

HARRISON COUNTY TREASURER'S OFFICE

Vicki Argotsinger, Treasurer

111 North 2nd Ave
Courthouse
Logan, Iowa 51546
vargot@harrisoncountya.org

Tax Dept. 712-644-2750
Auto Dept. 712-644-2144
Driver Lic. 712-644-2371
Fax 712-644-2057

NOTICE TO TAX SALE PURCHASERS OF THE TERMS AND CONDITIONS GOVERNING THE TAX SALE JUNE 15, 2009

The Code of Iowa, Chapter 446, requires that the County Treasurer conduct Tax Sale of delinquent properties the third Monday of June each year. The sale is held in the Harrison County Courtroom at 8:00 a.m. This year's Tax Sale date is June 15, 2009. The adjourned Tax Sale will be re-convened any day there are bidders and parcels still available for sale. **THE SALE WILL BEGIN PROMPTLY AT 8:00 A.M.**

- 1. All prospective bidders must register prior to the tax sale in the Treasurer's Office. You must be registered by 4:30 on Thursday, June 11, 2009.** There is a \$20.00 registration fee. You may through written notice to the Treasurer, designate an appointee to bid for you in your absence. **You may not register for the Tax Sale the day of the sale.**
- 2. 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 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 should never have an interest or lien in the parcel offered for sale. All bidders/buyers must be 18 years or older as of June 15, 2009. The Treasurer may require proof of age.
- 3. You should consult with your legal council to determine your right to bid and become a tax sale purchaser. It is the bidder's responsibility to be prepared for the sale and to know the parcels within each district in which you intend to bid.**
- 4. HF256 was signed by our governor on March 13, 2009. To be authorized to register to bid or to bid at a tax sale in Iowa, a person, other than an individual, most 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.** This form must be presented to the County Treasurer before you will be allowed to register for the Tax Sale

5. All parcels will be offered or sold in the manner they were published. All parcels shown in the publication are offered for sale except those that have been paid subsequent to the publication. Each parcel will be offered for sale beginning at 100% undivided interest. Bid down will range from 99% and not less than 1%. The successful bidder will be selected by a random drawing. The bidder selected by the random drawing must immediately accept the purchase by stating "sold" or refuse by announcing "pass", in which case another bidder will be randomly selected. One representative per bidder is allowed.
6. Payment is required at the conclusion of the sale. The amount collected will include all delinquent taxes, special assessments, interest, special assessment collection fees, publishing cost, and a \$20.00 certificate fee for each certificate issued to you. Payment must be in the form of a personal check, money order, or cash. Two party checks and credit/debit cards will not be accepted for payment. **A separate payment is required for each buyer number.**
7. The certificate buyer is responsible for reviewing their "purchases" before cashing out. It is completely your responsibility to verify all purchases before payment is made to the County Treasurer.
8. The Tax Sale Certificates will be issued within two weeks. A copy of the Tax Sale Certificate will be mailed to you. When the Tax Sale Certificate is redeemed, a check will be mailed to you for your investment plus interest.
9. The Certificate of Purchase is assignable by endorsement and entry in the county system in the office of the County Treasurer from which the certificate was issued. For each assignment transaction the Treasurer shall charge the assignee an assignment transaction fee of \$100.00. The assignment fee shall not be added to the amount required to redeem the tax sale.
10. A W-9 form must be completed and signed prior to the time of sale. This information is required so that we can issue an accurate 1099-INT form with the appropriate social security number or taxpayer ID number. We will issue a 1099-INT form to you and to the IRS if the accumulative interest paid to you during the calendar year is equal to or exceeds \$600.00. You will file this 1099 when filing your Federal and State Income tax.
11. The Tax Sale Certificate of Purchase does not convey title to the purchaser. The titleholder of record or other interest party retains the right to redeem within the specified period of time, depending on if it is a regular sale or public bidder.

REGULAR TAX SALE

For parcels sold on or after April 1, 1992, the 90-day Notice of Right of Redemption may be issued after a year and nine months from the date of sale. (Parcels eligible for regular tax sale have been advertised only once.)

PUBLIC BIDDER TAX SALE

The 90-day Notice of Right of Redemption may be issued nine months from the date of sale. (Parcels eligible for public bidder tax sale have been advertised twice.)

FAILURE TO OBTAIN DEED / CANCELLATION OF SALE

After three years have elapsed from the time of 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 certificate.

- 12.** A tax sale purchaser may pay subsequent tax and special assessments on the same parcel on which they are the tax sale holder. Only items due in the current fiscal year or prior year may be paid. Subsequent property payments may be made on the delinquent half payment 14 days after the date of delinquency (October 15 and April 15).

Except for a certificate held by a county, redemption is not valid unless received by the Treasurer prior to the close of business on the 90th day from the date of completed service. Service is completed when the certificate holder files the 90-day affidavit with the Treasurer. **A redeemed tax sale will include the following;**

- The original tax sale amount, plus the certificate fee paid by the purchaser.
- Interest in the amount of 2% per month calculated against the amount for which the parcel was sold, including the amount paid for the Certificate of Purchase. Each fraction of a month is counted as a whole month.
- Subsequent tax payments paid by the purchaser and added to the amount of the sale, with interest in the amount of 2% per month. Each fraction of a month is counted as a whole month.

On Tax Sale Certificates issued after June 1, 2001, only the cost of publication under Section 447.10 if required shall be added to the amount necessary to redeem. For all Tax Sale Certificates issued after June 1, 2005, the cost of record search fee up to \$300.00, the cost of mailing, and the cost of publication if necessary shall be added to the amount necessary to redeem and entered into the county system.

- If the certificate holder is other than a county, the record search must be performed by an abstractor who is an active participant in the title guaranty program under section 16.91 or by an attorney licensed to practice law in the state of Iowa, and the amount of the cost of the record search, which shall not exceed \$300.00, may be added to the amount necessary to redeem.
 - The treasurer cannot accept costs incurred by the tax sale certificate holder prior to the filing of the 90-day affidavit with the Treasurer.
- 13.** The tax sale certificate holder is responsible for checking redemptions for which they hold the certificate of purchase. Interest on any tax sale certificate being redeemed will be figured to the date of redemption.
 - 14.** Upon redemption of a Tax Sale Certificate, the Treasurer will issue a check for the redemption amount, interest that has been earned, less the amount collected for the redemption certificate fee. The purchaser will receive a check and a copy of the redemption certificate, with a breakdown of the total amount of the redemption, to be retained for income tax purposes.
 - 15.** For each parcel sold, the Treasurer is required to notify the titleholder of record that the parcel was sold at tax sale.
 - 16.** The Certificate of Purchase, the \$25.00 Treasurer's Tax Sale Deed issuance fee, and payment of the appropriate deed and recording fees shall be submitted by the purchaser to the Harrison County Treasurer within 90 calendar days after the redemption period to delivering the deed to the purchaser. The Treasurer shall cancel the certificate for any tax sale certificate holder who fails to comply.
 - 17.** If it is determined that 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.
 - 18.** The fee for issuance of a Treasurer's Tax Sale deed is \$25.00 per parcel.
 - 19.** Iowa law permits a county or city to purchase parcels offered at the regular tax sale or to require that the certificate be assigned to the county/city if the county/city files a verified statement of abandonment with the County Treasurer. (See Iowa Code 446.19A)

This document has been prepared to provide general information and guidelines relative to tax sales, assignments and tax sale redemption. 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. If any provision of this document is determined to be contrary to the 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, we recommend that you consult with your legal council.

You may call the County Treasurer's Office 712-644-2750 to obtain additional information.

Vicki Argotsinger