

## TAX SALE INFORMATION

**SALE DATE - March 7, 2016**

The following is subject to change and does not constitute legal advice. We are not attorneys and therefore cannot provide any guidance. It is incumbent that you understand the complexity of this process. If **you** fail to comply with the statutes governing tax sales, **you** can lose a lot or all of your money. These are the rules of the sale. You have agreed to these rules by your participation.

**READ CAREFULLY: Whether you have visited us before or whether you are new, you must read the paragraph on tax sale procedures below.**

### **AS OF JAN 2015-MAJOR LAW CHANGE and PROCEDURE CHANGE RECAP**

**Bid down** – the method of bidding down potential ownership of the property has been eliminated. Therefore, we will process in a round robin fashion as we have in the past.

**Registration Fees** – every entity/person/registrant must pay a non-refundable registration fee of \$25 prior to the date of sale in order to participate.

**Tax Sale Fee** – The fee to purchase a tax sale is \$20 per tax certificate and continues to be non-refundable.

**Assignment fee/tax deed** – fees for either are \$20 each plus notary fee if required.

**One person may represent 10 entities/buyers.** Random numbers will be assigned.

### **LOCATION:**

The tax sale will be in the Sarpy County Boardroom. 1210 Golden Gate Dr, Papillion, NE 68046 on the East side of the courthouse on the second floor. Please park in the Northeast corner employee parking lot so short term customers may come and go throughout the day.

### **REGISTRATION - (there is a statutory \$25 fee per registered entity)**

Tax sales are held on the first Monday in March starting at 8:30 A.M. in the Sarpy County boardroom or other designated location. The auction starts promptly at the designated time. The building is open for the public to come inside at 7:45am. You must register ahead of time by either providing the following information via pre-registration at our web site: <http://www.sarpy.com/taxsale/Regform.asp>, or by emailing an excel spreadsheet with the same information to Sinda White at [swhite@sarpy.com](mailto:swhite@sarpy.com). If you have any questions, please email [swhite@sarpy.com](mailto:swhite@sarpy.com). Also you must present or mail payment for the registration \$25 fee so it arrives by Friday before the tax sale. The fee is \$25 per registered entity/bidder. If one person represents 10 different companies/entities then the registration fee total would be \$250. Participants who fail to register before the day of the auction will be charged an additional \$25 late registration fee in addition to the non-refundable \$25 registration fee. There is a button on the registration website noting how many entities are currently registered.

### **BIDDER REGISTRATION**

Name on the certificate

Address on certificate

City on certificate

State on certificate

Zip on certificate

Mailing address if different than certificate  
City, State, ZIP if different  
Tax ID# or social security #  
Phone number  
Email  
Primary contact  
Name of Company or Person Writing Check for Tax Sale Certificate Purchases  
Attending representative (each entity must have a name but it may be "Bidder #1", etc.)

## **QUALIFIED BIDDERS**

Bidders must be separate and distinct bidders. This policy is common throughout Nebraska. Each bidder must have a different social security number or federal tax ID number. Also please see ASSIGNMENTS later in this document.

## **ONE PERSON MAY REPRESENT 10 INDIVIDUAL BIDDERS/COMPANIES**

In an effort to reduce the congestion during the bidding we are going to allow one person to represent 10 individual companies/entities. Each company/entity will receive a separate bidder number. Please note that each of the companies/entities must still pay the \$25 per company/entity registration fee. This also means a spouse can represent the other spouse and multiple children but you must have a tax ID/SSN for each person and the tax sales will be registered in their names.

## **NOTICE**

Delinquent taxes are advertised in the *Suburban Newspapers (DBA Bellevue Leader, Papillion Times, Gretna Breeze, Springfield Monitor)* for the first three weeks in February. You may obtain a copy from the newspaper or at newsstands. You may also view and print a copy at our website, [WWW.SARPY.COM](http://WWW.SARPY.COM). You may then go to [WWW.SARPY.COM](http://WWW.SARPY.COM) and use public access to lookup properties. For a fee of \$125 you may obtain access to our premium web site which does much of the work for you providing a plethora of details on the properties, much of which is not available at public access. It has become very popular with tax sale professionals using this service. <http://www.sarpy.com/taxsale/> Print out the contract on our web site and send it and the \$125 to us at the address on the contract.

## **THE TAX SALE: PLEASE NOTE THE BID DOWN METHOD HAS BEEN ELIMINATED BY STATUTE.**

The sale is conducted in the round robin format used extensively in Nebraska. You will have received a number prior to the sale. After all numbers are distributed the treasurer will pick a number at random. That number will be the first person to be offered the first parcel on the tax sale list. The group generally sets a floor for what type of parcels will be covered during the bidding. For example, we have historically not addressed parcels below \$400 in delinquent taxes because the overhead and costs for the buyers are too high to deal with them and therefore we skip them. These parcels will be available after the sale for those interested in lower amounts.

We will then go to the first available parcel, in parcel number order, and the first buyer (number selected at random) will have the option of purchasing the tax sale for all delinquent back taxes and fees on that parcel. There is a \$20 fee which is non-refundable upon tax sale redemption. If the first bidder chooses not to purchase the tax sale then the second bidder (person with the next highest number) has the option and so on. If you pass on your turn, you are done for the round of sale until we have gone through all other bidders.

Please note that the dollar amounts in the newspaper do not include all delinquent interest and may include multiple years of back taxes so be prepared to pay more than published. Updated figures are at the web site by looking up the individual parcels at <http://www.sarpy.com/sarpyproperty/>. It is your responsibility to know what you are buying. **There are no refunds on purchased tax certificates.**

Cell phones will be Off or Vibrate. If you have to leave the room to take/make a phone call, the tax sale will continue without you. You may therefore miss your turn.

## **EXEMPTIONS**

We do not sell tax sales on properties already in tax sale, properties in bankruptcy, or properties which are owned by government entities. If you buy a tax sale on a parcel which later goes into bankruptcy or is taken over by a government entity you will need to see a lawyer.

## **STATUTES - NEBRASKA REV STATUTES 77-1801.....**

Section 18 of Chapter 77 deals with tax sales and certificates. You may view the chapter at <http://statutes.unicam.state.ne.us/> or some local libraries. You are not purchasing the property. You have no authority over the property or its disposition whatsoever. You are purchasing a tax lien on the property by paying the back taxes. In three years time you can take action to foreclose on the property if the tax sale you bought is not redeemed. You will certainly want to see a lawyer. Fees for foreclosure have been quoted to be \$750 and up. During the three years you can pay subsequent delinquent taxes as they become delinquent on April 1 and August 1 of each following year. Do not call us until the third week or later of these months, because we will not sell any subsequent taxes until we are done processing all the people paying current taxes.

There are statutory **time limits** which determine the life of a tax certificate. It is generally three and one-half years. If you do not take action to foreclose within the statutory time limits, you will likely LOSE your entire investment. Do not wait until three and one-half years to start your action. Statutory requirements include notification timelines that must be met prior to three and one-half years. We do not provide any notification of these expiring time limits nor do we advise you on how to foreclose on a tax sale or to obtain a tax deed.

## **RULES OF THE SALE**

The following are the rules of participation in our tax sale which are designed to protect the taxpayers of Sarpy County. If we have to make a decision on an issue that is not statutory we will almost always defer to the taxpayer who lives here, owns property here, and is therefore paying taxes here.

Upon completion of bidding, or whenever you are done bidding, you will be expected to provide a blank check payable to the Sarpy County Treasurer. You may stamp on the back of the check "for deposit only" at our counter. You may pay for multiple entities with one check. However, if you purchase

special assessments, please provide a second check. You may give your checks at the real estate counter on the main level, or to Sinda White, Chief Deputy Treasurer, after the sale. We will then process your tax sales in a timely fashion and mail or email you copies of the certificates. We hold the originals here to reduce overhead and protect you from their loss during mailing. A lost certificate requires a bond. Virtually no one will sell you a bond on a tax sale certificate since it is a negotiable document. When we have computed a total purchase amount, we will process your check and send it to the bank. We will be happy to email you with your total purchase check amount. It usually takes about three business days to complete all of the paperwork.

The certificates will be issued in the name that you designated when you registered. After the certificates are produced, you will have to pay the \$20 reassignment fee to change certificate ownership name(s) or to actually assign the certificate to someone else.

## **REDEMPTION**

When a tax certificate is redeemed you will be paid a 14% simple interest rate from the date of sale to the date of redemption. Please note the \$20 purchase fee is not reimbursed.

Upon redemption you will be notified by email. Your check will be sent out approximately 10 days later (unless we receive cash payment) when we are sure the redemption check clears the bank. You also can keep track of your tax sales at our web site by looking them up. If there is no longer a tax sale number in the tax sale block, then it has been redeemed.

## **LEFTOVERS**

After the sale and after all the paperwork is processed there are usually some delinquent parcels where the delinquent taxes are still un-purchased. Those individuals not availing themselves of our premium service can look at an updated list at our real estate counter or purchase said list. Please do not contact us for at least one week after the sale. Be very careful of buying something no one else wanted.

## **ASSIGNMENTS**

There is a \$20 fee for assignments. There will be NO assignments whatsoever the day of the sale. The tax certificates will be issued in the name of the parties claiming to be buying the certificates. Any assignments within 45 days will require a notarized letter directing the assignment, the \$20 fee, and a copy of the cancelled check to the assignor demonstrating that due consideration has been given for the tax certificate. This is being enforced to protect the equitability of the sale for all participants.

## **DEEDS**

There is a \$20 fee to obtain a treasurer's deed. You would be well advised to obtain an attorney's advice if you using this method of obtaining ownership. There are statutory timelines involved in this process also. Deeds must be filed with the Sarpy County Register of Deeds. There are additional fees which you will have to pay to get the Deed filed.

## **FORECLOSURE ACTION**

We do not provide legal advice on foreclosure actions. However, one of your statutory responsibilities is to notify the treasurer's office if a foreclosure action is filed. Failure to do so could result in your not receiving various foreclosure fees.

## **POST TAX SALE QUESTIONS**

Email us with your after sale questions. Our number one priority in this office is the taxpayers of Sarpy County. If you are asking for bookkeeping services, we will charge accordingly for the services provided.

## **SUBSEQUENT PAYMENTS**

You may pay the subsequent taxes when they become delinquent, although you are not required to do this. Until we have completed the processing of all taxes paid by taxpayers you will not be able to purchase the subsequent delinquent taxes. We do not send you reminders or bills. Please contact us about the third week of April or August to pay subsequent delinquent taxes.