

ALLAMAKEE COUNTY TREASURER

LORI HESSE

110 Allamakee Street ~ Waukon, IA 52172-1795

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May 2014

TO: 2014 Prospective Tax Sale Bidder

RE.: 2014 Annual Tax Sale

You have expressed interest in the Allamakee County Tax Sale (annual or adjourned). The annual sale will be held Monday, June 16, 2014 beginning at 10:00 a.m. on the third floor of the Allamakee County Courthouse. Attached is pertinent information: a registration bidder form, W-9 form (found at separate link), Iowa code requirements regarding certificate of existence/designation of agent, and notice of terms and conditions of the tax sale (see attached Iowa Code 446.16). Please read these carefully and return the bidder forms and W-9 form to our office prior to the annual sale if you intend to bid at the tax sale. Also, we must receive your current proof of filing with the Secretary of State OR county recorder if you are not an individual. This copy must be included in your packet that is returned to us. All completed registration forms must be received in our office by Thursday, June 12, 2014 in order for you to attend our sale. Bidders who have not turned in their complete registration forms by this date will be ineligible to bid. The registration fee to bid at sale is \$20.00 which must also be paid prior to the day of sale.

If you request a delinquent list of property taxes sent to you, we will be happy to send the newspaper copy published in the Waukon Standard June 4, 2014. There will be a \$10.00 charge for this service. Please send this with your request. Of course, you are welcome to look at this list at the Treasurer's office or you may make your own arrangements with the Waukon Standard, 15 1st Street NW, Waukon, IA 52172---phone 563-568-3431.

If you have any other questions, please contact us at your earliest convenience.

Sincerely,

Lori Hesse

Allamakee County Treasurer

Enclosures

ALLAMAKEE COUNTY, IOWA

REGISTRATION OF TAX SALE BIDDER

JUNE 16, 2014 ANNUAL TAX SALE

AND SUBSEQUENT ADJOURNMENTS OR ASSIGNMENTS THEREOF

The undersigned does hereby register as a bidder at the annual tax sale of June 16, 2014, and subsequent adjournments or assignments thereof, and do hereby acknowledge receipt of a copy of the *Terms and Conditions Governing the Annual Tax Sale of June 16, 2014, and Adjournments or Assignments Thereof*, and do hereby acknowledge and agree that by placing a bid or obtaining a certificate of purchase at the annual tax sale or subsequent adjournments, or by obtaining a tax sale assignment, **that the undersigned will comply with and be bound by the aforementioned terms and conditions.**

Said *Terms and Conditions Governing the Annual Tax Sale of June 16, 2014, and Adjournments or Assignments Thereof* is based, in part, on the 2012 Code of Iowa and amendatory acts thereof.

Date: _____

Bidder/Company Name: _____

Signature: _____

SS# or Federal ID#: _____

Address: _____

County of Residence: _____

State of Residence: _____

Telephone: _____

Email Address: _____

Note: Tax sale certificates of purchase, assignments, and tax sale deeds will be issued in the bidder's name as shown above. Any changes that require a reassignment will have an additional \$100.00 charge that is not reimbursable.

TO: Lori Hesse
Allamakee County Treasurer
110 Allamakee Street
Waukon, IA 52172

AUTHORIZATION TO REPRESENT BIDDER

I, (please print) _____
Bidder's Name, as it appears on the registration form

authorize (print) _____
Authorized Agent's Name: Limit one name per bidder authorization form

to act as my/our agent/personal representative at the June 16, 2014 tax sale and adjourned sales thereof. Proof of identification will be required (photo ID).

(Signature)

(Address)

(City, State, Zip Code)

Today's Date _____

LORI HESSE, TREASURER OF ALLAMAKEE COUNTY

NOTICE TO TAX SALE PURCHASERS OF THE TERMS & CONDITIONS GOVERNING THE ANNUAL TAX SALE
OF JUNE 16, 2014 AND ADJOURNMENTS OR ASSIGNMENTS THEREOF

The 2014 Annual Tax Sale is held by the Allamakee County Treasurer on the third Monday in June at 10:00 a.m. for as long as purchasers are present. If any properties remain unsold, this tax sale will be adjourned until the third Monday in July and each month thereafter. The sale will be held in the large courtroom on the third floor of the Allamakee County Courthouse, 110 Allamakee Street, Waukon, Iowa.

The following information is provided to assist you in purchasing delinquent taxes at the tax sale:

1. All prospective bidders must register with the Treasurer's Office by Thursday, June 12, 2014. Bidders are ineligible to bid at sale if registration forms are not returned to the Treasurer's Office by Thursday, June 12, 2014. Faxed or emailed forms will not be accepted. Also required is a current copy of either a designation of agent for service of process on file with the Secretary of State OR a verified statement meeting the requirements of Chapter 547 on file with the Allamakee County Recorder for anyone other than an individual. Please see attached Iowa Code 446.16. Prior year registrations are not valid for this sale. Only Allamakee County registration forms will be accepted. A non-refundable bidder registration fee of \$20.00 is also due prior to the date of tax sale. You may, through written notice to the Treasurer, designate an appointee to bid for you in your absence. However, one representative per bidder will be allowed. You may also submit a written bid if you cannot attend. However, if you plan to bid by mail, you will not be represented at the tax sale's incremental bidding. Mailed-in bids will only be looked at the following day after the tax sale for the parcels which were not sold. All bidders/buyers/assignees must be over the age of 18 years as of June 16, 2014. **Proof of identification will be required when signing in the day of the sale. (Photo ID).** Errors, omissions or misrepresentations by a tax sale bidder may disqualify the bidder from the sale. A bidder may be disqualified from the sale if s/he is not properly registered or is without proper authorization during the sale. In these instances, all certificates purchased by the disqualified bidder during the sale may be cancelled and re-offered to other properly registered bidders.
2. A tax sale purchaser should never have an interest or lien in the parcel offered for sale. 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. If you have a question about your eligibility, please consult with your legal counsel to determine your right to bid and become a tax sale purchaser.
3. The tax sale will start with regular tax sale properties followed by public bidder real estate. Parcels are offered for sale by district and legal description.
4. Cellular phones, pagers, tape recorders, camcorders and other audible electronic devices are to be turned OFF during the tax sale. Laptop or notebook computers are allowed only if they are operated from battery packs. A violation in the use of electronic devices may result in the disqualification of the bidder.
5. 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 costs, and a \$20.00 certificate fee for each certificate issued to you. Payment can be in the form of personal check, credit card, debit card, money order or cash. Credit card or debit card payments will include an additional convenience fee. Two-party checks will not be accepted for payment. A separate payment is required for each buyer number. Tax sale buyers with multiple sales may call our office (563-568-3793) beginning Tuesday, June 17, 2014 for the amount of their check.
6. Please allow 10-14 days to receive your certificate(s).
7. A W-9 form must be completed and signed prior to the sale (see separate link). This information is needed so that we can issue an accurate 1099-INT form with the appropriate social security number or taxpayer identification number. At the end of the calendar year, the Treasurer will issue a 1099-INT form

to you and to the Internal Revenue Service if the total interest paid to you during the calendar year is equal to or exceeds \$600.00. You will use this information when filing your Federal or State Income Tax claims.

8. The tax sale certificate of purchase does not convey title to the purchaser. The title holder of record or other interested party retains the right to redeem within a specified period of time, depending on the type of tax sale. If the same remain unredeemed after this period has expired, the purchaser may begin proceedings to obtain a Tax Deed to the parcel. On tax sale certificates issued after June 1, 2005, the cost of serving the notice, including the cost of sending certified mail notices, and the cost of publication under section 447.10, if publication is required, shall be added to the amount necessary to redeem. The cost of a record search shall also be added to the amount necessary to redeem. However, if the certificate holder is other than a county, the 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 that may be added to the amount necessary to redeem shall not exceed three hundred dollars.
9. For regular tax sale, the 90-day Notice of Right of Redemption may be issued after one year and nine months from the date of sale.

10. FAILURE TO OBTAIN DEED – CANCELLATION OF SALE

After three years have elapsed from the time of tax sale, and the holder of a certificate has not filed an affidavit of service of notice of expiration of right of redemption under section 447.12, the county treasurer shall cancel the sale.

The tax sale certificate holder is required to return the certificate of purchase and remit the appropriate deed issuance fee within 90 (ninety) calendar days after the redemption period expires. The Treasurer is required by statute to cancel the certificate of purchase for any tax sale certificate holder who fails to comply. If the certificate holder fails to complete action to obtain a tax sale deed within ninety calendar days after the redemption period expires and the County Treasurer cancels the tax sale certificate, the tax sale buyer is not entitled to a refund.

11. A tax sale purchaser may pay subsequent taxes and special assessments on the same parcel on which he/she holds the tax sale certificate. Taxes for a subsequent year may be paid beginning one month and 14 days following the day from which an installment becomes delinquent. The purchaser is responsible for requesting receipts after they are issued. Only items due in the current fiscal year or prior may be paid as subsequent taxes. Special assessments due in future years cannot be paid until the fiscal year in which they become due. Subsequent payments bear the same interest rate, 2%, as the original tax sale and interest will accrue from the month of payment to the month of redemption. Subsequent payments may be paid online by following these steps: To register to pay subsequent taxes online, go to our website at www.iowatreasurers.org . Then go to the top tab *Online Services* and go to Tax Sale Investor Registration. Please make sure if mailing in subsequent taxes or paying in the office that you identify your payment as a subsequent tax. A subsequent payment not properly identified as a subsequent payment by the certificate holder at the time of payment will be treated as a voluntary payment and will be omitted from redemption calculations.
12. Except for certificates held by the county, a redemption is not valid unless received by the treasurer prior to the close of business on the ninetieth day from the date of completed service. A redeemed tax sale will include the following:
 - a. The original tax sale amount, including the \$20.00 certificate fee paid by the purchaser at the time of the sale.
 - b. Interest in the amount of 2% per month calculated against the original tax sale amount. Each fraction of a month is counted as a whole.
 - c. 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.
 - d. Valid costs incurred and recorded on the Tax Sale Register for action taken toward obtaining a Tax Deed. Costs not filed with the treasurer before redemption shall not be collected by the treasurer but may be recovered through a court action against the parcel owner by the certificate

- e. holder. 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. If a tax sale certificate is redeemed, the treasurer's office will attempt to notify you by email. It is the tax sale certificate holder's responsibility to check periodically regarding redemption status. Upon surrender of the tax sale certificate, a check will be issued to you for the amount collected, less the redemption fee. In the event of a check for redemption being returned to this office due to insufficient funds, the tax sale buyer will be asked to return the amount paid and the tax sale will be reinstated as of the original tax sale date.

If the original Certificate of Purchase has been lost or destroyed, a duplicate can be obtained at a cost of \$20.00.

14. The tax sale certificate of purchase is assignable by endorsement of the certificate and entry in the treasurer's register of tax sales. There is a \$100.00 assignment fee to be paid by the assignee to the treasurer's office. An assignment is not considered valid until posted by the county system by the Treasurer. A certificate cannot be assigned to a person, other than a municipality, who has redemption rights. A tax sale certificate of purchase and/or a tax sale deed can be set aside if it is determined the tax sale purchaser or assignee was ineligible to bid at tax sale. The assignor may not assign a certificate of purchase to more than one assignee/buyer number. The recorded assignment will vest in the assignee all the right and title of the assignor. When a buyer requests the Treasurers Office to record a change, other than the mailing address or telephone number, it is considered an assignment and the \$100 assignment transaction fee will be charged. This includes a change in the buyer's name, buyer's social security or federal identification number. Failure to provide the correct social security or federal identification number will result in a charge of \$100 for each certificate requiring correction. Please contact this office for further information should you desire to assign a certificate.
15. For each parcel sold, the treasurer is required to notify the titleholder of record within 15 days from the date of sale that the parcel was sold at tax sale.
16. The fee for the issuance of a Treasurer's Tax Sale Deed is \$25.00 per parcel. In addition, fees will be due for recording the deed in the county recorder's office.
17. If it is determined that any item was erroneously sold, the certificate of purchase will be cancelled. The certificate holder will return the certificate of purchase and the Allamakee County Treasurer will reimburse the principal amount of the investment. The Treasurer will not pay interest.

If it is determined a county-held certificate was erroneously assigned, the assignment will be cancelled. The certificate holder will return the certificate of purchase, and the Allamakee County Treasurer will reimburse the total amount paid for the assignment. Interest from the assignment date of cancellation of the assignment will not be paid.

18. Iowa law permits a county or city to purchase parcels offered at the regular tax sale or to require that a 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).
19. A bidder who qualifies under the 'Americans with Disabilities Act' and requires accommodation in relation to his/her ability must provide a health care provider's statement on their letterhead containing proof of disability and a written request detailing the specific reasonable accommodation requested to the Allamakee County Treasurer's Office not less than thirty calendar days before the tax sale. This will allow time to provide appropriate and timely accommodations.

This document provides general information only. It is not an all-inclusive listing of statutory requirements, procedures or policy. It is not to be construed as legal opinion of the statutes governing tax rules. The Allamakee County Treasurer reserves the right to reject any or all bids and to waive irregularities, which appear to be in the best interest of Allamakee County. To protect your interest as a tax sale buyer and to determine your legal rights and remedies, we recommend that you consult your legal counsel. This document is effective for taxes sold at the June 16, 2014 tax sale.

REGISTRATION ✓ LIST

DID YOU REMEMBER??

	Does the bidder's name on the W-9 form and Registration of Tax Sale Bidder form match the name on the Authorization to Represent Bidder form? All names must be identical.
	Have all forms been signed by the same person that signed the Registration of Tax Sale Bidder form? All signatures must be identical.
	Have you enclosed a <u>separate</u> check for <u>each</u> Registration of Tax Sale Bidder? It is required.
	Have you turned in your registration packet (including proof of filing with the Secretary of State or county recorder if you are not an individual) & paid your registration fee by the June 12, 2014 deadline?

446.16 BID -- PURCHASER -- BIDDER REGISTRATION FEE.

1. The person who offers to pay the total amount due, which is a lien on any parcel, for the smallest percentage of the parcel is the purchaser, and when the purchaser designates the percentage of any parcel for which the purchaser will pay the total amount due, the percentage thus designated shall give the person an undivided interest upon the issuance of a treasurer's deed, as provided in chapter 448. If two or more persons have placed an equal bid and the bids are the smallest percentage offered, the county treasurer shall use a random selection process to select the bidder to whom a certificate of purchase will be issued. The percentage that may be designated by any purchaser under this subsection shall not be less than one percent.

2. The treasurer may establish and collect a reasonable registration fee from each registered bidder at the tax sale. The fee shall not be assessed against a county or municipality. The total of the fees collected shall not exceed the total costs of the tax sale. Registration fees collected shall be deposited in the general fund of the county.

3. The delinquent tax lien transfers with the tax sale certificate, whether held by the county or purchased by an individual, through assignment or direct purchase at the tax sale. The delinquent tax sale lien expires when the tax sale certificate expires.

4. Only those persons as defined in section 4.1 are authorized to register to bid or to bid at the tax sale or to own a tax sale certificate by purchase, assignment, or otherwise. To be authorized to register to bid or to bid at a tax sale or to own a tax sale certificate, a person, other than an individual, must have a federal tax identification number and either a designation of agent for service of process on file with the secretary of state or a verified statement meeting the requirements of chapter 547 on file with the county recorder of the county in which the person wishes to register to bid or to bid at tax sale or of the county where the property that is the subject of the tax sale certificate is located.