

Jeri L. Vogt

Crawford County Treasurer

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To: Tax Sale Certificate Investors

RE: 2018 Annual Tax Sale

Enclosed you will find information regarding the 2018 annual tax sale and any adjourned sales. The annual tax sale will begin at 8:30 a.m. on Monday, June 18, 2018. Room permitting, the sale will be held in the Conference Room located on the first floor of the Crawford County Court House.

In order to bid at the Crawford County Tax Sale on Monday, June 18, 2018, the following forms must be completed, signed, and returned to this office by Friday, June 15, 2018 at 12:00 noon. **No registrations will be accepted the morning of Monday, June 18, 2018.**

Form 1: Register of Bidder

Form W-9: Request for Taxpayer Identification Number and Certification

Form 2: Authorization to Represent Bidder (**Only if using an agent**)

By signing the Annual Bidder Registration form, I certify that the bidder, if not an individual, has a federal tax identification number and a copy of either a designation of agent for service of process on file with the Secretary of State or a verified statement of trade name on file with the Crawford County Recorder.

There will be a \$25.00, non-refundable, registration fee due for each tax ID or social security number used. Please remit said fee along with your completed registration documents.

The official publication of the Crawford County tax sale list will appear in the June 8, 2018 edition of the Denison Review with follow-up publications in the Westside Observer and the Manilla Times on June 14, 2018.

If you contemplate bidding at the 2018 tax sale, please review the information in this packet describing the terms and conditions of the 2018 annual tax sale. A detailed list of unpaid parcels can be emailed to you at your request. **Please check in at the counter, on tax sale day, in order to receive your bidder number.** No one under age 18 is allowed at our tax sale. If you have any questions please do not hesitate to contact our office.

Jeri Vogt

Crawford County Treasurer

To: Jeri Vogt
Crawford County Treasurer
1202 Broadway, Ste. 7
Denison, IA 51442

AUTHORIZATION TO REPRESENT BIDDER AT TAX SALE

I/we, (please type or print clearly) _____,
(Bidder's Name, as it appears on the Registration form)

Authorize (please type or print clearly) _____,

to act as my/our agent/personal representative at the 2018 annual tax sale and adjourned sales thereof.
Proof of identification, photo ID, may be required

(Signature)

(Date)

(Address)

(City, State, and Zip Code)

Subscribed and sworn to me this _____ day of _____, 20_____.

(Notary Public)

This form is required only if an agent will be bidding on your behalf.

NOTICE TO TAX SALE PURCHASERS OF TERMS AND CONDITIONS GOVERNING THE ANNUAL TAX SALE OF CRAWFORD COUNTY, IOWA JERI VOGT, COUNTY TREASURER

The annual Tax Sale is held on the third Monday of June, at 8:30 a.m., in the Crawford County Courthouse. The sale will continue as long as bidders are present, and will be adjourned on a daily basis as long as parcels are available for sale. A non-refundable registration fee of \$25.00 will be charged, which includes a detailed listing of items available. Paid registrations must be in the Crawford County Treasurer's Office by 12:00 noon, the Friday prior to the tax sale. Registration will not be allowed the morning of the annual tax sale.

Please be prepared for the sale, and know the parcels in which you are interested.

(1) **All prospective bidders must register prior to the tax sale in the Tax Department of the Treasurer's Office.** There is a \$25.00 non-refundable registration fee. In order to be eligible to bid at this tax sale you must have filed a bidder registration form and W-9 with my office prior to this sale. You may obtain a W-9 by going to www.irs.gov/pub/irs-pdf/fw9.pdf.

You must complete the W-9, which provides name, address, and information needed to file with the Internal Revenue Service. If you earn over \$599.99 annually in interest, a 1099-MISC will be filed with the IRS and a copy sent to you. You may not receive a 1099-MISC for interest earned under \$600.00 annually.

Bidders, or their Authorized Agent, must be present at the sale. Bids by mail, phone or other means will not be accepted. You are required to file an Authorization to Represent Bidder form if someone else is bidding on your behalf.

Errors, omissions, or misrepresentations by a tax sale bidder may disqualify the bidder from the sale. A bidder may be disqualified from the sale if they are not properly registered as set forth in this document or is without proper authorization. In these instances, all certificates purchased by the disqualified bidder during the sale may be canceled and re-offered to other properly registered bidders. A registered bidder may be disqualified from the tax sale if discovery is made of an unauthorized agent bidding for a registered bidder.

By signing the Registration for the Annual Tax Sale the bidder, if not an individual, certifies they have a federal tax identification number and a copy of either a designation of agent for service of process on file with the Iowa Secretary of State or a verified statement of trade name, meeting the requirements of Chapter 547, on file with the Crawford County Recorder, as per 446.16 of the Code of Iowa.

(2) The notice of tax sale will appear in the Denison Review, an official newspaper of Crawford County, Iowa, as designated by the Crawford County Board of Supervisors, at least one week, but not more than three weeks prior to the tax sale, as required by Iowa Code 446.9. All properties shown in the publications are offered for sale except those, 1) which have been paid subsequent to publication, 2) are withheld due to bankruptcy laws that prohibit their sale, and 3) cannot be sold because they are owned by a person serving in the military service of the United State of America. Those properties listed in the publication with two asterisks are second year delinquencies at the time of this sale and must be sold for the full amount of taxes, interest, and costs. If no bid is received for these properties, Crawford County will bid for said parcels as per Sec. 446.19 of the Iowa Code.

(3) You, or the party for which you represent, may not be entitled to bid at tax sale, and become a tax sale purchaser by reason of having a vested interest in the property. The general rule is, a tax sale purchaser should never have an interest, or lien, in the property offered at tax sale. All bidders, buyers, and tax sale attendees must be 18 years of age or older. (Valid proof of age may be required; i.e. photo ID)

(4) Every bidder has a number, one number per entity. A registrant is limited to one designated agent per registration for the duration of the sale. Each entity must have a tax ID or Social Security number on file with this office. One person may act as agent on behalf of up to 5 registered bidders. All inventors will be restricted from buying for one entity and then immediately transferring the certificates to another entity. The name in which you bid will be the name on the certificate. You may assign certificates at a later date. If a Tax Sale Certificate is assigned to another party a \$100.00 assignment fee will be charged. This office must be notified of the assignment, along with the name of the assignee and the fee for each parcel assigned.

(5) Parcels with delinquent taxes are offered for sale by taxing district, by parcel number, as reflected in the official tax sale publication and the purchased delinquent list. It is the bidder's responsibility to be prepared for the sale and know the parcel number(s) within each district for the corresponding legal descriptions(s) upon which s/he intends to bid.

Each parcel/item will be offered for sale to all "active bidders" by the Treasurer, beginning with 100% undivided interest. ("Active Bidder" means the properly registered bidder whose number is available for selection by the random selection process.) After the treasurer announces the next item to be sold, active bidders may bid downward a percentage of undivided interest. "Bid downs" will range in whole percentage points from 99% to 1%. Bids for less than 1% will not be accepted.

The person who offers to pay the total amount due, which is a lien on any parcel, for the smallest percentage of the parcel is the purchaser, and when the purchaser designates the percentage of any parcel for which the purchaser will pay the total amount due, the percentage thus designated shall give the person an undivided interest upon the issuance of a treasurer's deed, as provided in chapter 448, Code of Iowa. If two or more persons have placed an equal bid, and bids are the smallest percentage offered, the county treasurer shall use a random selection process to select the bidder to whom a certificate of purchase will be issued. The bidder

selected at random must immediately accept the purchase of the parcel by announcing “yes/sold”, or refuse the parcel/item by announcing “pass”, in which case another bidder will be randomly selected. When there is not a tie bid, the sale will be awarded to the lone active bidder. A response of “yes” to the Treasurer results in an obligation on the part of the bidder to pay the tax certificate.

(6) If it is determined any item was erroneously sold, the certificate of purchase will be cancelled. The certificate holder shall return the certificate of purchase and shall be reimbursed the principal amount of the investment. Interest will not be paid.

(7) Payment is required at the time of purchase, or at the conclusion of the tax sale. Payment must be made in U.S. funds. Two party checks will not be accepted. Payment must be in the form of a personal check, money order, other form of guaranteed funds, or cash.

The amount collected will include all delinquent taxes and special assessments, interest, special assessment collections fees, costs, and a \$20.00 certificate fee for each certificate issued to you. A blank check is preferred to allow us time to compute the amount you owe, depending on the number of parcels you purchase. You will be called, if you so request, to verify the amount of your check within two days after the day of the tax sale.

Failure to make payment at the end of the sale will result in those parcels being re-offered. In this instance you will be prohibited from again bidding on these parcels. If a tax sale purchaser’s check does not clear their bank account, i.e., non-sufficient funds, account closed, etc., the buyer will have five (5) business days following notification from the Treasurer to repay with guaranteed funds, or the tax sale certificate(s) will be canceled. If repaid by guaranteed funds, (cash, cashier’s check, or money order) a \$20.00 service fee will be assessed for each check returned unpaid.

Please allow up to two weeks to receive copies of your certificates. This gives our staff time to process the paper work and balance the proceeds received at the tax sale. If you choose to hold the original copy of your certificate a \$20.00 fee will be charged for a duplicate certificate, if the original is lost. Original certificates, held by the investor, must be returned to this office upon redemption by the property owner.

Iowa law requires we notify the taxpayer within two weeks of the date of the Tax Sale, that their property was sold, and set forth the redemption terms. If a certificate is redeemed prior to our mailing said certificate to you, reimbursement will be included for that parcel in lieu of the tax sale certificate of purchase being sent. It is the purchaser’s responsibility to verify the tax sale certificates and redemption copies received are correct for the parcels purchased.

(8) The tax sale certificate of purchase does not convey title to the purchaser. Legal steps must be taken in order to acquire a deed to the property, based on the percentage of interest you bid at Tax Sale. (If your bid was 1%, you will receive an undivided 1% interest in the property upon acquiring a Tax Deed.) The titleholder, or other entitled party, retains the right to redeem within a specified period of time. If the certificate remains unredeemed after this period has expired, the purchaser may begin proceedings to obtain a Tax Deed to the property. The Tax Sale Deed conveys right, title and interest, and that document will be issued following the redemption period after the due process of law has been complied with in full. You are responsible for knowing the law and following through on your purchase.

(9) A tax sale purchaser should pay subsequent taxes and special assessments for parcel(s) on which they hold the tax sale certificate(s) no sooner than one month and 14 days following the date from which an installment becomes delinquent. Purchasers should continue to pay subsequent taxes and add them to the certificate or prevent complications with a second certificate holder. Subsequent tax amounts may be found online. **Tax record searches conducted by the Treasurer, or staff, are subject to a charge of \$2.00 per parcel.** Subsequent taxes may be paid online. Additional fees apply. Please contact our office for further information concerning subsequent tax payments. Subsequent payments received on the Friday prior to the annual tax sale, may not be posted until the following Tuesday. In this instance, those parcels may be available for sale on the third Monday in June. To prevent this circumstance, subsequent payments must be received no later than the close of business on the Friday prior to the annual tax sale. **No delinquent tax payments of any type will be accepted during the Tax Sale.**

(10) **Redeemed:** A redeemed tax sale will include the following: 1) the original tax sale amount paid by the purchaser at the time of the tax sale. 2) Interest calculated on the sale amount at 2% per month. 3) Subsequent tax payments, paid by the purchaser, and added to the amount of the sale, with appropriate interest calculated from the date of payment to the date of redemption. 4) Valid costs incurred, and recorded on the Tax Sale Register, for action taken toward obtaining a TAX DEED.

(11) When tax sale certificates are redeemed we will contact you. You will need to return the original copy of the tax sale certificate, if held in your possession, in order to receive your redemption check. For this reason please keep your contact information current with our office. The redemption check will be sent to you along with a copy of the redemption certificate. We recommend you retain this copy for income tax purposes. If for any reason a certificate holder is paid for a redemption that in fact was not redeemed, the certificate holder shall reimburse the Crawford County Treasurer, the full amount that was issued for said redemption.

(12) **90-Day Notice.** It is necessary for you to contact an attorney to make sure the proper legal procedures for the 90-day Notice of Expiration of Right of Redemption is served on all entities required to be served notice. The attorney must then certify to this office the 90-day notices have been served. On the day the Treasurer receives the Affidavit of Service, the 90-day period starts to take effect. This must be done before the 3-year term has expired. If the legal process to a TAX DEED has not been started within three years, of the date of the tax sale, the certificate will be canceled and your rights will cease.

- (13) **TAX DEED:** The tax sale certificate holder is required to return the original certificate of purchase, if held by them, and remit the \$25.00 tax deed issuance fee, and recording fees to the Treasurer within ninety calendar days after the redemption period expires. The Treasurer is required by statute to cancel the certificate of purchase for any tax sale certificate holder who fails to comply. If the certificate holder fails to complete action to obtain a tax sale deed within the ninety calendar days after the redemption period expires and the Treasurer cancels the tax sale, the tax sale buyer is not entitled to a refund. The recording fee is variable and will be determined at the time a deed is requested. Upon receipt of the tax sale certificate and appropriate fees the Treasurer will record the deed with the Crawford County Recorder prior to delivering the deed to the buyer. The Treasurer will not release the tax sale deed to the certificate holder until it is property recorded.
- (14) The Treasurer cannot, and will not, be responsible for reminding you to take care of the steps that need to be done. You must be aware of the necessary procedures, and contact an attorney. The Treasurer will help you, but is not an attorney, and has no duty, or responsibility, to act in your behalf.
- (15) Electronic Devices are prohibited. Cell phones, pagers, camcorders, and other audible electronic devices are to be turned off during the sale. Laptop or notebook computers will be allowed only if they are operated from battery packs. A violation in the use of electronic devices may result in the disqualification of the bidder.
- (16) Copies of an updated listing of available parcels will be given to all registered bidders the morning of the Tax Sale along with your assigned bidder number.

This document has been prepared to provide general information and guidelines relative to tax sales, tax sale assignments, tax sale redemptions, and issuance of tax sale deeds. It is not an all-inclusive listing of statutory requirements, procedures, or policy. It is not be construed as a legal opinion of the statutes governing tax sales. The Crawford County Treasurer reserves the right to reject any or all bids and to waive irregularities which appear to be in the best interest of Crawford County. If any provision of this document is determined to be contrary to law, the remaining provision shall remain in full force and effect.

To protect your interest as a tax sale buyer and to determine your legal rights and remedies, please consult legal counsel.

Let the buyer beware!

Respectfully,

Jeri L. Vogt
Crawford County Treasurer