**[\_\_\_\_\_\_\_\_\_\_] DISTRICT COURT FOR THE PARISH OF [\_\_\_\_\_]**

**STATE OF LOUISIANA**

**NO.: DIVISION:**

**[plaintiff-tax debtor]**

**VERSUS**

**[defendant-tax sale purchaser]**

**FILED: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**DEPUTY CLERK**

**PETITION**

**NOW INTO COURT**, through undersigned counsel, comes [plaintiff] a natural person of full age of majority, who is domiciled in [\_\_\_\_\_] Parish and respectfully presents the following:

Made defendant herein is [tax sale purchaser] a natural person of full age of majority, who upon information and belief, resides in the Parish of [\_\_\_\_\_].

2.

This Court has jurisdiction over this proceeding pursuant to the provisions of Louisiana Code of Civil Procedure, Article 8 in that this suit pertains to enforcement of a right in, to, or against property having situs in this state.

3.

Venue for this action is proper in this court pursuant to the provisions of Louisiana Codes of Civil Procedure Articles 72 and 80(A)(1) in that this suit asserts an interest or a right against a property located in this parish.

4.

On [date], Petitioner purchased the below described property per [describe act] filed in the conveyance records of [\_\_\_\_\_\_\_] Parish on [date] under [recordation number].

5.

The property in question (hereinafter “The Property”), is located in the Parish of [\_\_\_\_\_\_], State of Louisiana, bearing municipal address [\_\_\_\_\_\_\_\_\_\_]; with a Tax Bill No. [\_\_\_\_\_\_\_], and with a legal description as follows to wit:

[Insert full legal description]

6.

Defendant purportedly purchased a tax sale certificate for the property on [date], which was recorded in the conveyance records of [\_\_\_\_\_\_\_\_] Parish on [date] under [recordation number].

7.

Upon information and belief, the taxing authority and/or the defendant failed provide the minimum standard of tax sale notice set by *Mennonite Bd. of Missions v. Adams*.

“Notice by mail or other means as certain to ensure actual notice is a minimum constitutional precondition to a proceeding which will adversely affect the liberty or property interests of *any* party, whether unlettered or well versed in commercial practice, if its name and address are reasonably ascertainable.” Mennonite Bd. of Missions v. Adams, 462 U.S. 791, 800, 103 S. Ct. 2706, 2712, 77 L. Ed. 2d 180 (1983).

8.

Upon information and belief, the taxing authority and/or the defendant failed provide the minimum standard of additional tax sale notice set by *Jones v. Flowers*.

“We hold that when mailed notice of a tax sale is returned unclaimed, the State must take additional reasonable steps to attempt to provide notice to the property owner before selling his property, if it is practicable to do so.” Jones v. Flowers, 547 U.S. 220, 225, 126 S. Ct. 1708, 1713, 164 L. Ed. 2d 415 (2006).

9.

As a result, the purported tax sale is a redemption nullity under La. R.S. 47:2122(10) and §2286 because plaintiff was not duly notified in accordance with §2122(4) at least six months before the termination of the redemptive period.

**WHEREFORE**, [plaintiff] prays that judgment be rendered herein in his favor and against [defendant], nullifying defendant’s tax sale and corresponding tax sale certificate, and awarding all legal and equitable relief to which he is entitled to after due proceedings.

Respectfully submitted by:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[Attorney], Bar \_\_\_\_\_\_\_

[address]

[phone, fax, email]

*Attorney for [plaintiff]*

PLEASE SERVE: