



## WARREN COUNTY TAX CLAIM BUREAU

# JUDICIAL TAX SALE

*(second sale out of three)*

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*All materials have been prepared by the Warren County Tax Claim Bureau for general informational purposes only. The information presented is not legal advice and is not to be acted on as such. Neither the Warren County Tax Claim Bureau nor its employees are able to provide legal advice. This information may not be current and is subject to change without notice. It is intended to give prospective purchasers of tax delinquent properties some understanding of how the purchase process for Judicial Tax Sales work, and what a purchaser may expect to occur if a property is purchased.*

*This information is not to be construed as an exhaustive treatment of all intricacies of the tax sale law, nor should it be taken as an answer to any question, which a prospective purchaser may have. Hopefully, those who read this information will have a better idea of how the purchase process works; however, it is strongly recommended that if the reader should have any questions not sufficiently answered by the information provided, he or she should consult an attorney.*

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Delinquent properties which have not been purchased at Upset Tax Sale are advertised for sale in Warren Times Observer newspaper, and the sale is conducted by the Warren County Tax Claim Bureau as provided by the applicable Commonwealth statute and conditions of sale set by the Bureau.

In the judicial sale, the properties are sold to the highest bidder, bidding starts at the cost the Bureau have charged. Each property is sold free and clear of delinquent taxes, mortgages, and liens, **so long as mortgage and lien holders receive proper notice of sale**. Certain lien items such as ground rent and liens on certificate of title for mobile homes survive the judicial sale under the Act and are responsibility of the winning bidder.

No owner of record may bid on his or her own property. The Tax Claim Bureau will sell subject to existing tenancies. All properties are sold under and by virtue of the Act of 1947, P.L., 1368 known as the Real Estate Tax Sale Law, and all titles transferred by the Tax Claim Bureau are under and subject to said Act including but not limited to Sections 610,611 and 612 of said Act relating to the divesting of taxes, municipal claims, mortgages, liens, charges and certain specified estates.

All those participating in the bidding process or who may otherwise be affected thereby and have an interest therein are reminded of the following: the risk of loss due to casualty or other destruction or damage to the premises and responsibility and liability for any injuries to third parties arising out of condition of the premises may or will be upon the bidder, effective upon payment of bid price.

For the benefit of lien creditors who may be present and who may enter the bidding to protect their investment, let it be understood that the proceeds from such sale will be distributed in this manner: (1) the costs of sale and proceedings; (2) the tax liens of the Commonwealth; (3) taxes and municipal



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claims and costs due thereon; (4) lien holders in the order of their priority; and (5) any balance remaining to the real owner at the time of sale.

There are a few situations that prospective purchasers should be aware of:

1. The fact that a property is advertised for sale in the newspaper does not mean that the property will be exposed for sale on the day of the sale. Delinquent owners may file bankruptcy and/or parties in interest may not be properly notified, some may even pay all the delinquent taxes to remove them from the sale. The sale of these properties may be continued to a later date.
2. If a property is purchased at the Judicial Sale, the delinquent owner may still go to court to contest the sale of his or her property. Frequently, delinquent owners claim that they failed to receive proper notice of the sale. If the court finds that this is true, the sale is set aside, and the purchaser gets his/her money back.
3. Prospective purchasers at tax sales should be aware that they can consult with an attorney prior to the sale to get more detailed information concerning what they may expect in purchasing properties. Of key importance is to learn the rights of tax delinquents to challenge the sales in court.
4. The existence of a Federal Tax Lien creates a 120-day right of redemption in favor of the federal agency. This entitles the federal authorities to purchase the property within 120 days of the sale from the successful bidder at the bid price. Therefore, bidders are cautioned to refrain from any altering of the premises by improvement or demolition during this redemption period.

### **If you are interested in purchasing a property at the Judicial Sale, please do the following:**

1. You may inspect a copy of the list at the bureau after the court orders that the judicial sale shall be held. The list is also printed in the Warren Times Observer at least 30 days before the sale, and will be available online at [warrencopa.com/tax-claim](http://warrencopa.com/tax-claim).
2. Know the Map/Parcel number and description of all properties in which you have an interest.
3. The judicial sale usually occurs in May or June. The exact time and date may be available as early as April. Thus, you can telephone the Bureau at 814-728-3415 to get this information. Tax sale list will be available on the county website as soon as proper filing with the courts is complete. ([warrencopa.com/tax-claim](http://warrencopa.com/tax-claim))
4. Registration is required. Please visit [warrencopa.com/tax-claim](http://warrencopa.com/tax-claim) to find the Registration forms and affidavit.
5. The bidding begins when each property is called and identified by the auctioneer.
6. You are free to bid on more than one property if you so desire.



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8. Purchasers should consult with their attorney regarding the advisability of a title search on the purchased property to avoid possible risks associated with a potential defect in the title to the purchased premises.

**Disclaimer:** Note that action taken by a property owner, the Courts, Government Agencies and/or the Tax Claim Bureau may result in deleting a listed property from the Judicial Tax Sale at any time.

The purpose of the Sale is to offer properties to the highest bidder. The initial bid must equal the fixed Judicial Price. In addition to the Judicial price, purchaser must pay the realty transfer tax, preparation of the Deed, Recording Fee, and the UPI fee, all of these fees are incorporated into the opening bid price. These must be paid as follows: **PAYMENT in FULL** must be made on all property(s) sold **immediately after winning**. The auction will stop, and we will then process a receipt and gather your information. The purchaser on a successful bid shall have Cashier's Checks, Certified Checks, or Money Orders payable to the TAX CLAIM BUREAU, cash is also accepted. You will not be allowed to leave and come back with payment.

**Pay only by: Cashier's checks, certified checks money orders, or cash.** The Tax Claim Bureau will issue a deed to the purchaser. The deed will not contain any warranty, either general or special. **It will take 3 to 6 months for the deed to be issued.**

The Bureau will sell the property as described on the dockets in the Tax Claim Bureau and the Bureau makes no representation or warranty as to the description nor will the Bureau make any survey on the property.

Note that land title insurance companies may elect not to insure the title of judicially sold properties. Buyers should consult legal counsel concerning the title and the advisability of bringing a court action to Quiet Title. All properties are sold under and by virtue of the ACT OF 1947, P.L. 1368, as amended, known as the "Real Estate Tax Sale Law".

All titles transferred by the Tax Claim Bureau are under and subject to the said Act. Payment of taxes any time prior to the sale will take precedence over the Tax Claim Bureau's Sale, thus voiding the sale. All properties are sold subject to existing occupancy, payment of Registry fees, Municipal or Governmental claims not paid out of the Sale Price and any other liens which must be paid by the purchaser. The Bureau reserves the right to participate or not to participate in any post-sale litigation.

The following additional conditions are new as of December 21, 1998: Section 619.1 1. A successful bidder shall be required to provide certification to the Bureau that the person is not delinquent in paying real estate taxes to any taxing authorities where the property is located and that the person has no municipal utility bills that are more than one year outstanding. We will have the certification available the day of the sale. This will be done after winning the auction. 2. As used in this section, the following terms shall have the following meaning:

**"Certification"** shall mean proof via receipts of paid taxes and municipal utility bills within the jurisdiction or a notarized affidavit by the bidder evincing payment of such real estate taxes and municipal utility bills. **"Municipal Utility Bills"** shall mean for services provided by a utility which is



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wholly owned and operated by a municipal authority. The term shall include but not be limited to water, sewer and solid waste disposal utility bills. "**Municipality**" refers to any county, city, borough, incorporated town, township, home rule municipality, optional plan municipality, optional charter municipality or any similar general-purpose unit of government, which may be authorized by statute. "**Person**" includes a Corporation, Partnership, Limited Liability Company, Business Trust, other Association Government Entity (other than the Commonwealth), Estate, Trusts, Foundation, or natural Person.