



COUNTY OF ERIE
DEPARTMENT OF FINANCE
BUREAU OF REVENUE AND TAX CLAIM
ERIE COUNTY COURT HOUSE
140 WEST SIXTH STREET RM. 110
ERIE, PENNSYLVANIA 16501
(814) 451-6206
(814) 451-7484

Erie County Tax Sales:

The Upset Tax Sale is for properties located within Erie County with outstanding tax balances that are at least two years delinquent. The sale is held annually on the last Monday in September. This year it is scheduled for Monday, September 24, 2018 at 10:00 a.m. at the Erie County Court House (actual location/room to be determined). This sale is held as an open public auction. A listing of the properties is available in the Erie Times and Erie County Legal Journal thirty days prior to the sale. This year it will be advertised on Friday, August 24, 2018. You may be able to obtain copies by contacting them directly. The addresses are as follows: Erie Times, 205 West 12th St, Erie, PA 16534 and Erie County Legal Journal, 302 West 9th St, Erie, PA 16502-1427. Tax Claim may provide an updated list, after August 24, 2018, for a \$0.25/per page copy fee in the office or **for free via our web site at www.eriecountypa.gov**.

There are a number of situations that prospective bidders should keep in mind:

- 1) A number of properties will be advertised that have already been removed from the sale or will be removed from the sale prior to the actual sale date. Many tax payers will make the necessary payment in order to remove the parcel from the Upset Tax Sale or sign a stay of sale agreement to remove the parcel with a specified down payment (generated according to the Pennsylvania Real Estate Tax Sale Law) and a written agreement to pay the remaining balance. Also, properties may be removed from the Upset Tax Sale by Court Orders to stay the sale. Those properties may be placed on the list in the future.

- 2) Even if the property is sold at the tax sale auction, the property owner has the ability to pay the delinquency prior to the successful bidder paying the Upset Bid Price. If the property owner is able to pay the delinquency first then they will retain ownership and it would be as if the property had never been exposed to the Upset Tax Sale. If the successful bidder remits the entire amount of their bid prior to the current owner paying their taxes, then the sale will stand (pending court approval of the sale - see No. 3 below).
- 3) The current owner still has the right to contest the sale of his or her property if it is sold at the Upset Tax Sale. Current owners could claim that they did not receive proper notification of the sale. If a property is contested it will be settled in the Court of Common Pleas. If the sale is set aside then the successful bidder will receive a full refund of the bid price unless it is otherwise settled via the Courts.
- 4) Prospective bidders shall consult with an Attorney of their own choice prior to the Upset Tax Sale in order to obtain more detailed information on the responsibilities of purchasing properties in this manner.

All bidders must be present and sign in before the auction starts. You may, however, send a representative in your place (i.e.: an Attorney). The minimum bid will start at approximately the sum of the delinquent and current taxes, as well as, municipal liens. The minimum bid will also include a \$25 preparation of deed fee and a \$100 engineering fee for all properties located in the City of Erie (all fees are subject to change). **As a prospective bidder, it is strongly recommended that you conduct a title search on the property that you may be interested in, as all liens, judgments and rents of record follow the property. These liens will become the responsibility of the new owner. All sales are final (No Refunds).**

The successful bidder at the tax sale must remit the full bid amount to the Tax Claim Bureau by certified check, cashier's check, money order, or cash **by 3:30 pm the day of the sale**. In addition, within 20 days from the actual sale date, the successful bidder must also submit, to Tax Claim, **a notarized statement certifying they do not have any delinquent taxes or municipal utilities more than one year outstanding**. Failure to comply may result in the sale being voided and possible loss of your bid amount.

Once all of the appropriate documents have been filed, pending no legal exceptions, a Tax Sale Deed will be recorded roughly 150 - 180 days from the sale date at the new owner's expense. **All Transfer fees must be paid at that time by the successful bidder, and include, but aren't limited to, 2% of Current Common Level Ratio (CLR) multiplied by the Assessed Value of the property plus all recording costs (all costs are subject to change without notice).** Also, since the new deeds will not be issued until after the next calendar year, the **new owner should contact the local tax collector for the current year's tax information, and amounts due, as they will be responsible for those taxes.**

The deed will not contain any warranty, either general or specific, and it will be a Quit Claim deed. The Bureau will sell the property as described on the dockets in the Tax Claim Bureau and the Bureau makes no representation or warranty as to the description, nor will the Bureau make any survey on the property. All properties are sold under and by virtue of the Act of 1947, P.L. 1368, as amended, known as the "Real Estate Tax Sale Law." All properties are sold subject to existing occupancy, payment of Registry Fees, Municipal, or Governmental claims not paid out of the Sale price and any other liens which must be paid by the purchaser. **The Bureau reserves the right to participate or not participate in any post-sale litigation.**

If objections or exceptions are filed within the prescribed time and concern only the legality of the manner in which the Bureau conducted the proceedings with respect to the sale, the court may either overrule them and enter a decree of absolute confirmation or sustain them and order the sale to be set aside.

If a property is not sold at the Upset Tax Sale and delinquencies have not been satisfied, the property will be turned over to a Law Firm at a date to be determined in the future, for possible exposure at the next scheduled **Judicial Lien Free Tax Sale**. Those who are interested in the November, 2018 Judicial Sale, you may contact the office of MacDonald Illig Law Firm directly at (814) 870-7770 with any questions. A current sale list may also be obtained from The MacDonald Firm or by visiting the **Judicial Sale Web Site at <http://www.eriejudicialtaxsale.com>**. All questions pertaining to the Judicial Sale, including payoff amounts, availability of any title search, or the information provided on the Judicial Sale Web Site should be directed to the MacDonald Illig Law Firm.

The property owner whose property is in jeopardy for a judicial tax sale may not bid on his or her own property. The date, time, and structure of the Judicial Tax Sale are determined by The MacDonald Illig Law Firm.

After the Judicial Sale is confirmed by the Courts, the unsold properties come back to Tax Claim as Repository properties. **The property owner whose property is at jeopardy for a repository sale also may not bid on his or her own property, and by Law has no right of redemption.** A list can be obtained for a small fee from the Tax Claim Bureau or for free by visiting the County of Erie's website at <http://www.eriecountypa.gov/property-tax-records/sales/tax-sales/repository-list.aspx>. The repository List is updated frequently, and is subject to change without notice.

Before submitting any Repository Bid(s), please contact the Erie County Tax Claim Bureau to confirm that no current bids exist on any property that you are considering putting a Bid on. Repository properties can be purchased by completing a both the Repository Letter of Intent and an Affidavit of Bidder form (available via the County's web site) along with a minimum bid of \$250.00 (subject to change) in the form of a **money order only**. Repository bids come in frequently, and are on a first come first served basis. Once the Tax Claim Bureau accepts a Repository Bid, bidding on that property is then halted until that bid is accepted or denied by the taxing authorities. All three taxing authorities must approve the bid in writing before the sale can be completed, a process that can take several months to complete. If a bid is rejected, your money order will be returned to you, or you may use it to bid on another Repository listed property.

All Repository bidder(s) must submit, to Tax Claim, a notarized statement certifying they do not have any delinquent taxes or municipal utilities more than one year outstanding. This is the Affidavit of Bidder form. Failure to comply will cause the bid to be denied immediately. The Affidavit of Bidder, and the Repository Letter of Intent forms, both of which are required at the time of the bid, are currently available on the Erie County website at <http://www.eriecountypa.gov/property-tax-records/sales/tax-sales.aspx>. **The bidder is responsible to conduct their own title search, at their own expense.**

The mailing address for any Repository bids is: Erie County Tax Claim Bureau, 140 West Sixth St, Room 110 - Repository Sales, Erie, PA 16501. Upon their receipt, Tax Claim will petition the appropriate taxing bodies to ask for exoneration of

their portion of the delinquent taxes less their portion of the bid and allow the sale from Repository. Please expect to be contacted by the local municipalities or school districts, for they may require that you **appear in person at a council/board meeting**. In most cases they will approve of the Repository bid. Pending no disagreement, the **bidder will then be contacted approximately 90 - 120 days after they submitted their Repository bid**. The bidder will then come to the Erie County Court House to transfer title through issuance of a Tax Claim Deed, or a Bill of Sale for Mobile Homes. All standard transfer costs (2% of the bid amount plus all applicable recording costs) will be at the new owner's expense. For mobile homes, the winning bidder issued a Repository Bill of Sale, and it is the new owner's responsibility to obtain a new vehicle title, from the Pennsylvania Dept of Motor Vehicles, at their own expense. They also must inform both the Local Tax Collector and the Erie County Assessment Bureau of the new ownership.

All information is subject to change without notice. Please note that County Employees are unable to issue any legal advice. Please contact a lawyer of your own choice to find out any additional information in regards to the various Tax Sales and your Legal Rights and Responsibilities.