

MARK A. PARKS, JR. MBA, CPA
CUYAHOGA COUNTY FISCAL OFFICER

RULES OF SALE
FOR FORFEITED LANDS

The properties on the Forfeited Land Sale List have been foreclosed upon for delinquent taxes and have been offered for Sheriff's Sale on two (2) separate occasions for the total amount of taxes, assessments, penalties and interest due, plus cost. Not sold for want of bidders, the properties were forfeited to the State of Ohio by Court Order and remanded to the Cuyahoga County Fiscal Office for sale.

During the Forfeited Land Sale Auction, each property will be offered "minimum bid" which consists of either (the lower): the delinquent taxes including assessments, penalties and interest, as determined by the Order of the Court, or the market value as determined by the County Fiscal Office; plus all cost incurred in the Foreclosure/Forfeiture process. Parcels that have been selected by an electing subdivision's land bank (noted by an *) will be offered once for minimum bid and if not sold will be deemed sold to the land bank. Any parcel not sold for the minimum bid and not selected by a land bank will be offered immediately following the first attempt at sale at a reduced bid determined by the Fiscal Office.

TERMS OF SALE

Bidding Procedure

Parcels will be offered for sale in the order indicated by the Fiscal Office. Parcels withdrawn from the sale will be announced immediately prior to the day's sale. Parcels not sold will be offered again at a future forfeited land sale, not to exceed one year from the last time it was offered at auction. Parcels cannot be purchased from the Fiscal Office outside of the forfeited land sale auctions.

The Auctioneer will designate the seating area for those bidding at the sale. Bids will not be accepted from individuals outside the designated area.

Payment

- ◆ Each prospective bidder must complete a bid card prior to bidding.
- ◆ Immediately following the sale of each parcel, the successful bidder must approach the cashier and present a **completed bid card, valid photo identification**, and payment.
- ◆ For every parcel sold the following MINIMUM deposits are required at sale **WHICH INCLUDES ALL FEES according to the winning bid amount.**
 - If sold for \$500 or less: **THE SALE PRICE WILL BE COLLECTED IN FULL**
 - If sold for \$501 to \$5,000: **\$500**
 - If sold for \$5,001 or greater: **10% of the sale price**

Any balances due must be paid to the Cuyahoga County Treasurer using cash or certified check or money order made payable to the "Cuyahoga County Treasurer" before the close of business fourteen (14) days from the date of sale. If the balance of the sale is not paid within fourteen (14) days of the sale the purchaser **shall be in contempt of court** and a citation may be issued. The sale will be voided, deposit retained, and the parcel will be re-offered for sale at a future Forfeited Land Sale.

- ◆ Deposit payment shall be made in cash, certified check or money order made payable to the "Cuyahoga County Treasurer". *Please note that personal checks, company checks, letters of credit and credit cards will not be accepted.*

- ◆ The Fiscal Office makes no guarantee that change will be available at the sale for payments made above the minimum deposit. If change is unavailable, payment submitted above the minimum deposit will be deducted from the balance due for the submitted bid amount. Overpayments beyond that which is bid for a parcel may be subject to reimbursement via check upon delivery of the deed.
- ◆ Should the successful bidder be unable to make immediate payment of the deposit, the sale will be declared void and the parcel re-offered for sale immediately. No further bids will be accepted from such bidder during that day's sale.
- ◆ Upon payment in full, the purchaser will be issued a Certificate of Sale.
- ◆ Payments of balances due are to be made in person at the County Treasurer's Office beginning the day following the date of the sale between the hours of 8:30 am and 4:30 pm, and must be in the form of cash, certified check or money order.

**Cuyahoga County Treasurer
2079 E. 9th St.
Cleveland, OH 44115**

Deeds

All deeds will be issued as instructed on the bid card. If a bidder represents a company or another person, an original, notarized letter authorizing the bidder to bid on their behalf of the purchaser must be received by the Fiscal Office **fourteen (14) days after the date of sale**. The notarized letter presented must clearly designate the parcel number purchased, the authorized bidder's name, and the purchaser being represented, for every parcel purchased. A deed may not be issued in the event that the letter is not submitted.

- ◆ A deed will not be presented to a company that is not registered with the Ohio Secretary of State.
- ◆ A deed will not be presented to any purchaser who is found to be past due or delinquent on any property taxes within the State of Ohio.

Deeds will be recorded following payment in full of the winning bid. Upon completion of transfer and recording, deeds will be mailed to the Tax Mailing Address provided.

Any purchaser who does not Pre-Register for the Sale can expect it to take up to eight (8) weeks from the time payment is made in full and all necessary forms are received by the Fiscal Office for the deed to be recorded.

WEBSITE INFORMATION

Information obtained on the Fiscal Office website is subject to change any time prior to the Sale of the individual parcel. **Sale numbers** provided by the online website **may be inaccurate up until 2 weeks prior to sale date**. Information provided on the website is done so as a courtesy to be used as a guide for potential purchasers, but not as their sole source of information. It is possible that any information provided may be out dated or inaccurate. Purchasers should personally view and contact a Real Estate Attorney and Title Company regarding any property they are interested in purchasing.

Pre-Registration

Any purchaser who Pre-Registers Online fourteen (14) days prior to the auction and is found to be compliant with all the rules of the Sale, will have their deed prepared first. Each deed for a Pre-Registered purchaser will be recorded within fourteen (14) days after payment has been made in full **and** all necessary forms are received by the Fiscal Office. ***Pre-Registration does not guarantee the purchased parcel property will be eligible for transfer.*** Any individual who Pre-Registers for the sale and is not found to be compliant with the rules of Sale will be

asked to correct any noncompliance prior to attending the sale and will not be considered to be Pre-Registered for the purposes of the sale or for the privileges afforded such purchasers in this section of the Rules of Sale. Individuals who Pre-Register are asked to indicate the number of properties they are planning to bid on at the Auction. This information will be used to assist Pre-Register purchasers and bidders by providing pre-filled bid cards for them based on the number of properties indicated.

PURCHASE INFORMATION

Please note that the prior owner of the property forfeited to the State of Ohio may redeem the property by payment of **ALL** taxes, assessments, penalties, interest and costs until the time the deed is transferred and recorded. Should a property be redeemed prior to transfer and recording of a deed, payments made will be refunded. **No other refunds will be issued.**

Each bidder/purchaser will be required to complete and sign an affidavit on behalf of the purchaser indicating any known previous interest in the property. Any purchaser who held an interest in the property prior to forfeiture to the State of Ohio, and who purchases the property for less than the full amount of delinquent taxes, penalties, interest and costs, will be responsible for all delinquency, penalties, interest and costs in excess of the amount bid.

Prospective buyers are responsible for thoroughly researching the properties they wish to purchase, including all outstanding liens (including federal liens) and recorded easements that may not be extinguished at the time of the sale. The county is not responsible for any inaccurate or incomplete information provided on the county records, websites, or given by county personnel including but not limited to address information. It is expected that all purchasers at the sale have contacted their own Real Estate Attorney and Title Company prior to the sale regarding all parcels they are interested in purchasing. It is strongly advised that the prospective bidders physically view the property in question, as many of the parcels have undesirable characteristics that precluded earlier sale of the property. **THE FISCAL OFFICE DOES NOT HAVE KEYS TO ACCESS ANY OF THE PROPERTIES.** Individuals who are attending a Forfeited Land Sale for the first time with the intent to purchase a property are advised to proceed with **extreme CAUTION**. The law in Ohio relative to real estate is “**CAVEAT EMPTOR**” which means “**BUYER BEWARE**”.

A purchaser may be required to obtain a survey prior to recording a deed. (See Ohio Revised Code Section 315.251). The cost of a survey shall be at the purchaser's expense. If you have any questions contact your Real Estate Attorney or Title Company.

All prior real estate taxes, assessments interest and penalties appearing on the tax duplicate will be extinguished at the time the deed is issued. ***The purchaser will be become responsible for taxes due on a parcel for the tax year following the year of purchase, including special assessments, which will be due and payable one year from the January after purchase.*** (For Example: if you purchase a property in August 2014 the taxes the purchaser is first responsible for will be due for tax year 2015 in January 2016.)

ANYONE OWING DELINQUENT PROPERTY TAXES IN THE STATE OF OHIO IS DISQUALIFIED FROM PURCHASING PROPERTIES AT THE SALE.

ANYONE WHO DOES NOT ABIDE BY THE RULES OF SALE WILL BE DISQUALIFIED FROM BIDDING ON OR PURCHASING PROPERTIES AT THE SALE.