

ALLEN COUNTY AUDITOR

General Tax Sale Info

<http://www.allencounty.us/property-tax-division-and-deductions/tax-sale>

This handout is a courtesy of the offices of the Allen County Auditor and the Allen County Treasurer to provide basic information regarding the sale of property for delinquent taxes and assessments. This information is supplied for the convenience of the Purchaser at tax sale and should not be considered as legal authority. The Purchaser is responsible for compliance with the laws of the State of Indiana.

IC 6-1.1-24 and 25 are the statutes governing the sale of real property for delinquent taxes and/or special assessments at public auction or tax sale. Although there are unfortunate circumstances which may result in some properties being offered for sale,

it is nonetheless required that all properties with delinquent real estate taxes, penalties, and special assessment liens for unpaid sewer user charges, delinquent weed fees, delinquent Neighborhood Code Order fees, delinquent economic development, delinquent ineligible Homestead fees or delinquent Barrett Law contracts, as specified by law, be auctioned at the Treasurer's Tax Sale.

The Tax Sale empowers the Allen County Treasurer to collect delinquent taxes that have been levied for the operation of over 33 local government tax units and four school districts.

General Points of Interest

The Real Estate will be offered by Tax Sale Item Number as found in the Tax Sale section of our website. The minimum bid will include the tax sale lien amount and an amount to cover the tax sale costs per IC 6.1.1-24 -2 and IC 6.1.1-25-2. **Also, pursuant to IC 6-1.1-24-2 any Other Assessment certified against a tax sale property prior to the sale will be added to the Minimum Bid.**

Pursuant to I.C. 6-1.1-24-5.3 a person (or an agent of a person) who owes costs directly attributable to a prior tax sale, delinquent taxes, special assessments, penalties, or interest may not purchase property in a tax sale other than their own property.

All Tax Sale Bids are final. During the auction, the bidder number must be held high and clearly visible to the auctioneer in order to be accepted as a successful bid. There will be no refunds or exchanges. Bidders are encouraged to research Tax Sale properties carefully so that they are familiar with the property they are bidding on. You are strongly encouraged to visually look at the property both in person and through the Allen County Treasurer's online Tax Info system found at: <http://www.lowtaxinfo.com/allencounty/> using the Property Pin #. Remember, buying Tax Sale Property is a "Buyer Beware" situation, meaning that it is sold "as is". **Allen County does not warrant the accuracy of the listed street address or legal description.** A Tax Sale that is refused by a purchaser, after a successful bid, will be returned to the Sale and the purchaser will pay a penalty equal to 25% of the purchase amount. If the penalty is not received immediately, the collection will be turned over to the Allen County Prosecutor for action. All Tax Sale purchases must be paid by 12 p.m. the next business day after the sale. The purchaser will be issued a receipt that is to be used when picking up the Tax Sale Certificate. **PLEASE NOTE:** *The Auditor's office will call each buyer/purchaser when the Tax Sale Certificates are ready to be picked up. Please provide a daytime phone number where you can be reached.*

The County Treasurer will accept cash or cashier's checks for the exact amount of the purchase, NO PERSONAL CHECKS WILL BE ACCEPTED. Any other arrangements must be approved by the Allen County Treasurer prior to sale. The Treasurer can be contacted at (260) 449-7693.

The Allen County Auditor is responsible for giving notice to the owner and any person with a substantial property interest of public record (as determined by the title search) in the real property. Notification must be given no later than 6 months after the date of the Tax Sale, as provided by statute IC 6-1.1-25-4.5.

A Tax Sale buyer/purchaser may pay any taxes, penalties and/or other assessments that become due on the parcel of real estate subsequent to the Tax Sale but before the redemption period expires. A bill must be requested from the County Treasurer and be recorded in the County Auditor's office if the buyer expects to be reimbursed when the property is redeemed. *ALL SUBSEQUENT TAXES/OTHER ASSESSMENTS WILL BECOME THE TAX SALE BUYER'S RESPONSIBILITY IF A TAX TITLE DEED IS ACQUIRED.*

The buyer's interest in the property is limited to a lien on the purchased property until:

1. The property is redeemed; or
2. A Tax Title Deed is issued (approximately 45-60 days after the 1 year redemption period).

There is a **1 year** period following the Tax Sale during which anyone may "redeem the property", i.e. retain the current owner's possession by paying all money owed to Allen County plus the required fees and interest.

To redeem a property the owner must contact the Auditor's office at (260) 449-7241 to obtain the correct amount. The redemption amount, subject to verification, is equal to the minimum bid plus a percent of the total amount paid by the buyer/purchaser, plus any subsequent/other taxes paid. The amount required for redemption will include:

- ◆ 110% of the amount of the delinquent property taxes, delinquent special assessments, the November current year property tax installment and the costs of the sale if the property is redeemed not more than six months after the date of the sale;
- ◆ 115% of the amount of the delinquent property taxes, delinquent special assessments, the November current year property tax installment and the costs of the sale if the property is redeemed more than six months but not more than one year after the date of the sale;
- ◆ 5% per annum on the amount that the purchase price exceeds the delinquent property taxes and special assessments;
- ◆ 5% per annum on any subsequent taxes or special assessments due and paid in the following year by the buyer.
- ◆ 5% per annum on any other taxes or special assessments paid by the Auditor from the surplus funds

NOTES

The official tax sale list will be certified towards the end of June and the minimum bid will consist of all delinquent and current outstanding Real Estate Taxes and Other Assessments due through the November current year installment. However, the minimum bid is subject to change. Any new Real Estate Taxes and/or Other Assessments certified against a tax sale eligible property will be added to the minimum bid.

Pursuant to I.C. 6-1.1-24-7 the Allen County Treasurer shall apply surplus funds to other delinquent personal and real property taxes owed by a taxpayer. This does not alter the interest collected on surplus amounts as outlined in I.C. 6-1.1-25-2.

Pursuant to I.C. 6-1.1-24-7 the Allen County Treasurer shall apply surplus funds to any delinquent subsequent spring taxes/other assessments that come due on a sold tax sale property.

While the Internal Revenue Service has granted the county blanket permission to sell the properties included in this tax sale, it retains onto itself rights of redemption different to those provided under Indiana Law. For additional information on a property purchased at this tax sale, contact the IRS office in Indianapolis.

Buying a property in Tax Sale does not give you any rights regarding the property until a Tax Title Deed is issued by the County Auditor pursuant to the statutory requirements.

Pursuant to I.C. 6-1.1-25-20 The Auditor's Office will collect the recording fees from the tax sale buyer and will submit the deeds directly to the Recorder's Office. The buyer will receive the original recorded deed in the mail.