/wyoming/2018/title-34/chapter-4/section-34-4-113/>

