

IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY

IN RE: SHERIFF SEAN KILKENNY

NO. 2020-04768

ORDER

AND NOW, this 23<sup>rd</sup> day of July 2020, upon consideration of the Fifth Petition To Postpone Sheriff's Sale of Real Property it is hereby **ORDERED** that the Petition is **GRANTED**. It is further **ORDERED** that:

1. All properties scheduled for sale on August 26, 2020 shall be POSTPONED, and the next Sheriff's Sale of Real Property shall be scheduled to take place on **October 28, 2020** at 1:00 PM.
2. The October 28, 2020 Sheriff's Sale shall be conducted by way of an online auction format through Bid4Assets, or similar municipal auction format.
3. In an effort to foster and maintain appropriate social distancing guidelines during the ongoing COVID-19 pandemic, the Montgomery County Sheriff's Department shall continue to conduct its Sheriff's Sales via this online auction format through March 31, 2021 or upon further Order of this Court..
4. All notice and legal publication requirements set forth at 231 Pa. Code 3129.2 shall be strictly followed in preparation for these online auction sales.



2020-04768-0009 7/23/2020 10:58 AM # 12799862  
Rcpt#Z3898507 Fee:\$0.00 Order  
Main (Public)  
MontCo Prothonotary

BY THE COURT:

Thomas M DelRicci, P.J.

IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY

SEAN KILKENNY

NO. 2020-04768

**FIFTH PETITION TO POSTPONE SHERIFF'S SALE OF REAL ESTATE**

Sean Kilkenny, Sheriff of Montgomery County, by his Solicitor Joseph P. Walsh,  
Petitions the Honorable Court as follows:

1. The next Sheriff Sale of Real Estate is currently scheduled to take place on August 26, 2020 at 1:00 PM.
2. The Sheriff's Sale has been postponed on four prior occasions by Orders of this Court as a result of Emergency Orders issued by the Supreme Court of Pennsylvania and your Honorable Court putting in place certain policies and/or restrictions in order to respond to COVID-19 public health crisis.
3. The last sale to be completed occurred on February 26, 2020.
4. On March 13, 2020, the Honorable Virgil Walker entered an Order postponing the March 25, 2020 Sheriff Sale of Real Estate and ordered the new sale to take place on April 29, 2020.
5. On March 20, 2020, the Honorable Thomas Rogers entered an Order postponing the April 29, 2020 Sheriff Sale of Real Estate scheduled and ordered the new sale to take place on May 27, 2020.
6. On April 21, 2020, the Honorable Kelly Wall entered an Order postponing the May 27, 2020 Sheriff Sale of Real Estate scheduled and ordered the new sale to take place on July 29, 2020.

7. On May 26, 2020, the Honorable Thomas DelRicci entered an Order postponing the July 29, 2020 Sheriff Sale of Real Estate scheduled and ordered the new sale to take place on August 26, 2020.

8. Pursuant to Executive Order of the Honorable Tom Wolf, Governor of the Commonwealth of Pennsylvania, a new moratorium on eviction and foreclosure actions has been extended through August 31, 2020.

9. Similarly, the Federal Housing Finance Agency has instructed Fanny Mae and Freddy Mac to extend a foreclosure moratorium on its loans until at least August 31, 2020 as well.

10. With these moratoriums in place through August 31, 2020, the Sheriff believes it prudent to postpone his next Sale until October 28, 2020 at 1 pm.

11. Given the strict social distance protocols which will likely remain in place for the next several months, it will be impossible to conduct a Sheriff's Sale in the Courthouse for the remainder of this calendar year and likely into the beginning of 2021.

12. The Sheriff's Office is currently in the process of transitioning its sales to an online auction format through Bid4Assets, and the online format will be ready to launch at the next sale. This online format will significantly foster the state and county goals to mitigate COVID-19 exposures through social distancing.

13. Sheriff Kilkenny believes that it would be in the best interest, safety and welfare of the public, his department, and the courthouse staff to have judicial permission to conduct these online auction sales through at least March 31, 2021.

14. Pursuant to 231 Pa. Code 3129.3, your Honorable Court has the authority, by Special Order of the Court, to postpone a sale without the requirement of additional advertising.

15. Through its Emergency powers, your Honorable Court has the authority to permit the Sheriff to conduct his Sales of Real Property online for health, safety and welfare of the community in an effort to mitigate the effects of COVID-19

16. The relief being sought by the Sheriff is in keeping with the current and anticipated mandates of this Court.

**WHEREFORE**, the Honorable Sean Kilkenny request your Honorable Court enter a Special Order of the Court postponing the scheduled Sheriff Sale until August 28, 2020 at 1:00 PM to be conducted by Bid4Assets online auction.

**WALSH PANCIO, LLC**


BY: 

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VERIFICATION

I, Joseph P. Walsh, Solicitor for the Montgomery County Sheriff's Department, verify that the averments herein are true and correct to the best of my knowledge, information, and belief. This statement is made subject to the penalties of 18 Pa.C.S. 4904 relating to unsworn falsification to authorities.

Date: 7.21.20

  
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Joseph P. Walsh, Esquire