

## POLICY AND PROCEDURES FOR PRIVATE SALE OF TAX CLAIM PROPERTY

- *Properties eligible for Private Sale are those properties exposed by the Tax Claim Bureau at Upset Sale but not sold as a result of lack of sufficient bids.*
- *The publically available policy shall advise potential bidders to conduct a title search prior to submitting a bid for Private Sale, and that in some instances; it may be necessary or prudent to file an action to quiet title after the sale.*
- *It is recommended to hire an attorney that can best advise you in these matters.*
- *The Tax Claim Bureau may act as Trustee for any or all of the taxing districts that agree to such an arrangement: County, Municipality and School, and as such, seeks to collect all of the delinquent taxes filed with the Bureau. The Tax Claim Bureau may be contacted at 610-278-1216.*
- *Properties purchased through the Tax Claim Bureau shall carry no warranty of title.*

### CRITERIA FOR SUBMITTING BIDS FOR PRIVATE SALE:

1. The Tax Claim Bureau will calculate an approximate amount of delinquent taxes payable to Montgomery County Tax Claim Bureau, including penalty, interest and costs.
2. In addition to the amount of the successful bid, the purchaser will be required to pay:
  - a. an approximate amount of \$300.00 to cover advertising and postage costs.
  - b. submit a non-refundable administrative fee of \$500.00.
  - c. a deed preparation fee of \$25.00.
  - d. a transfer tax based on 2 percent (2%) of the fair market value of the property, or 2 percent (2%) of the purchase price if it exceeds the fair market value. *Under no circumstances will any property be reassessed prior to the recording of the deed.*
  - e. a deed recording fee of \$55.00. An additional fee may be added for four or more names or extra pages.
  - f. a \$10.00 UPI (Uniform Parcel Identifier) fee.
3. Bids must be submitted in writing and signed by the person(s) making the bid.
4. Bid and administrative fee must be accompanied by certified check, cashier's check or money order in the amount of \$300.00 or ten percent (10%) of the bid, whichever is greater, in addition to the \$500 administrative fee, payable to Montgomery County Tax Claim Bureau.
5. At the time a bid is submitted, the bidder must provide a notarized affidavit stating that he has no delinquent taxes and no outstanding municipal bills within the County of Montgomery.
6. The bid will be presented to the County Commissioners for discussion. If acceptable, the bid will receive approval at a public meeting of the County Commissioners. This is a formality prior to a mandated legal procedure which is as follows:
  - a. the bid will be advertised two (2) times within ten (10) days in the Montgomery County Law Reporter, and a newspaper of general circulation.
  - b. for a period of forty-five (45) days after the second publication, higher bids will be accepted, unless otherwise noted.
  - c. the taxing districts and the assessed owner of the property will be notified of the proposed sale and have the right, within the aforementioned forty-five (45) day period, to file an objection to the sale in the Court of Common Pleas of Montgomery County. The owner also has the right to retain the property within that time frame by payment in full of all tax claims and costs due.

- d. receipt of additional bids will result in an auction of the property, restricted to those persons who submit bids within the said forty-five (45) day period. The date and terms of such auction is to be determined at the discretion of the Bureau.
- e. if no additional bids are received and no objections are filed, the sale to the initial bidder will be final.
- f. the successful bidder will be required to pay all bid monies and costs within fifteen (15) days of the deadline for submitting bids.
- g. if the successful bidder fails to comply with the terms and conditions of sale, he will forfeit ALL monies already paid to the Bureau.
- h. if the sale is declared void, due to an error on the part of the Bureau or overturned by an Order of the Court of Common Pleas or retained by the owner, the bidder's money will be refunded.
- i. the property will be sold free and clear of all delinquent real estate tax claims and tax judgments filed in the Tax Claim Bureau. ***CURRENT YEARS TAXES AND ANY REAL ESTATE TAX, DELINQUENT OR OTHERWISE, WHICH IS NOT RETURNED TO THE TAX CLAIM BUREAU FOR COLLECTION, ARE THE RESPONSIBILITY OF THE PURCHASER.***
- j. other terms, if any, at the discretion of the Bureau.

#### PERTINENT NOTATIONS AND ABBREVIATIONS

Lot – parcel of land of varying dimensions

Lot, Impt. (Improvement) – Parcel of land with a structure allegedly erected thereon

L.G.I. (Leased Ground Improvement) – A structure (mobile home or other building) situated on leased ground – ONLY THE IMPROVEMENT WILL BE SOLD, NOT THE LAND

A.C.R. (Acres Coal Reserve) – This is coal land BELOW the surface; surface land is NOT included in the sale