NOTICE TO TAX SALE PURCHASERS OF THE TERMS

AND CONDITIONS GOVERNING THE TAX SALE

The annual Tax Sale of parcels with delinquent taxes is held the third Monday in June each year in the Davis County Courthouse. Spectators can be accommodated only if sufficient seating room is available. The Treasurer’s office will not act as an agent for individuals purchasing at tax sale. It is necessary to attend in person or to send a representative. A list of available parcels is published in the Bloomfield Democrat newspaper approximately 10 days prior to the Tax Sale. Contact information for the newspaper is as following: The Bloomfield Democrat, 207 S Madison St, Bloomfield, IA 52537; Phone 641-664-2334.

Properties seized by the government, known to be involved in bankruptcy or published but paid prior to tax sale will not be offered and will be deleted from the list.

Parcels are listed as Regular Tax Sale, advertised one time, taxes being one year or less delinquent or as Public Bidder properties, advertised more than one time and being more than one year delinquent. Please familiarize yourself with the properties that are offered at the tax sale, it is BUYER BEWARE. Bidders are advised to research the parcel(s) prior to the day of the tax sale, to determine whether the property would be of sufficient use or value should a tax deed be issued. You may research property information online at [www.daviscountyassessor.org](http://www.daviscountyassessor.org)

A Tax Sale Certificate is issued for each parcel sold for the full amount of the taxes, interest, fees and costs due and will include the $20 certificate fee. If more than one party is interested in the same property, a bid down procedure begins. A parcel cannot be sold for more than is due, therefore, the party willing to pay the full amount due for the least amount of ownership interest in the parcel, acquires the certificate. In the event of a tie a lottery system is used, each registered buyer may have only one chance for each drawing. Also, Farms located in the same township with the same ownership will sell to one registered buyer. This is the same procedure as in past years’ sales.

Briefly, what needs to be done to obtain ownership to the property is this: hold the certificate for the necessary period of time. This would be 1 year and 9 months for a regular purchase or 9 months for a public bidder purchase. Then, if the property has not been redeemed, you would need to notify all parties with an interest of record in the property of your intention to obtain ownership. This office would highly recommend that you hire an attorney or a real estate foreclosure specialist to handle this procedure for you so that it is done properly. They would search the records here in the courthouse and look for liens, mortgages, judgments, etc. If the service is not handled properly, your deed may not be valid. Each person, business, company or government entity that has an interest of record in the property needs to receive notification of your intention to obtain a tax deed; they have ninety more days to redeem the property after your affidavit with evidence of service is filed IN THIS OFFICE. The cost of serving the notice, including the cost of sending certified mail notices, and the publication under sections 447.10, if publication is required, shall be added to the amount necessary to redeem. The cost of serving the notice, not to exceed $300.00 can be added to the amount necessary to redeem once the affidavit is filed with the County Treasurer. The treasurer’s office is not responsible to verify that all parties of record have been properly served notice. It is your responsibility as tax sale certificate holder to be sure that all the proper parties have been served the 90-day Notice of Expiration of Right of Redemption.

BIDDERS

To be authorized to register to bid or to bid at a tax sale in Iowa, a person, other than an individual, must have a federal tax identification number AND either a designation of agent for service of process on file with the Iowa Secretary of State or a verified statement from the county recorder where the sale will be held. The proof of the filing with the Secretary of State or the verification form from the county recorder will be required to be completed and returned to us in your registration packet before you will be allowed to register for our tax sale. This requirement is per HF256 which was signed by the Governor of the State of Iowa on March 13, 2009.

All prospective bidders must register by 4:30 p.m. Wednesday prior to the Monday tax sale with the Tax Department of the Treasurer’s Office. You may, through written notice to the Treasurer, designate an appointee to bid for you in your absence. A non-refundable registration fee of $25.00 will be collected per registration and is due at the time of registration. All bidders must register using the official unabbreviated Internal Revenue Service name. A bidder must be 18 years of age or older and will be allowed to represent more than one registered buyer; with a maximum of 15 representations per person. Bidders should be prepared to show proof of identity.

You or the party whom 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 parcel. A tax sale Certificate of Purchase and/or a Treasurer’s Deed can be set aside by the courts if it is determined that the tax sale purchaser was ineligible to bid at tax sale. The general rule is that a tax sale purchaser may not have an interest or lien on the parcel offered for sale. Prospective bidders should consult with legal counsel to determine their right to become a certificate holder, either through bid or through assignment.

A W-9 form must be completed with the appropriate social security number or tax-payer identification number and signed at the time of registration. This information is needed so that at the end of the calendar year we can issue an accurate 1099-INT form for cumulative interest paid to the certificate holder and to the Internal Revenue Service.

By completing a bidder registration form, you are affirming that you will abide by our tax sale rules. Registration will be considered complete when the following forms are properly completed, registration payment made and received in the Treasurer’s office: Acknowledgement of Terms and Conditions; Registration of Tax Sale Buyer; Authorization to Represent Bidder; W-9.

Also please be aware that all documents in our office are open public records and can be viewed in our office at anytime upon the request of any member of the public.

PAYMENT

Payments must be made by the close of business on the day of Tax Sale. The amount collected will include all delinquent taxes, special assessments, interest, special assessment administration fees, publishing costs and a $20.00 certificate fee for each certificate issued to you.

Please allow 7 to 10 days to receive copies of the certificate(s). This allows the County Treasurer’s office staff time to complete posting of records, editing of certificates and balancing the proceeds received from the tax sale. It is the purchaser’s responsibility to verify that the Tax Sale Certificates of Purchase received are correct for the parcels purchased. **The original Tax Sale Certificates of Purchase will now be held by the County Treasurer’s office and you will receive a copy only.**

If a parcel is sold and the Treasurer later determines it should not have been sold, the tax sale purchaser must surrender the certificate and they will be refunded the amount paid at the time of the sale. No interest will be paid.

Davis County is required to take a certificate on all Public Bidder properties, offered but not sold to private parties. Any qualified individual paying the full amount of taxes, interest, costs and fees due may take assignment of Davis County’s interest in a certificate, with the approval of the Davis County Board of Supervisors. The purchaser acquires Davis County’s rights in the certificate as if purchased at a Tax Sale. Certificates acquired April 1, 1992 or after, earn interest at the rate of 2% per month or portion thereof. Assigned certificates will not earn interest for the month in which they are assigned.

REGULAR TAX SALE

Regular tax sale certificates must be held for one year and nine months prior to service of the 90-Day Notice of Expiration of Right of Redemption. All parties with a recorded interest in the property, anyone in possession and the city in which the parcel is located, if applicable, must be served. Once Notice has been served and the **AFFIDAVIT** **FILED** in the Treasurer’s Office, the parties served have 90 days to redeem the certificate. If not redeemed in the 90 day period, a tax deed can be issued. Your attorney or real estate foreclosure specialist can advise you as to the legal implications of a Tax Sale Certificate.

PUBLIC BIDDER SALE

Public Bidder certificates must be held for nine months before the 90-Day Notice of Expiration of Right of Redemption and Application for Tax Deed can be served.

This office does not handle service of the 90-Day Notice of Expiration of Right of Redemption for privately held certificates. Certificates assigned before the start of service by Davis County, must acquire the services of an attorney or real estate foreclosure specialist. Assignments taken after the start of service will pay the actual costs incurred by the county. Davis County can serve the 90 Day Notice, file a lawsuit or pursue both means of collection on all county held certificates that have not been redeemed or assigned by the end of the nine month holding period. Parcels that the county takes deed to may be offered at public auction, by sealed bid, sold to adjacent property owners or otherwise disposed of. The assignment fee for a county held certificate is $10.00. Once assigned, it becomes privately held.

SUBSEQUENT TAX PAYMENTS

The certificate holder is responsible for requesting the amount of the subsequent taxes, without notice from this office. Subsequent taxes may be paid one month and 14 days after the payment becomes delinquent. Tax sale certificate holders must track subsequent taxes paid to our office. The subsequent tax payment must be received in the treasurer’s office no later than by office closing time on the last business day of the month for interest for that month to accrue and be added to the redemption amount. Postmarks on subsequent tax payments will not be honored.

Tax sale certificate holders wanting to pay subsequent taxes have three options for obtaining property tax payment information:

1) Self Lookup Online – Look up information online at [www.iowatreasurers.org](http://www.iowatreasurers.org). In this case, there will be no charge for the information.

2) Request Tax Information from the County Treasurer – Requests for property tax payment information must be in writing. Pursuant to Iowa Code Section 445.5(3), there will be a charge of $2.00 per parcel for providing property tax payment information.

3) Pay Subsequent Taxes Online – Register as a Tax Sale Investor at [www.iowatreasurer.org](http://www.iowatreasurer.org) by selecting “Tax Sale Investor Registration” under the “ONLINE SERVICES” drop-down menu. After the registration process is complete, you will be able to access a list of parcels in all 88 ICTEA-participating counties on which you hold tax sale certificates. You can then select the parcels you want to pay and submit payment by ACH debit. For this service, there will be a charge of $0.75 for each parcel paid.

FAILURE TO OBTAIN DEED

CANCELLATION OF TAX SALE CERTIFICATES

ISSUED ON OR AFTER APRIL 1, 1992

All Certificates cancel in three years, including county assigned. The three year period begins the day of the sale or the day of assignment. After three (3) years have elapsed from the time of the sale, if action has not been completed which qualifies the holder of the certificate to obtain a deed, the treasurer will cancel the tax sale.

There is a $100 per certificate fee due to this office to assign any of the privately held certificates. We require that the certificate holder and the party taking the assignment present themselves to this office to execute an assignment. If the parties are located out of town or state, a signed notarized affidavit of assignment must be submitted to this office with the $100 fee.

In the event that you have been reimbursed for a redemption and the taxpayer’s check does not clear the taxpayer’s bank account, for any reason, you will be required to return the funds to the Tax Department, upon notification. We will return the tax sale certificate to you and cancel the redemption. The tax sale will be reinstated as of the original sale date with any subsequent redemption calculated according to the law in effect at the time of the sale.

This document has been prepared to provide general information and guidelines relative to tax sales and tax sale redemptions. It is not an all-inclusive listing of statutory requirements, procedures or policy, nor is it to be construed as a legal opinion of the statutes governing tax sales. To protect your interests as a tax sale buyer and to determine your rights and remedies, we recommend that you consult with your legal counsel.

Announcements made the day of the tax sale will take precedence over these printed rules. Failure to comply with these guidelines or subsequent announcements will result in the bidder being prohibited from participating in present or future Davis County tax sales.

MIKE JOHNSON

Davis County Treasurer

100 Courthouse Square

Bloomfield, IA 52537

Ph 641-664-2155

I hereby acknowledge receipt of the Terms and Conditions and information provided to me concerning the annual tax sale held by Davis County Iowa and agree to abide by the terms and conditions therein.

Signed \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Appointed Representative)

Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

BIDDER REGISTRATION

Bidder #: \_\_\_\_\_\_\_\_\_\_\_\_\_

(Internal Use Only)

ANNUAL TAX SALE

Registration Fee - $25.00

Register by Wednesday, June 12, 2019

Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Street

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ City, State & Zip

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County

Phone No: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Required)

Email address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Required)

Interest will be reported to the Internal Revenue Service exactly as it is printed on the Tax Sale Certificate:

Social Security or Federal I.D. Number \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

DAVIS COUNTY TREASURER’S OFFICE

Monday, June 17, 2019

10:00 A.M.

AUTHORIZATION TO REPRESENT BIDDER

I / we, (please print) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Bidder’s Name, as it appears on the Registration form)

authorize (please print) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

to act as my/our agent/personal representative at the June 17, 2019 tax sale and adjourned sales, thereof.

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

(Signature)

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

(Address)

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

(City, State, Zip Code)

Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Subscribed and sworn to me this \_\_\_\_\_\_\_\_\_\_day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2019

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Signature of Notary