

Tax Lien Lady's  
State Guide  
To  
Tax Lien  
And  
Tax Deed Investing

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**UPDATED FOR 2016**

By Joanne M. Musa

## **Disclaimer**

This book was written as a guide to tax lien investing and tax deed investing. As with any other high yielding investment, investing in tax liens and tax deeds has a certain degree of risk. This book is not meant to take the place of accounting, legal, financial or other professional advice. If advice is needed in any of these fields, you are advised to seek the services of a professional.

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## Introduction

I originally wrote this as an appendix to my e-book *Tax Lien Investing Secrets: How You Can Buy Tax Lien Certificates in NJ and Other States*. I thought I could put together a state guide for tax lien and tax deed investing using the sources that I had. My sources included tax lien investing books (in print) and websites. I soon found out that my sources had incomplete and conflicting information. This is due to the fact that the laws governing the procedures for tax sales are constantly changing. For one state, two of my sources stated that it is a deed state, while another online source stated that it is a lien state and even gave the interest rate and redemption period. When I actually called a couple of tax collectors in this state to ask about tax sales, I found out that they do not have any tax sales at all. Just because the state code allows for tax lien or tax deed sales, doesn't mean that they actually have tax sales.

I began to research county websites; when I couldn't find the information that I wanted online, I called county or municipal tax collectors to get it. At times I had to resort to reading the state code and trying to interpret it. When I realized that I had already written 20 non-formatted pages and I wasn't near done with all of the states, I decided to make this a separate book.

Whether you're looking for information on tax deeds or tax liens, I think you'll find this the most comprehensive state guide published, both in print and online. At least it's the most comprehensive guide for most states that I have seen.

Information about tax sales, especially for larger counties, in most cases is available online; you just need to know where to look. One of the valuable pieces of information that you'll find in this book is where to look online and if the information is not available online, who to contact to get it. It doesn't do you any good to contact the county clerk if the municipal tax collector conducts tax sales. Also, to find the tax sale information online, you'll need to know which government office conducts the sale. You'll find this information here.

State Guide to Tax Lien and Tax Deed Investing

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## How to Use This Book

This book is divided into three parts. Part One of the book gives general facts about tax lien sale procedures and lists all the states that (at the time of publication of this book) sell tax lien certificates, with links to the state information that is in Part Three. Part Two of the book gives general facts about tax deed sale procedures and lists all the states that (at the time of publication of this book) sell tax deeds, with links to the state information in Part Three. Part Three has specific information for each state with a link to the website containing that state's county information.

The states are listed in alphabetical order. If you know that you want to invest in tax liens, then you can go to Part One and compare each state that sells tax liens. If you know that you want to invest in tax deeds, then you can go to Part Two and compare all of the states that sell deeds. If you want to know about a specific state, such as the state in which you live, you can look it up in Part Three. If you're not sure what state you want to invest in, I suggest that you read through Part Three to get a feel for what kinds of returns you can expect in each state and the pros and cons of investing in each state.

Generally, it takes more money to invest in tax deeds than in tax liens. This is because at lien sales, though in some states premium is bid, bidding always starts at the amount owed for back taxes, interest and penalties. With deed sales, since you are actually bidding for the property, bidding can go pretty high. In competitive markets it can go up pretty close to the value of the property. Also, some states that sell deeds will start the bidding at more than just the amount due the county. Some of them even use a certain percent of assessed value; and a few start at the market value of the property — not such a great deal for the investor.

Keep in mind that whether you invest in tax deeds or tax liens, this is an active investment that will require some effort on your part. It is not like giving your money to a broker or putting your money into a CD. You have to do your due diligence to minimize your risk and insure your profits. You may have to do some traveling, or pay someone else to investigate properties and bid at sales for you. You



will have to continue to pay taxes on purchases (whether liens or deeds). And you may need the help of a title company and/or an attorney who specializes in foreclosures.

## **PART ONE**

### **Lien States**

This is a list of states that have tax lien sales. At a tax lien sale you are issued a “tax lien certificate”. You are **not** buying an interest in the property; rather you are paying the taxes and putting a lien on the property. The owner of the property must pay you the amount of the certificate plus interest in order to have the lien removed. If the lien is not redeemed within a specified “redemption period,” the purchaser of the tax lien certificate may foreclose on the property. Some states have strict laws about when you can foreclose, and in some states, the tax lien will expire if you do not foreclose within the time allowed. Each state has different laws that specify interest rates, redemption periods, and bidding procedures. You’ll find this information for each state in Part Three of this book.

There are basically four different bidding procedures used at tax lien sales. The two most common are bidding down the interest rate and bidding up the premium. Premium is an amount over and above the lien amount that an investor is willing to pay to purchase the lien. The third bidding method that is used in some states is to bid down the ownership interest in the property. In states that use this method of bidding, it is the investor willing to accept the lowest percent ownership in the property, should the lien be foreclosed, who wins the bid. The fourth bidding method utilized in some states is the random selection or round robin method. This is done in some states instead of bidding down the percent ownership of the property. The bidding method for each state is given in Part Three.

Certain procedures are common among most tax lien states. Most states will not allow you to bid on a property in which you have an interest. If you are the owner, or a relative of the owner of the property, you are not allowed to bid. Most states also have laws against any collusion at the sale. This means that any negotiating with other bidders before the sale regarding which properties you want can be illegal. You may want to read the state statutes for the state in which you intend to bid before you bid at your first tax lien sale.

Some sales will require pre-registration; this depends on the state and on the county and/or the municipal tax collector. A few states do require a refundable deposit, usually in certified funds, in order to register. For most lien sales, payment is expected in full, in certified funds, on the day of the sale. A few states will allow time to go to the bank and secure funds, but some will not let you leave without paying. If you do not pay within the allotted time frame, the property will be re-bid or re sold in a later sale. You can learn more about the details of tax lien investing in my e-book, *Tax Lien Secrets: How You Can Buy Tax Lien Certificates in New Jersey and Other States*.

Here are the states that have tax lien sales:

[Alabama](#)

[Arizona](#)

[Colorado](#)

[Connecticut](#)

[Florida](#)

[Illinois](#)

[Indiana](#)

[Iowa](#)

[Kentucky](#)

[Louisiana](#)

[Maryland](#)

[Massachusetts](#)

[Mississippi](#)

[Missouri](#)

[Montana](#)

[Nebraska](#)

[New Jersey](#)

[New York](#)

[Ohio](#)

[Rhode Island](#)

[South Dakota](#)

[Vermont](#)

[West Virginia](#)

[Wyoming](#)

## **PART TWO**

### **Deed States**

The states listed in this section have tax deed sales, not tax lien sales. Some of these states do not sell tax lien certificates at all; instead they sell the deed to the property. That being said, you'll notice that some states appear on both lists. That is because some states that have tax lien sales also conduct deed sales. This happens for two reasons: the first is that, in some states, when a lien is not sold at the tax sale it will revert to the municipality, county, or state; and when the redemption period is over, the deed to the property may be sold. Secondly, in some states, when tax liens are sold to investors but are not redeemed within the redemption period, they may be required to go through another foreclosure sale in order to satisfy the lien.

There are different types of deed sales. Some states sell "redeemable deeds." Redeemable deeds have redemption periods and interest rates or penalties similar to tax liens. If you purchase a redeemable deed, you own the property but the title is encumbered during the redemption period. During this time the previous owner can redeem the property by paying the bid amount plus interest and/or penalties. Depending on the state laws, you still may have to go through some legal proceedings after the redemption period to receive clear title to the property.

The due diligence for tax deed sales is somewhat more rigorous than for tax lien sales. This is because you are actually purchasing the property and are liable for all current taxes and assessments on the property. When you purchase a lien at a tax lien sale, it is advantageous for you to pay the subsequent taxes, but you are under no obligation to pay them, and you are not liable for any other liens on the property since you do not actually **own** the property. With tax deeds it is different. You become the legal owner of the property and if you do not pay current taxes or assessments, judgments may be levied against you. With tax liens, if you purchase a lien and later find out that it is worthless you could just walk away and cut your losses.

It's not that easy with a tax deed. If you purchase a worthless piece of property, you're stuck with it: it's yours, and so are the tax bills.

In some states you may also be liable for other liens on the property if you purchase the deed at a tax sale. Some states may have different types of sales: one in which all liens are conveyed with the deed, and one in which properties are sold free and clear of other liens. You need to check this out before you bid on property at a tax deed sale. In most states the deed that is issued is without any warranty as to the title of the property. This means that you may have to perfect the title on the property before you can sell it to someone else.

Bidding at tax deed sales is a little different than at most lien sales. At tax deed sales the premium bid method is used. Some states will start the bidding at the amount of delinquent taxes plus penalties and interest; other states start the bidding at the assessed amount of the property. Some states even start the opening bid at an amount lower than the delinquent taxes.

For most tax deed sales, the buyer is cautioned that it is a "buyers beware" sale: sales are final and all property is sold "as-is" with no warranty as to the condition of the title. Most states will caution the buyer to seek the advice of legal council before bidding at the sale and that the buyer should inspect the property (you can only look at the property, you cannot actually access the property as it is still owned by the delinquent tax payer) before bidding on it at the auction. Some states even recommend that you do a title search on the property before you bid on it.

Most tax deed sales require pre-registration and in some states you need a deposit in certified funds in order to register for the sale. Most states will not allow you to bid on a property that you own, have title to, or hold a lien on. A relationship or collusion with the owner of property on which you bid is usually illegal. Many states will also not allow you to bid at the auction if you owe any property taxes in that jurisdiction. You may have to submit an affidavit stating that you do not owe any taxes in that jurisdiction before you are issued the deed to the property on which you were the highest bidder.

At some deed sales costs are added to the successful bid. Some states may require you to pay a realty transfer fee, which is a certain percentage of the assessed value. Other states may have added fees for the auctioneer, the county, or the state, which may be as high as 10% of the bid price. Make sure that you inquire about all fees involved in purchasing property at a tax sale before you bid.

Here are the states that have tax deed sales:

[Alaska](#)

[Arizona](#)

[Arkansas](#)

[California](#)

[Connecticut](#)

[Delaware](#)

[Florida](#)

[Georgia](#)

[Hawaii](#)

[Idaho](#)

[Indiana](#)

[Kansas](#)

[Maine](#)

[Massachusetts](#)

[Michigan](#)

[Minnesota](#)

[Montana](#)

[Nevada](#)

[New York](#)

[North Carolina](#)

[North Dakota](#)

[Ohio](#)

[Oklahoma](#)

[Oregon](#)

[Pennsylvania](#)

[South Carolina](#)

[Tennessee](#)

[Texas](#)

[Utah](#)

[Virginia](#)

[Washington](#)

[West Virginia](#)  
[Wisconsin](#)

## **PART THREE**

### **States in Alphabetical Order**

#### **Alabama**

Alabama is a tax lien state. The interest rate is 12% and the redemption period is 3 years. The highest premium bid wins the lien. Unlike in New Jersey, however, the interest rate is not bid down and you receive a full 12% on the certificate amount and any premium that you paid.

If the lien is not redeemed within the redemption period, you can simply bring the tax lien certificate to the county tax office and exchange it for a deed to the property. Alabama does sell left over liens, but this is handled at the state level by the Alabama Department of Revenue. You can complete an online application to buy one of these “left over” liens from the state. You will need to know the parcel number of the tax certificate that you wish to purchase. You can obtain a list of properties sold to the state from a particular county by going to that county’s tax office. In some cases you can even purchase the list online from the county’s website. Once you apply for the certificate, the state revenue department will respond to your application by mailing you a price quote letter. You will have twenty days to respond to the price quote by sending in a cashier's check for the stated amount. You can get the forms and exact procedures for purchasing state owned tax delinquent properties at <http://www.revenue.alabama.gov/advalorem/transcript/transcript.htm>

Many of the counties in Alabama have tax sale information online as well as tax assessment data. In some counties it is the office of the revenue commissioner that takes care of tax assessment, tax collection, and tax sales.

#### **Alaska**

Alaska is a deed state. The state of Alaska has 16 “boroughs,” and 11 geographical census areas. Sometimes the borough is responsible for



the collection of taxes and sometimes the municipal tax collector has that responsibility. A special government “real estate service” or “land management” office as it is called in Alaska, sometimes handles the tax sale, or “land sale”. There is information available online for some Alaska municipalities and boroughs. To find information about tax sales online, first go to the borough website. If you don’t find any property tax information there, then check the municipal websites.

The municipality forecloses properties that have been in default. If they are not redeemed during the 1-year redemption period, they are deeded to the municipality and then sold at appraised value. Land sales are conducted by a sealed bid process. Unsold properties are then made available for over the counter bids. Anyone who is 18 years of age or older and does not owe any delinquent taxes may bid on properties. Though properties are sold at appraised value, the municipality will finance your purchase and in some cases tax incentives are given for the development or improvements of the property.

Parcels are sold on a first come, first served basis and can be purchased through the mail. The process is much like buying real estate at retail. You may have to give a non-refundable earnest money deposit and go through a real estate closing and credit approval. For all that trouble, you will get a warranty deed and thus clear title to the property. Parcels are sold “as-is,” however and no warranty is given as to the quality of the land purchased.

The incentives for investing in tax deeds in Alaska are that it can be done through the mail (though you will still have to have someone check the property), financing is offered for your purchase, and you can get information about tax sales and lists of properties online. These are somewhat out-weighted by the fact that you have to pay appraised value for the property.

## **Arizona**

Arizona is a tax lien state. The interest rate starts at 16% and the redemption period is 3 years. The interest rate is bid down at the sale. Tax sales are the responsibility of the County treasurer’s office and are held in February of each year. To bid at the sale you must first fill

out a bidder information form and a W-9 form. Take care to fill out the W-9 form correctly with the right tax identification number. The treasurer's office is required by the IRS to withhold 31% of all proceeds for noncompliance or incorrect reporting of the tax identification number on the W-9 form.

Since Arizona allows for the electronic registration of tax lien certificates, in some counties you will not be issued an actual tax lien certificate, but a receipt listing your purchased tax lien(s) parcel number, certificate number, amount paid, and amount of interest bid. Depending on the county, payment must be made on the day of the sale or by the next day. Some counties may accept wire transfers, but arrangements for this need to be set up before the sale. Subsequent taxes may be paid and added to the face value of the certificate (ARS 42-18121), for which the county treasurer will collect a fee of \$5.00 from the holder of the certificate (ARS 42-18121).

Properties that are not sold at the sale are struck off to the state. Arizona does allow for the assignment purchases of liens. In order to find out if any properties are available for assignment and the procedure that you need to follow in order to purchase assignment liens, you will need to contact the county treasurer's office. A list of "State Liens" is usually available from the treasurer's office a couple of months after the tax sale. Tax sale data for some counties is available online as well as information about the tax sale.

If you purchase a tax lien certificate at the tax lien sale, interest will accrue from February 1 and each month thereafter until redeemed (ARS 42-18153). Any portion of a month counts as a whole month (ARS 42-18053). Should the tax lien certificate be redeemed, you will receive the purchase amount, less non-refundable fees, plus the rate of interest bid at the time of the sale, not to exceed 16% per annum.

If the lien is not redeemed, three years from the original date of the sale the lien holder may file an action in a court of competent jurisdiction to foreclose the lien and receive a judgment deed to the property. This is usually handled by an attorney and must follow the statutory requirements outlined in ARS 42-18202. The judgment must be recorded in the county where the certificate was issued and a certified copy of the judgment (with applicable fees) must be

forwarded to the county treasurer for issuance of a Treasure's Deed. Action must be taken to foreclose the right to redeem the lien within 10 years after the lien is purchased or the lien will expire and become void.

In addition to lien sales, Arizona counties may also conduct deed sales of properties that have been deeded to the state and have not been sold by private bid. This is handled by a different department than tax lien sales and you can check with the county treasurer to find out who to contact to get information on the deed sale. These properties are held by the state for 5 years after the tax lien sale before they are deeded to the state and then sold at auction.

As with most tax deed sales, Arizona tax deeds are sold without any warranty and you must consult an attorney or title company to obtain clear title to the property. You must register to bid at the sale. No minimum bid is set by Arizona state statutes. Payment is usually expected on the day of the sale in cash, money wire, cashier's check, or money order. You will receive a receipt for your payment and the deed(s) will be mailed to you within 60 days. Unlike other states where you may be required to pay hefty real estate transfer fees or deed preparation and recording fees, these fees are minimal in Arizona. Unsold properties are not available for over the counter purchase, but will be held until next year's deed sale.

Arizona counties have a lot of information online; always try the treasurer's web site first. Some Arizona counties now have online tax lien auctions. The competition for tax liens has increased and the availability of tax deeds has decreased. Online sales generally cost the investor more, as someone has to pay the online auction company their commission, and guess who gets the honors. That's right; it's the lien purchaser that gets to pay more, as well as having to bid against a larger field of competitors. This is where the industry is headed, however, since this helps the county sell more liens and make more money on the liens/deeds that they sell.

## Arkansas

Arkansas, like Alaska, is a true deed state where the deed to the property is sold and there is no interest rate or penalty. There is, however a very short (90 day) period in which the owner can contest the validity of the sale. They must pay the taxes with interest and penalties to redeem, the property but the deed purchaser only gets a full refund with no interest or penalties. If the owner of the property did not receive notification that the property is tax delinquent and is being sold in a tax sale at least 60 days prior to the sale, then they are have a 30 day period in which they can redeem the property. Interest, penalties and costs of the sale are paid to the Commission of State Lands in order to redeem a property. The deed purchaser will be refunded in the case of a redemption or contested sale but will not receive any interest or penalties.

In Arkansas, tax sales are handled by the state, not by local government. Real estate that is delinquent for one year is certified to the Arkansas State Land Commissioners office for tax collection or to sell by auction. The highest bid wins the deed. Arkansas does allow bidding by mail; however, it is advantageous to be at the auction since bids received by mail are announced immediately preceding the oral auction of the parcel.

The following information was gleaned from the Commissioner of State Lands' website, [www.cosl.org](http://www.cosl.org):

“Bids by mail must be received by the Commissioner of State Lands no later than seven days prior to the date of sale. Unsuccessful bidders will be refunded their bid in full. The minimum bid starts at the assessed value and does not include the amount due for taxes, interest and penalties. The successful bidder must tender the full purchase price (the amount bid plus the "Tax Due" amount as listed) at the time of the sale. Bids by mail must include the full purchase price (the amount bid plus the "Tax Due" amount as listed). At the auction or by mail, the first \$100 of the full purchase price must be paid in cash, by money order or cashier's check with the balance payable by personal check. No deed will be issued until the bank or lending institution on

which such checks are drawn assures clearance. All cashier's checks, money orders, and personal checks should be made payable to the Commissioner of State Lands. No purchase may be made on a time-payment plan. Upon payment of the full purchase price, the successful bidder will receive a certificate of purchase from the Commissioner of State Lands. Record owners, their agents, or assigns have 30 days from the date of the sale to redeem the property. In the event of redemption, the purchaser at the sale will receive a full refund, no interest accruing. If no redemption occurs during the 30-day redemption period, the purchaser will receive a limited warranty deed from the Commissioner of State Lands subsequent to the redemption period expiration date.”

Although the redemption period is very short, as in most deed states, there is a 1-year period in which the previous owner can contest the sale (for minors, mental incompetents and those serving in the U.S. armed forces during war time this period can last much longer – 2 years after maturity, discharge of mental illness, or discharge of military duty). If the sale is found to be in error, the deed will be cancelled and the property reverts back to the original owner. The purchaser’s money (and expenses) will be refunded, but without any penalties or interest.

## **California**

California is also a true deed state with no redemption period and no interest rate or penalty. However, even though there is no redemption period after the sale, the owner (or a lien holder) has 1 year to initiate proceedings to challenge the validity or irregularity of the tax sale. The county treasurer/tax collector conducts tax sales. The minimum bid price is the total amount necessary to redeem, plus the costs of sale. Properties that are not sold may be re-offered within 90 days, or at the next scheduled sale at a minimum price that the tax collector deems appropriate. A “tax deed to purchaser” that conveys title free of all encumbrances of any kind existing before the sale, with certain exceptions as stated in Section 3712 of the California Revenue and Taxation Code, is issued to the successful bidder.

You must be registered in order to bid and, for some of the larger sales, you may need to register a few days ahead of time, so check with the county tax collector. It is advantageous to register early for the sale because there may be limited seating and usually the early registrants get better seats. This can be important at an auction where many people may be calling out the same number and it is up to the tax collector or auctioneer to pick the winning bidder among them.

Most counties in California have their tax sales online. These sales are conducted by [Bid4Assets.Com](http://Bid4Assets.Com) and registration is done on their website. In order to be eligible to bid on a parcel, a deposit of 10% of the minimum bid is required. Because of California state law, the property does not revert to the next highest bidder. All sales are final and there are absolutely no refunds. Be careful bidding online, a mistake can be costly. Legal action is taken against any bidder who defaults and such bidders will be banned from future auctions. Due to the extreme competition of online auctions, these sales have become very competitive. Most of the properties that do sell at these auctions sell way above the minimum bid.

## Colorado

Colorado is a lien state. The county treasurer conducts tax sales in Colorado. The interest rate is 9% over prime, so it fluctuates with the prime rate. The redemption period is 3 years. As in Alabama, premium is bid in Colorado without bidding down the interest. Unlike Alabama, you do not get any interest on your premium nor do you get your premium back. The municipality keeps your premium even if the lien is redeemed. This lowers your rate of return. Before you bid at the sale, you must calculate just how much you are willing to spend in premium based on the minimum profit you are willing to accept.

Registration prior to the sale is required, and you must be present at the sale in order to bid. Each buyer must complete a registration form and a W-9 form. Counties differ as to bidding procedures, so check this out before hand with the county treasurer's office. Some counties have rotational bidding instead of open bidding. In counties that use open bidding, sometimes only the premium amount is bid. Please keep in mind that if only premium is being bid, you will also have to

pay the amount due for the property in addition to whatever your bid is.

If the lien has not been redeemed after 3 years, the buyer can apply for and receive a treasurer's deed to the property. Buyers return their certificates to the county treasurer and deposit expense money. After a title search, advertising, and notification of all interested parties, a treasurer's tax deed is issued if there has been no redemption.

Assignment of left over tax liens is available in some, but not all, counties. The larger counties in Colorado do have tax assessment and tax sale information online. Also a few of the counties have tax sales online. As of this writing 10 of the counties have online tax sales on [www.RealAuction.com](http://www.RealAuction.com), and 4 of the counties have their tax sale at <http://zeusauction.com>.

## Connecticut

The state of Connecticut has 8 counties but no county government. All local government is at the municipal level. The municipal tax collector conducts tax sales. You will have to contact the municipal tax collector for information about the tax sale. You will not find much information online for tax sales in Connecticut, but you can find contact information for the tax collectors. You'll have to go to the state website for links to towns and cities; click on the city's government link to find the tax collector's information.

Connecticut used to be a deed state, but in the last few years some municipalities have switched to having tax lien sales. By selling the liens instead of keeping them for the redemption period, municipalities can get their money from delinquent properties faster.

Most of the smaller municipalities still have deed sales. Only the larger cities have lien sales. The deeds sold in Connecticut are what are known as "redeemable deeds." A deed sold at the tax sale is encumbered for 1 year during which time the original owner may redeem the deed by paying the amount for which it sold at the tax sale, plus 18% per annum.

## Delaware

The 3 counties in Delaware sell redeemable deeds. The rules that govern the tax sales in Delaware change according to county. Even the redemption penalty and redemption period differ among counties. The state statutes allow for a 20% interest rate with a 1-year redemption period; or a 15% penalty with a redemption period of only 60 days. Tax sales are referred to as “monition tax sales” and are the responsibility of the county sheriff.

According to information on the Kent County Sheriff’s website, tax sales are held every three months. “No matter what is owed in taxes, the property is going to the highest bidder.” Only cash, certified checks, and cashier’s checks are accepted for payment and the full bid price is due on the day of the sale. You are allowed a couple of hours to go to the bank to secure funds. If the original owner does not redeem in 60 days, the successful bidder may petition for the deed to the property. If for some reason the sale is overturned by the court, the successful bidder will be refunded their bid but without a penalty. You can find more information on the Kent County Sheriff’s web site at [http://www.co.kent.de.us/media/831091/Kent-County-Levy-Court-Sheriff-Sales\\_1.pdf](http://www.co.kent.de.us/media/831091/Kent-County-Levy-Court-Sheriff-Sales_1.pdf).

The Newcastle County Sheriff’s office will take personal checks, with proper ID, for payment at the tax sale, but payment must be made immediately following the bidding and you are not allowed to leave the sale to secure funds. They conduct foreclosure sales, including tax foreclosure sales on the second Tuesday of each month. On their website it is stipulated that a tax sale does not necessarily negate other debts on the property and you may research the property at the county recorder of deeds office. New Castle also has the 15% penalty and 60-day redemption period. There is very limited information available on the New Castle Sheriff’s web site at <http://nccde.org/172/Sheriff-Sales>.

Tax sale information online for Delaware counties is limited. There is limited information on the Sussex County Sheriff’s web site at



[http://www.sussexcountyde.gov/dept/sheriff/index.cfm?resource=sale\\_info](http://www.sussexcountyde.gov/dept/sheriff/index.cfm?resource=sale_info).

Tax assessment data and contact information is available online on the county's web sites.

## Florida

Florida is both a tax lien and a tax deed state. Delinquent properties are sold at the tax lien sale and, if they do not redeem within the redemption period, they are sold at auction in a deed sale to satisfy the lien holder. Tax lien sales are referred to as tax certificate sales and are the responsibility of the county tax collector.

Florida is the most popular state for tax sales. The maximum interest rate is 18% and the redemption period is 2 years. The interest is bid down in ¼% intervals. Bidding has become so competitive in Florida that frequently liens are sold at an interest rate of .25%. However, there is a minimum penalty of 5%. If you bid less than 5% and the lien redeems, then the 5% penalty is paid instead of the amount you bid, so you are guaranteed a minimum return of 5%.

There is another thing that you should know about Florida; in order to bid at the tax lien sale, most counties require you to register before hand with a large refundable deposit. Many Florida counties are now conducting their tax sales online. The first year that Dade County had an online tax sale, according to the tax collector's website, the sale was a big success for the county. They had more bidders than ever before and sold all of their tax certificates – all 32,000 of them. Most of them were bid down to an interest rate of only .25%. This was great for the county, but not so good for investors. It's a good bet that some of the liens sold were for worthless properties.

Most Florida tax lien sales are held in May. Many are held on the same day. The larger Florida counties do have their tax sales as well as tax assessment information online. Most of the Florida online tax sales are conducted on [www.RealAuction.com](http://www.RealAuction.com), but a few use Grant Street Group for their online auction platform. You can find these

county auctions by going to <http://www.grantstreet.com/clients/client-site-directory/>.

## Georgia

Georgia is a redeemable deed state. Georgia sells deeds with a 1-year right of redemption and a 20% penalty for the first year or fraction thereof. After the first year the deed purchaser is entitled to an additional 10% penalty for each subsequent year or fraction of a year until the lien is redeemed.

In Georgia, the county tax commissioner is responsible for conducting tax sales for the collection of unpaid taxes. Tax sales are advertised for four consecutive weeks in the legal section of the county newspaper. Some counties hold tax sales every month. The opening bid is equal to the amount of taxes due plus costs of the sale. Properties are sold to the highest bidder.

If no one bids over the opening bid, the property will be "bid in" for the county. Most counties require payment for the amount of the bid at the time of sale in cash, money order, or certified funds. If the highest bidder fails to or refuses to comply with the terms of sale, the property may be resold and the first bidder held responsible for any deficiency arising from the latter sale.

Once the tax sale is concluded and the high bidder fulfills their obligation to pay, the tax commissioner issues a tax deed to the purchaser. The tax deed is not a warranty deed. It is up to the purchaser to check the validity of title to the property. The purchaser will be responsible for property taxes as they become due. The amount of any tax paid, however, may be added to the redemption price. After the 1-year redemption period is over, the purchaser of the deed must take legal steps to close the right of redemption in order to obtain the property.

There are 159 counties in Georgia; they do not all have tax information online but some of the larger counties have both assessment information and tax sale information online.

## Hawaii

Hawaii is another redeemable deed state. The redemption period is 1 year with a 12% per annum interest rate. Tax sales are the responsibility of the real property tax division, which falls under the county finance department. There are only four counties in Hawaii. They all have tax assessment data online and Kauai and Hawaii Counties have tax sale information online. Foreclosure sale information for Kauai County, when available is at <http://www.kauai.gov/Government/Departments-Agencies/Finance/Real-Property/Collections>. For Hawaii County, you can find tax sale FAQs at <http://records.co.hawaii.hi.us/Weblink8/Browse.aspx?dbid=1&startid=55713>.

## Idaho

Idaho is another true deed state. The county treasurer or tax collector is responsible for the collection of property taxes and tax sales. When property taxes are 3 years delinquent, the county takes title to the property through a process called “tax deed.” The county then sells the property to the highest bidder at public auction. The bidder or a representative must be present at the auction in order to bid and, in some counties, a deposit may be required. Payment must be made in full the day of the sale by cash or cashier’s check. Some counties will take a wire transfer as payment. A quitclaim deed is issued and recorded and the original deed is mailed to the buyer.

The minimum bid is determined by the county commissioners and is based not only on information provided by the county treasurer, but also the current market value of the property as determined by the county tax assessor.

Ada County is the largest county in Idaho. When I looked at the list from last year’s sale in Ada County, out of the 18 properties in the sale there were only 2 properties that were worth bidding on. These 2 properties had minimum bids that were close to their assessed value. Tax sale information can be found online only for the larger counties

in Idaho. Ada County publishes their tax sale list online along with detailed information regarding the properties.

## **Illinois**

Illinois is a lien state. Tax sales are the responsibility of the county treasurer. State law requires that bidders be registered at least 10 business days prior to the start of the sale. Different counties have different requirements for registration and for payment. Some counties will require that you put up some form of deposit in order to bid and some counties will only accept certified funds in the exact amount owed (no cash). By law, the maximum interest rate bid is 18% per 6 months, that's 36% per year. Illinois pays the highest interest rate of all the tax lien states, but the interest rate is bid down at the tax sale.

The redemption period is 2 – 2½ years depending on the classification of the property. If the tax lien is not redeemed by the owner, the purchaser must petition the circuit court for a tax deed, after first fulfilling all of the legal requirements. The lien holder may also pay all subsequent taxes at a specified time and record the payments against the sale.

Although you can find tax sale information online for a few counties, only the larger counties will have property lists online. At this time none of the Illinois Counties have online tax sales. Although Cook County's tax sale is conducted by [www.RealAuction.com](http://www.RealAuction.com), you can save your bids on that site, but you have to actually attend the sale in order to bid.

## **Indiana**

Indiana is a lien state, but they sell deeds as well. The tax sale is the responsibility of the county treasurer or county auditor, depending on the county. The exact procedures by which a county conducts a tax sale may differ from county to county. The redemption period for a tax lien purchased in the county tax sale is 1 year. Liens that are not sold at the county tax sale are certified to the county commissioner

and sold later in the commissioner's certificate sale. These liens have a redemption period of 120 days (4 months).

Indiana has a penalty, not an interest rate on the certificate amount, but interest is paid on the overbid amount. The penalty varies from 10%, if the lien is redeemed in the first 6 months after the sale, to 15% if the lien is redeemed after 6 months but before the 1-year redemption period is over. After 1 year, the owner cannot redeem. The lien purchaser must apply for a tax deed within 6 months of the end of the redemption period or lose their investment.

The premium bid method is utilized, and if the lien is redeemed, you do receive interest (10% per annum) on the premium amount (referred to as the "tax sale overbid"). You also receive 5% per annum interest on any subsequent taxes paid. The purchaser will be issued a receipt that is to be used when picking up the tax sale certificate.

The minimum bid is equal to all taxes, penalties, and special assessments presently due on the parcel plus an added fee for administrative costs. Fees cited on the county websites that published this information ranged from \$200.00 - \$440.00. These fees may include not only the cost of the sale, but notification and petition to the court for a tax deed. Not all counties take care of this however, and if you purchase a tax lien certificate in a county that does not, pay strict attention to requirements for doing so. If you don't adhere to deadlines for notices petitioning the court for a deed, you could lose your investment and any claim to the property.

If for any reason the tax sale is found to be invalid before the lien is redeemed or a tax deed issued, the purchaser will not receive a deed but shall be refunded the purchase price plus 6% per annum interest. If the sale is found to be invalid after the execution of a tax deed, the deed will be invalid and the buyer is entitled to a lien on the property in the amount of the purchase price and subsequent taxes paid plus interest at 10% per annum.

You may not be able to find tax sale lists or tax sale information on Indiana county websites, but you will be able to find the contact information that you need and tax assessment data online. In the last couple of years some of the county tax sales have even been

conducted online. And a few of the county commissioner's certificate sale are now online as well. You can find the all of the online tax sales for Indiana on [www.zeusauction.com](http://www.zeusauction.com).

Liens that are not sold in the Commissioners certificate sale are acquired by the county, and may be sold in a deed sale. A few counties also have deed sales online at [www.zeusauction.com](http://www.zeusauction.com).

## Iowa

Iowa is a lien state. It has the second highest interest rate of all the tax lien states and the interest is not bid down at the tax sale. The tax lien sale is the responsibility of the county treasurer. The interest rate is 2% per month (24% per annum) with a fraction of a month counting as a whole month, and the redemption period is 2 years. Iowa has an unusual bidding procedure where the percent of ownership in the property is bid down. The bidder willing to accept the least percentage of ownership in the property, should the lien not be redeemed, is the one who gets the lien. Because this system can lead to some sticky situations if the lien does not redeem, with the owner still owning a percentage of the property along with the lien holder, it is not favored by bidders or counties. Some counties use a random selection process instead of the bid down percent ownership method.

Most counties require registration in advance along with completion of a bidder registration form and W-9 form. There usually is a non-refundable fee for registration to bid at the sale. As in most other states, you are not allowed to bid on a property in which you have a vested interest. Payment must be made at the conclusion of the sale. Some counties will accept personal or business checks (not from an IRA account) and some will accept credit card payments.

Foreigners who do not reside in the United States may purchase Iowa tax liens, with the exception of liens on agricultural land. Subsequent tax payments may be made by the lien holder, and earn interest at the same rate as the tax lien certificate. These payments need to be properly reported, however, or they will not be refunded at redemption.

In some counties, the lien purchaser is not automatically notified when a lien has been redeemed, and therefore is responsible for checking with the appropriate division to determine if redemption monies have been collected. The tax lien purchaser may issue a “90-day notice of right of redemption” 1 year and 9 months after the sale (90 days before the redemption period ends). If no action is taken 3 years after the sale, the treasurer will cancel the sale and the lien purchaser will lose his/her investment to the county. Many Iowa counties have tax sale information online.

## **Kansas**

Kansas is another true deed state in which the winning bidder is buying the deed to the property and the owner has no right of redemption. It is one of the few deed states where the bidding starts at the lien amount and, in some cases, may even start lower than that. The county treasurer is responsible for the collection of property taxes and when properties are delinquent for 3 years they are turned over to the legal department for foreclosure. Properties are sold at public auction to the highest bidder. State law prohibits anyone with delinquent taxes in that county to buy property at the sale, as well as the owner (or a relative of the owner) of the property or anyone who would buy the property with the intent to sell or transfer it to someone who is prohibited from buying it at the sale.

Payment must be made the day of the sale in cash, cashiers check or money order. A filing fee to file the deed with the proper authorities must also be paid at the time of the auction. For deeds subject to federal liens (such as IRS liens) there is a waiting period during which the federal government may redeem the deed before the deed is issued to the purchaser. If a federal agency redeems the deed, the purchaser will be refunded the purchase price.

A sheriff's deed is issued once the sale is confirmed (this may take a few days). All other liens of record are extinguished by the sale; however restrictions and easements on the property remain. The buyer is responsible for any tax and/or assessments that were not included in the sale, including the current year's taxes. Although there is no redemption period, the previous owner has 1 year to challenge the validity of the sale and, if the sale is found to be in error, the purchase

price will be refunded. It is also the responsibility of the buyer to take any legal action that is necessary to take possession of the property.

Although many Kansas counties have tax assessment information online, I had a hard time finding tax sale information. In some counties the county sheriff handles the tax sales, and in others it is the county's legal department that is responsible for the sale. The above information was taken from the tax sale page of the Johnson County website. Johnson County does publish its tax sale list along with tax sale information on its website:

<http://www.jocogov.org/dept/legal/tax-foreclosure-auction/overview>.

## **Kentucky**

The commonwealth of Kentucky is a lien state, and tax sales are the responsibility of the county sheriff's office. The interest rate is 12% per annum and the redemption period is 1 year. The lien holder may pay subsequent taxes that will also receive interest of 12% per annum. It is difficult to find any information online about tax sales in Kentucky. Sometimes county and city governments are merged together, in which case the city or the county could be the collector of taxes. Tax collection and the conducting of tax sales could be the responsibility of the county sheriff, the city tax collector, or, in the case of Jefferson County, the county attorney. Procedures for Kentucky tax sales are unusual and unlike that in any other state. Tax sales are referred to as "tax bill sales," because they are actually selling the tax bill.

Fayette County government is combined with that of Lexington City. They hold their tax sale once a year in March and publish their sale list both online and in the local newspaper. Bidding is by sealed bid on a first come, first served basis. If your bid is the first to arrive, you win the lien. Bids are for the amount due plus a 10% penalty, 10% sheriff's fee and \$14.00 for advertising. The interest rate is not bid down, the price of the lien is not bid up and the percent interest in the property is not bid down. There is really no competitive bidding! The competition is about being first to get your bid in. The bid must be submitted in writing and can be mailed, faxed, e-mailed, or brought in person to the Lexington-Fayette Urban County Government Division of Revenue.



Although your bid can be submitted by mail, you or your representative must be present on the day of the sale to have your offer accepted and be issued a “certificate of delinquency” (the equivalent of a tax lien certificate).

The certificate of delinquency is filed with the county clerk within 14 days of the sale and then delivered to the purchaser. The holder of the certificate must notify the delinquent tax payer within 50 days of the lien held against his/her property; that it bears interest of 12% per annum and that, if the certificate is not paid, it will be subject to collection as provided by law. Certificates are assignable.

This system sounds great for investors, doesn't it? But there is one catch. If the division of revenue receives bids totaling over \$200,000.00 for the entire sale, then the sale is halted and the county buys all of the liens. Any liens not receiving bids can still be purchased by investors from the county clerk's office, only now there is an added cost: a 20% county attorney's fee and a 10% county clerk's fee. If you purchase a certificate of delinquency from the county clerk, the certificate is assigned to you and you are responsible for collecting the amount due plus interest from the delinquent tax collector.

If the lien is not redeemed within the 1-year redemption period, the lien holder may foreclose on the property. You are required to foreclose within 10 years of the expiration of the redemption period, or lose your investment. Foreclosure does not guarantee that you will get the property. The judge may rule that the property go to foreclosure sale, in which case the property will go to the highest bidder at the sale, and you will get paid on your lien.

## **Louisiana**

Louisiana is a tax lien state. The “tax sale deed” that is issued to a successful bidder at the tax title sale, is not a deed to the property but a lien. Counties are known as “parishes” in Louisiana. Tax collection and tax sales are the responsibility of the property tax division of the sheriff's office in each parish. Prospective bidders must register with the sheriff's office before the start of the tax sale. The following information is taken from the Parish of Ascension Sheriff's website:

“All unpaid property taxes are read aloud. After reading of the property, buyers bid for a portion of ownership on the property. By law, the Sheriff accepts bids on an interest in the property starting off at 100% interest and graduating downward until the lowest bid of 1% is received. The Buyer that gets the bid will cover the taxes, interest and costs that are due. The buyer must pay by cash or check when the tax sale is completed. Within a few working days, a tax sale deed is prepared and filed with the Clerk of Court and a copy is mailed to the buyer.” Any unsold property will revert to the parish. The owner has 3 years to redeem and must pay 12 % per annum plus a 5% penalty.

If the lien is redeemed, the purchaser need not do anything; the “tax sale deed” is cancelled with the clerk of court by the tax office. The tax office will simply send the purchaser the redemption money. If the lien is not paid within the 3-year redemption period, the property will revert to the lien holder, but in order obtain a deed to the property, legal notices must be given. You will need an attorney to give the proper notices and draw up a proper deed to the property.

Many of the counties of the commonwealth of Louisiana now have their tax sales online. The website for the online tax sales is <http://www.Civicsource.com>.

## **Maine**

Maine is a tax deed state, but it is not a very good state for tax deed investing from the investor’s standpoint. As in other New England states, tax sales are conducted by the municipality, not the county, and bidding is by sealed bid. It is extremely difficult to find any information online at all about tax sales in Maine. To find contact information to inquire about tax sales go to the county website and look for links to the municipalities. Then look for links to the municipal tax collector. You may not find any information about the tax sale, but at least you’ll have contact information for the municipal tax collector. Then you can e-mail or call the tax collector and ask them what happens to tax delinquent properties, do they get sold in a tax sale and what municipal department is in charge of conducting the sale.

## Maryland

Maryland is a lien state. Interest rates can vary greatly by county. The redemption period is 6 months. Premium is bid, but you are not required to pay the entire premium amount unless the lien is not redeemed. You must pay the premium, however, in order to foreclose the right of redemption. Since each county has its own regulations regarding tax sales, and some of their procedures for these sales can be pretty complex, I have provided links to tax sale information web pages for five Maryland counties.

**Montgomery County** holds its tax sale on the second Monday of June. Their tax sale procedures are somewhat complicated and differ from those used in other Maryland counties. They use a sealed bid process. The properties are divided into groups and bidders can bid on individual properties or groups of properties. Although they utilize the premium bid method, they have a very unique way of bidding. Instead of bidding up the price for a lien or group of liens, your bid consists of the percent of assessed value that you are willing to pay. All payment is done by wire transfer and you do not have to be present to bid. The interest on the certificate amount is 1 $\frac{2}{3}$ % per month (10% for every 6 months). For more detailed information on Montgomery County tax sales go to [www.montgomerycountymd.gov/taxliensale](http://www.montgomerycountymd.gov/taxliensale).

Montgomery County also lists the result of their sales online and over the last couple of years prices have been going up. In 2003, many liens were sold for 50% or less of the assessed value. In 2004, only one lien was sold for less than 60% of its assessed value and most were sold for more than 65% of their assessed value. All of the successful bidders for the 2004 sale were institutional investors. In 2009 most properties were sold for under 50% of assessed value and some even under 20% of assessed value and a few were sold to individual investors.

**Baltimore City** (not to be confused with Baltimore County) holds their tax sale in May. Their online sale is held at: <https://www.bidbaltimore.com>. One group, or “batch” as they are

referred to, is sold every hour. Advanced registration is required (usually 7 days in advanced) along with a non-refundable \$100 registration fee via ACH debit (it will not be subtracted from the lien amount) . You must also submit an IRS Form W-9 as well as a budget to cover the costs of your anticipated purchases. The same account will be used for the registration fee and certificates purchased.

**Howard County** holds its tax sale in May or June. In contrast with Montgomery County, Howard County requires bidders to register before the sale with a \$500 deposit in cash or certified funds. You, or your representative, must be present to bid at the sale. The initial bid price is the amount owed plus interest, penalties, and the cost of the sale. You are required to settle on any successful bids ½ hour after the sale. The interest rate on the certificate amount is 18% per annum. You can find complete information about the Howard County tax sale at <http://www.howardcountymd.gov/displayprimary.aspx?id=6442470170>.

**Harford County** also conducts their tax sale in June. The interest rate in Harford County is 12% per annum. They do require that you register before the sale and that you or a representative be present at the sale in order to bid. Although you do have to pay the certificate amount on the day of the sale, you do not have to pay any amount of the premium that you bid until you foreclose on the property. This is different from Montgomery and Howard Counties where you have to pay a certain percentage of the premium on the day of the sale. For more information about the Harford County tax sale go to <http://www.harfordcountymd.gov/668/Tax-Sale>.

**Frederick County** holds their sale in May. The interest rate is only 8%. You must register before the sale in order to bid and if you are bidding for an entity, registration must be submitted a few days before the sale. Parcels are sold for cash to the highest bidder. For more information the Frederick County tax sales go to <http://www.frederickcountymd.gov/2005/Tax-Sale>.

Keep in mind that the redemption period in Maryland is short, only 6 months, and so is the time that you have to foreclose. If you do not take any action to foreclose your lien in 2 years from the date of the sale, your certificate is void and you lose your investment. Also, as

with most other states, Maryland state law forbids any collusion at the sale.

### **Massachusetts**

Supposedly counties in Massachusetts may have tax lien sales and/or tax deed sales; however, I have found no evidence of tax lien sales anywhere in the state. As in Connecticut and Maine, tax sales are conducted at the municipal, not the county level. The municipalities that sell deeds take ownership of the delinquent property and then sell it at auction. These sales are referred to as “taking” sales. Some of the small towns do not have any tax sales at all; delinquent tax properties are taken and held by the municipality. In order to find tax sales, you’ll have to go to the bigger cities.

The following was taken from the City of Boston’s website [www.cityofboston.gov](http://www.cityofboston.gov).

“The City of Boston acting by and through its Public Facilities Commission by the Director of the Department of Neighborhood Development (hereinafter referred to as the "City") through the Commercial Abutter Land Sale sells surplus, tax-foreclosed, City-owned commercial land to private buyers who agree to invest in the development of the property. The City's goals with the disposition of these properties under the Commercial Abutter Land Sale is to promote private investment in real estate to revitalize the commercial districts in Boston's neighborhoods; increase jobs; generate new businesses and attract new customers to our business districts; reduce the City's holding of tax-foreclosed commercial land and to generate property tax revenues for the City of Boston.” The Department of Neighborhood Development (DND) posts a list of these properties and takes private bids for them.”

It is not likely that you will find any information online for tax sales in Massachusetts. This is another state in which you might be better off buying tax sale lists from a provider like [www.TaxSaleResources.com](http://www.TaxSaleResources.com). To get contact information for municipal tax collectors go to the Massachusetts state home page; there is a drop down box where you can pick the town or city and go

to their home page. From there, you ought to be able to find contact info for the tax collector. The tax collector is usually part of the treasury department.

## **Michigan**

Michigan is a deed state. It was a lien state until 1999 when the state enacted new laws expediting the collection of taxes on delinquent properties. They did away with selling liens to investors. Now when real property is 1-year delinquent in tax payments, the property is “forfeited” to the county treasurer, unless the county “opts out”, in which case the property will revert to the state. The owner has 1 year to redeem the property after which the county (or state) will foreclose on the property and sell it at auction.

Tax foreclosure sales, or “land sales” as they are called in some counties, are conducted by the state treasury department as well as by individual counties. According to state statutes, the tax foreclosure extinguishes most liens, including unpaid tax and special assessment liens, but excludes IRS liens and liens filed by government agencies in relation to the environmental protection act. There is no redemption period after the sale.

In most counties you must register and receive a bid card before the sale. In order to register you must be at least 18 and have a driver’s license or state ID and a social security number. Some counties also require a sizable deposit that is refunded to unsuccessful bidders upon surrender of their bidder cards. Most of the counties now conduct online auctions. But the online sales occur side by side with the actual “in person” county and state auction. You can be at the sale in order to bid; or at least have a representative at the sale. Or you can participate online.

Forms of payment accepted at all sales are the usual: cash, certified funds, or money order. For counties that have online sales, payment is made by credit card. Properties are sold to the highest bidder and payment must be made the day of the sale. The minimum bid consists of delinquent taxes, interest, penalties, fees due on the property, and the cost of the sale. A quitclaim deed is issued to the purchaser. In some counties the deed is registered before it is delivered to the

purchaser. In other counties the purchaser is responsible for registering the deed with the county clerk.

There is a lot of information available online for Michigan tax sales. There is now a state website at [www.tax-sale.info](http://www.tax-sale.info) where you can get the tax sale information, and register and bid at the online tax sales. Michigan tax sale season starts in July through November. There are 83 counties in Michigan so from July through November there is always a tax sale going on almost every week, sometimes a few on the same day.

## **Minnesota**

Minnesota is a deed state. Like Michigan, they abolished the sale of tax lien certificates in favor of seizing the delinquent tax property. Delinquent properties are forfeited to the state of Minnesota. A list of forfeited properties is forwarded to each municipality for review. The municipality decides if the property will go to public auction, adjacent owner sale (for non build-able properties), to the city for public use, or be held for further review. Although the former owner has no more right to the property, some counties do allow the former owner to apply to repurchase the property.

All tax-forfeited land offered at a public auction is sold to the highest bidder. The minimum bid is the appraised value of the property. You must have earnest money in the form of cashier's check or certified funds in order to bid. Some counties will finance purchases over a certain amount, although a deed will not be issued until the property is paid in full. Properties not sold in the sale are offered over the counter. The price, however, remains at the assessed value of the property. In addition to the bid amount, the purchaser must pay a 3% fee that goes to the state treasury.

Minnesota tax sales are not such a great deal for the investor. Bidding starts at assessed value of the property plus you have to pay an extra 3%. You can finance it through the county, at a rate no less than 10%. And to top it off, the deed that you receive from the county is not a warranty deed - you may have to take legal action to get clean title to the property. Many Minnesota counties, along with the state, list their forfeited tax parcels online. From the lists that I saw there are not

many good properties available. Most are vacant lots. The county treasurer conducts the county sales.

## **Mississippi**

Mississippi is a lien state. The interest rate is 1½% per month (18% per year) and the redemption period is 2 years. Tax lien sales are referred to as “land sales” and are the responsibility of the county tax collector. Only a couple of the larger counties have tax sale information online, but you will be able to find the contact information you need from the county websites. Many of the Mississippi counties also have tax assessment data online.

The following information can be found on the tax collector’s website for De Soto County and similar information is also posted on the Jackson County Tax Collector’s website:

“It is recommended that you sign up the day prior to the sale or the morning of the sale. You will receive a ticket, which you will need to bid. There is no fee. However, you must provide a Social Security Number or Tax ID Number and a photo ID. You or a representative must be present at the sale. There is no over-the-counter, phone or fax purchasing.”

Only cash, check, money order and cashier's check are accepted as payment. Any unsold liens are turned over to the state. Typically only 1-2% of the properties are turned over to the state each year. If the lien is not redeemed within the 2-year redemption period you will be notified that the owner has not paid and the property is being forfeited. You will have a specific time to respond and to acquire the tax deed or clerks conveyance. In order to do this you will need to pay certified mailing fees for the notifications, a recording fee and title fee. You will also need to attend a confirmation hearing in the chancery court.

## **Missouri**

Missouri is a lien state. The interest rate is 10% with only 8% paid on subsequent tax payments. The redemption period is 1 year and the



highest premium bid wins the lien. In order to bid at a tax sale in Missouri, you must be a resident of the county. The minimum bid amount consists of the amount of taxes due, penalties and sales costs. Purchasers must sign an affidavit stating that they are not delinquent on any property tax payments. Failure to sign such affidavit, as well as signing a false affidavit, may invalidate the property purchase.

The purchase price must be paid at the close of the sale with an acceptable form of payment. Boone County does accept some credit cards; however, they will charge an extra fee if you use one of these cards. For MasterCard and Visa, the fee is 3.5% of the purchase price. For Discover, the fee depends on the amount charged. If you do not pay when expected for a lien that you were successful bidding on, you may be charged a penalty of 25% of the bid amount along with prosecuting attorney fees.

The tax collector will issue a “certificate of purchase” which is retained for 1 year or until the property is redeemed. The purchaser may assign ownership of the certificate of purchase to someone else, but only if they are a resident of Missouri and do not owe any delinquent taxes.

If the property has not been redeemed during the 1-year redemption period, the holder of the certificate of purchase may apply for and receive a collector's deed to the property. The purchaser will need to provide an affidavit to the tax collector verifying that proper notification was made and that a title search was done on the property. Any other liens, except for federal liens, are extinguished once a collector's deed is issued.

It is not easy to find tax sale information for Missouri counties online. You will be able to find tax assessment data and contact information for some of the larger counties. The “delinquent tax certificate sale” is the responsibility of the collector of revenue, sometimes referred to simply as the collector.

## **Montana**

In Montana they sell both tax liens and tax deeds. Tax liens are available by assignment on a “first come first serve” basis. The county treasurer is usually the collector of taxes and is responsible for conducting tax sales. A “tax sale certificate” is issued to the purchaser. The interest rate on tax liens is 10% per annum and there is also a 2 % penalty. The redemption period is 3 years. The following information is from the Gallatin County Treasurer:

“Gallatin County will assign their lien interest in any property to a third party, for the amount of the delinquent taxes, plus a \$40 fee, and then it becomes the responsibility of the assignee to complete the process for tax deed, IF the lien is not redeemed. Purchasing an assignment is not a bidding process. It is a first come basis. There is a requirement of the Assignee of ‘Notification of Pending Assignment’ to the owners of the property, by certified mail, MCA 15-17-323(5), before an assignment can be issued.”

It is difficult to find any tax sale information online for counties in Montana. You can, however, find contact information for the treasurer/tax collector and look up tax assessment data online. You can get tax sale lists and links to county web sites at [www.TaxSaleResources](http://www.TaxSaleResources).

## Nebraska

Nebraska is a lien state. The interest rate is 14% per annum and the redemption period is 3 years. Nebraska uses the “bid down the percent ownership” method of bidding. Since this system does not work very well and is not popular with bidders or counties, most counties use a “round robin” selection system of awarding bids. The following information is from the Douglas County Treasurer’s website:

“Investors agree to buy the liens for the delinquent tax amount including interest and advertising fees. Each lien is offered to each participant, one by one. If a participant decides to purchase a lien on a property, the following lien is offered to the next investor in line. If an investor passes up a lien, they forfeit that bid and the lien is offered to the next investor in line (the investor that passed will not get another opportunity for a lien until the bid works full circle back to them).”

Once the 3-year redemption period has passed you must begin foreclosure proceedings within 6 months. Failure to start foreclosure within 3 years and 6 months of the original tax sale date will result in cancellation of the sale due to the statute of limitations.

Tax sale information along with detailed tax sale lists and assessment data can be found online for some Nebraska counties.

## **Nevada**

Nevada is a tax deed state. Properties with 3 years of delinquent taxes are deeded to the county treasurer as trustee for the state and county. The property is then subject to be auctioned for non-payment of taxes. Bidding starts at the amount owed the county (delinquent taxes, penalties, interest, and cost of the sale). This amount can be quite high compared to tax sales in other states, since there are 3 years of delinquent taxes, penalties and interest. Other liens, such as mortgages, are wiped out at the tax sale. Other municipal or county liens, like special assessments, will have to be paid. Federal liens will also remain on the property.

Only registered bidders are allowed to bid; in some counties, where space is limited, no one else is allowed at the sale. Some counties may require a large refundable deposit for participation in the sale. Parcels are awarded to the highest bidder. An absolute deed is recorded by the treasurer's office within 30 days of the auction date. Though there is no redemption period, the previous owner has 2 years to protest the sale. During this period you cannot receive clear title to the property.

Tax sale information is available online for some Nevada counties, but you may have to visit the county assessor's office to look up assessment information for the tax sale properties.

## **New Hampshire**

The state of New Hampshire does not have tax lien sales or tax deed sales. Although New Hampshire's State Code provides for tax liens sales, I could find no evidence of such sales when I searched online, or from the tax collectors that I contacted. The collection of taxes on

real property is the responsibility of the municipal tax collector. It seems that most, if not all, of New Hampshire counties have adopted section 80:20-a of the state code cited below:

**“80:20-a: Alternate Tax Lien Procedure.** – In any town or city which adopts the provisions of RSA 80:58-86 for a real estate tax lien procedure as provided in RSA 80:87, the provisions of RSA 80 relative to tax sales shall not apply. In such municipalities, only a municipality, county, or the state where the property is located may acquire a tax lien against land and buildings for unpaid taxes, and tax sales to private individuals shall be prohibited.”

The owner has 2 years to redeem the property at an interest rate of 18% per annum. If the property is not redeemed, it is deeded to the municipality, county, or state in which it is located. Section 80:42 of the New Hampshire State Code does allow for the sale or auction by private bid for deeded properties. However I could find no evidence of any tax sales in New Hampshire. Perhaps that is because the tax collector also has the authority to bring legal action against delinquent taxpayers, and garnish wages or other monies for the collection of taxes (RSA **80:50**).

## New Jersey

New Jersey is a popular state for tax liens. The interest rate is 18% per annum and the redemption period is 2 years. There is also a penalty in addition to the interest. The penalty is from 2-6% depending on the certificate amount, and is only paid on the certificate amount, not on subsequent tax payments. Like the New England states tax sales are conducted on the municipal level, not by the county. It is the municipal tax collector who is in charge of the tax sale. Most municipalities allow you to register for the tax sale immediately before the start of the sale. In some of the smaller municipalities all you need to do is sign your name on a list of bidders and you don't have to fill out a bidder information sheet or w-9 form unless you actually purchase a lien. Only the larger cities and towns require advance registration in order to bid.

The bidding procedure is different from other states in that the interest rate is bid down and then premium is bid. If you bid premium (and most liens in New Jersey are won at high premiums) you don't get any interest on the certificate amount, however you do get interest on the subsequent tax payments. Interest on subs is 8% per annum until \$1500 is owed, then it's 18%. If you purchase a tax lien certificate that is \$1500 or more, all of your subs will earn 18% per annum.

Payment must be made immediately after the sale with cash, certified funds, or money order. A few of the more sophisticated municipalities will take payment by wire transfer, but most will not. Some tax collectors will not let you leave the sale to secure funds, so you must have them on hand.

There is a 10-day grace period after the sale in which the lien can be redeemed without penalty. The lien purchaser will have to wait until the 10-day grace period is over in order to pay any subsequent taxes. A "tax lien certificate" is issued to the lien purchaser within 10 days and it must be recorded with the county clerk within 3 months of the sale. If the certificate is not recorded with the county, all you have is a piece of paper and no lien. Leftover liens not sold at the tax lien sale may be sold "over the counter." New Jersey is a very competitive tax sale state however, and if there are any liens left over, they are usually for junk properties.

Liens may also be sold or "assigned" to another investor. If the lien is not redeemed within the 2-year redemption period the purchaser may start foreclosure on the property. Foreclosure proceedings in New Jersey can be complicated, and it's best to secure the services of an attorney who specializes in tax lien foreclosures. If no foreclosure action is taken after 20 years from the date of the sale, the tax lien certificate is void.

There are hundreds of municipalities in New Jersey and they each have a tax sale once a year. In a densely populated state such as New Jersey you would expect to find some information about tax sales online. That, however, is not the case. There is very little information on tax sales for New Jersey municipalities online. For most municipalities, all you'll find is the contact information for the municipal tax collector. If you go to the county websites you can

usually find a link to the municipalities, and from there you can find a link to the tax collector or tax office. Sometimes the tax collector is considered part of the finance department. The best source of detailed tax sale list for New Jersey is Lien Source. Their website is [www.liensource.com](http://www.liensource.com).

In the last 3 years many of the NJ Municipalities have switched over from live tax sales to conducting them online. Currently all of the online New Jersey tax sales are on [www.RealAuction.com](http://www.RealAuction.com).

### **New Mexico**

New Mexico is a deed state. In New Mexico tax liens do not have priority over other liens, so if you purchase a deed at a New Mexico tax sale, you will have to pay off other liens including mortgages. In New Mexico, the sales of delinquent tax properties are handled by the state's taxation and revenue department, property tax division, delinquent property tax bureau. The sales are conducted in the county in which the properties are located. Sale information, along with the list of properties in the sale, can be found on the delinquent property tax bureau's web page, <http://www.tax.newmexico.gov/Businesses/delinquent-property-tax-upcoming-auctions.aspx>

The minimum bid is set based on the amount of taxes, penalty, interest and costs due. The owner's interest in the real property is also taken into consideration. You or your agent must be present in order to bid. If an agent is representing you, the agent must present documentation proving that he/she has the authority to represent you. Though there is no redemption period, former owners may challenge the validity of the sale for up to 2 years from the date of the sale.

Payment can be made by cashier's check, money order, personal check or company check. Personal and company checks must be accompanied by a letter of credit from the issuing bank that must be presented at the time of registration. Personal and/or company checks will not be accepted without a proper letter of credit. Time is allowed after the sale to secure funds. Successful bidders will be issued a quitclaim deed. The state of New Mexico warrants no title to property

purchased at public auction sale and the deed issued by the state can be used for the basis for quieting the title.

## **New York**

New York is a mixed state. Some counties have tax lien sales and others have tax deed sales. Most of the state conducts deed sales. Nassau County sells liens, as do the five boroughs of NYC. The tax lien sales in NYC, however, are not open to investors. They are private sales where the liens are sold to city fund companies. Later on these companies may have public sales.

### **Tax Liens**

Nassau County has its own codes regarding tax liens. The interest rate is 10% for every 6 months (an effective rate of 20% per annum) and the redemption period is 2 years. The sale is held in February and for the past 2 years (2009 and 2010) the sale was held for 4 days. In order to bid at the sale you must pay a \$100.00 registration fee for each day. If you are successful in purchasing any liens you must pay 10% of the amount at the sale and the 90% balance must be paid in full within 60 days or you will lose your lien and your down payment. The interest rate is bid down at the sale. In past tax sales the interest rate has been frequently bid below 2% (per 6 months) and sometimes goes to 0%. Subsequent taxes earn interest at the bid rate, not the maximum rate of 10% per 6 months. Bidding 0% on one of these liens, or anything below 3% is not a good investment.

The tax sale list can be purchased from the county a few weeks ahead of the tax sale. You can find out more about the Nassau County tax sale on the county treasurer's web site at <http://www.nassaucountyny.gov/agencies/Treasurer/index.html>. You can also purchase the enhanced list from Tax Sale Resources at [www.TaxSaleResources.com](http://www.TaxSaleResources.com).

The villages in Nassau County can also conduct their own tax sales for assessments and taxes that are owed to the villages. So in addition to checking with the Nassau County tax collector's web site, you may also want to call the municipal tax collectors to inquire if and when

they have a tax sale. Also it is good to check on any properties that you are going to bid on in the Nassau County tax sale to make sure that they have no village liens or outstanding village taxes.

### **Tax Deeds**

As far as deed sales go, each county conducts their sale a little differently. All counties require advance registration and some counties require a refundable deposit in order to register to bid at the sale. Some counties accept written bids. The bid must come from a registered bidder and be accompanied by a deposit of 10% of the bid price, usually in certified funds. It is advantageous to be at the auction, however, since in some cases the written bid will be considered the minimum bid for the property. The written bid will be called out and bidders at the auction will have a chance to out bid it.

Tax sales must be big business for Allegany County. They charge a 10% premium for all purchases at the tax sale. That's 10% of the bid price, in addition to the bid price. The successful bidder must also pay current taxes, and closing fees. Allegany County conducts an informational seminar a couple of months before their tax sale. The \$15.00 cost of the seminar includes admission for 2 to attend and tax sale list catalog. You can also get copies of the auction catalog online without attending the seminar, and you do not have to attend the seminar in order to bid at the tax sale. You can get the information and tax sale list for Allegany County tax sale at [http://www.alleganyco.com/btn\\_taxsale/templates/FW\\_layout.htm](http://www.alleganyco.com/btn_taxsale/templates/FW_layout.htm).

Onondaga County also charges a 10% premium and an administrative fee of \$360 per parcel. They also require bidders to show a valid driver's license, have proof of a social security number, and sign a statement that they owe no taxes in Onondaga County, and that they are not an employee of the county or the real estate auction company that conducts the auction. You can get all the information and tax sale list for the Onondaga County tax sale at <http://www.ongov.net/rpts/auction.html>.

Tax sales are usually the responsibility of the county treasurer. Not all counties have tax sale information online, but a few do. You will have to go to the county assessor's office to get assessment information for



properties and the mapping office to find the locations of the properties on the tax sale list. Larger counties may have a mapping service online.

Some of the New York counties now have their tax deed sales conducted by an online auction company. They actually have a live auction, but you can also put in your bid online. The company that conducts most of these auctions is [www.nysauctions.com](http://www.nysauctions.com).

## **North Carolina**

North Carolina is a deed state. The minimum bid is the amount owed (delinquent taxes, penalties, interest and cost of sale). If you purchase a deed at a North Carolina tax sale it is subject to an “upset bid” for 10 days after the tax commissioner files the sale. During this time anyone may place a competitive bid on the property as long as it is over 10% of the original bid. If this happens the court will resell the deed to the higher bidder. Most North Carolina counties use law firms to conduct their tax foreclosure sales and the tax sale lists provided only include the parcel number and owners name. The physical address of the property is not usually provided and it is up to the investor to know what they are bidding on.

There are 3 different types of tax sales in North Carolina.

“Foreclosure Sales” are sales of properties due to delinquent tax liens. The County opens bidding at the amount equal to taxes plus legal costs. Anyone may offer an amount over the County's bid and obtain ownership upon completion of a 10 day upset bid period.

“County Auction” parcels are properties that were not sold at the foreclosure sale and were deeded to the county. These parcels are offered at auction. If no one offers a bid at this auction, these properties become “Surplus Properties.” These parcels may be purchased directly from the County by submitting a written offer.

You must be present to bid at the foreclosure sale or County auction. Surplus properties can be bid through the mail; however, upset bids must be made in person. Cash, money orders or certified funds are accepted as payment. Foreclosure Sales require a deposit as per the notice of sale (5% - 20% of the highest bid) on the day of the sale with final payment within 30 days after the completion of the 10 day upset

bid period. Foreclosure upset bids require a 5% increase over the last bid, with a minimum increase of \$750.

County auctions require a 5% deposit with the final payment in 10 days after approval of the bid by the county commissioners. County auction sales are final and are not subject to upset bids.

Surplus property bids are subject to upset bids and payment is due in full within 10 days after completion of the 10-day upset period. Surplus property upset bids must be increased by 10% of the first \$1,000 and 5% of the balance of the most current bid.

For foreclosure sales, a commissioner's deed will be issued. Unless otherwise stated in the notice of sale, all other liens, with the exception of current year taxes, if applicable, will be eliminated when the commissioner's deed has been issued and recorded. A quitclaim deed will be issued for county auction and surplus properties.

To find contact information for tax sales, go to the county webpage and click the “departments” link, then look for tax office, tax department, or tax administration. Then click on the tax collection link and look for tax foreclosure sales or tax foreclosures. You can also get the link to the tax collectors web site and the tax sale lists at [www.TaxSaleResources.com](http://www.TaxSaleResources.com).

### **North Dakota**

North Dakota was formerly a lien state but is now a deed state. In some counties the county auditor is responsible for tax sales and in other counties it is the county treasurer. Properties that are not sold at auction may be available “over the counter.”

North Dakota changed the law for how many years a property can have delinquent property taxes before being sold at a tax sale from 5 years to 3 years. This law was changed in August of 2007, but the full effect of that law will be realized this year in 2010. Properties still delinquent for 2005, 2006, or 2007 will be sold in this year's tax sale.

The Wilson County Auditor gave me detailed information for tax sales in Wilson County: “The properties are sold at public auction in the courthouse on the third Tuesday in November. The previous owner has until the time of the sale of that property to redeem it. If it is not redeemed it is sold to the highest bidder. The successful bidder will also be responsible for a recording fee of \$13.00 (US) per property. If the property is not sold, it is added to our inventory or sold back to the city (if a city lot). Properties may be purchased anytime after the sale, but the sales after the auction are not perfected for 30 days, until the former owner is given another chance to redeem it. All sales are given a county deed, which is the equivalent to a quit claim deed, since the chain of title has been broken by our foreclosure.”

Only a couple of counties in North Dakota have tax sale lists or tax sale information online, but you can find assessment data and contact information online. Look for the county auditor’s or county treasurer’s web page for tax sale information, contact information and assessment information.

## Ohio

Ohio is another mixed state where most of the counties sell tax deeds, but some of them have switched over to tax liens. Counties that sell tax liens have three different types of tax sales: tax lien sales, tax lien foreclosure sales, and tax foreclosure sales.

### Tax Liens

The county treasurer conducts tax lien sales. Even though the larger counties sell liens, their sales are targeted to institutional buyers not the individual investor. They auction all available liens in a single block, which may have a purchase price of several million dollars. The portfolio is awarded to the bidder who bids the lowest interest rate. Bidding starts at 18% and is bid down in ¼ percent increments. There is a 1-year redemption period for a tax lien certificate and the certificate expires in 3 years. In order to redeem the lien the property owner must pay the lien amount, plus the interest that was bid, as well as a penalty of \$150.00. These tax sales are not open to individual

investors. Like the tax sales in NYC they are only open to large companies.

If the property owner does not redeem within the 1-year redemption period, the holder of the tax lien certificate must foreclose before the 3-year expiration of the lien. The county prosecutor's fees for foreclosure are currently \$2000.00 and the property will go to a foreclosure sale. The certificate holder will only get the property if it does not sell at the foreclosure sale. Once the property is foreclosed, however the lien holder is entitled to 18% regardless of the interest that was bid at the sale. The lien holder will also be paid for foreclosure expenses and any subsequent taxes paid. Assignments of tax liens are allowed.

### **Tax Deeds**

Tax lien foreclosure sales are deed sales in which a previously sold lien is being foreclosed. The opening bid in a tax lien foreclosure sale is the amount due for the lien plus penalties, interest, foreclosure costs, and the cost of the sale. The property is sold to the highest bidder.

Tax foreclosure sales are foreclosure sales (deed sales) of properties on which the county, for some reason, did not sell a lien and the redemption period has run out. These properties are also sold at auction to the highest bidder. The opening bid is the amount due for taxes plus penalties and the cost of the sale.

Contact information, sale lists, and assessment data can be found online for some Ohio counties. Look on the county auditor's website and the county treasurer's website for information about tax lien sales. For tax lien foreclosure sales and tax foreclosure sales, try the county sheriff's website as well.

## **Oklahoma**

Oklahoma is currently a deed state. It was formerly a tax lien state that also conducted tax deed sales until July, 2008 when new legislation went into effect amending Title 68, O.S. Section 3105. This amendment eliminated the annual October Certificate Tax Lien Sale,

which was previously held on the first Monday in October. Now instead of selling the delinquent property taxes to investors the county puts a lien on the property and resale statutes now govern properties that remain delinquent and unpaid for three (3) years or more. The resale auction is held annually on the second Monday of June.

The resale is actually a tax deed sale where the deed to the property is sold to the highest bidder and the minimum bid starts at 2/3 of the assessed value of the property or the amount due plus taxes and penalties, whichever is less.

Oklahoma County, the largest county in Oklahoma, has detailed tax sale information on its website as well as the ability to look up property assessments online. Detailed instructions for bidding are found on the Oklahoma County treasurer's website at <http://www.oklahomacounty.org/treasurer/TaxLiens.asp>.

Tulsa County also has extensive information about tax sales including all the information that you need to register, do your due diligence, and bid at the tax sale, on their website at <http://www.treasurer.tulsacounty.org/>.

Although Canadian County still has tax lien sale information on the county treasurer's website, the information is old (from 2005) as is probably no longer valid in light of the new 2008 law. The treasurer also has resale instructions on his web site at [http://www.tmconsulting.us.com/visitor/visitor\\_addinfo.php?page=Resale Instructions&cnty=Canadian&addPageId=250](http://www.tmconsulting.us.com/visitor/visitor_addinfo.php?page=ResaleInstructions&cnty=Canadian&addPageId=250), but does not publish a list of tax sale properties online. It seems that the web page is not updated very often.

## Oregon

Oregon is a deed state. Properties are subject to foreclosure by the county when they are delinquent for 3 years. After a 2-year redemption period, the county acquires the deed and may sell it at public auction to the highest bidder. The following information is quoted from a page titled "Disposition of Tax Foreclosed Properties" on the Multnomah County Division of Assessment, Recording and Taxation website, which may no longer be available. However current

tax sale information can be found on the site at <https://multco.us/assessment-taxation/tax-title-program>.

“Upon acquisition by Multnomah County all tax foreclosed real property is first made available to the former owner of record for repurchase for not less than the accrued taxes, interest, and charges. If the former owner does not repurchase the property, it is then reviewed by the Greenspace Review Committee to determine the suitability for public use as open space, parks, or natural areas and given the appropriate designation. At the same time, the list of foreclosed properties not repurchased is reviewed by the Affordable Housing Development Review Committee to determine if any of them are suitable for construction of a dwelling.

The tax-foreclosed properties not repurchased are then made available to government agencies for their review and possible acquisition. After the completion of this process, the remaining properties are then made available to qualified non-profit corporations or governments through the County’s Affordable Housing Development Program for low income housing purposes. At the same time the list of available properties are also made available through the County’s Greenspaces Program to qualified non-profit corporations or governments for use as open space, parks, or natural areas. After the Board of County Commissioners has deliberated and decided to grant or deny the requests for properties, the balance if any, of the foreclosed properties that are deemed to be marketable are made available for sale at a public auction.

A public auction of foreclosed properties is typically held once a year. All auctions are oral and open to the public. The only acceptable forms of payment are cash or cashier’s check. The property is sold to the highest bidder who meets or exceeds the minimum price. There is no assignment purchasing allowed and no tax certificates are issued. All properties are sold ‘as is’. Properties that do not sell at the public auction are placed on a future public auction or disposed of as otherwise provided by law.

The County may enter into a private sale of certain tax-foreclosed properties if 1) the property is valued at less than \$15,000 and 2) the local planning and zoning jurisdiction determines that the parcel is not

suitable for the construction or placement of a dwelling. The County's policy with respect to properties that qualify for private sales is to first offer them to adjacent property owners."

Some of the larger counties in Oregon have maps and assessment information online. On Multnomah County's website you can get aerial photos, along with assessment, zoning, planning, flood plain information and more. For smaller counties you will have to go to the assessor's office for this information. Some counties will do your research for a fee. You may also want to do a title search on the property at the county clerk's office. As with most deed sales, no warranty or title insurance is conveyed with the deed.

## **Pennsylvania**

Pennsylvania is a deed state. The tax sales are handled on the county level by the tax claim office or the county treasurer. When taxes are delinquent for more than 1 year, the treasurer files a lien on the property. Once the property is delinquent for 2 years the county will sell it in what is known as an "upset sale". The upset price, or minimum bid, includes the delinquent taxes, municipal liens, and court costs. Purchasers of parcels at the upset sale are responsible for all liens on the property (including mortgage and mechanics liens) as well as current taxes and must also pay a realty transfer fee (2% of the assessed value). The upset sale is usually held in the fall. Some counties will allow private bids on properties that are not sold in the upset sale. As in the upset sale the purchaser is responsible for all liens on the property.

A "judicial sale" may also be held once a year. It is usually in the spring but may be any time after the upset sale. The judicial sale consists of properties that have not been sold at the upset sale or by private bid. These properties are sold free and clear of any liens. The purchaser is still responsible for current taxes and the realty transfer fee.

Properties not sold at the judicial sale are placed on a "repository" list. Properties on this list are available for private bid. The minimum bid amount is set by each county and may be much lower than the original "upset price". Properties on the repository list are conveyed free and

clear of all tax and municipal claims, mortgages, and liens. As in the judicial sale the purchaser is responsible for current taxes and the realty transfer fee. Consistent with tax deed sales in most other states, the deed is conveyed without clear title to the property. There are no warranties to the title, location or use of the property given in any of these sales.

All tax sales are the responsibility of the county's tax claim bureau. Most of the counties in PA have some information about tax sales available on their website. Many publish the lists for their tax sales online. The larger PA counties also have assessment data available online. For the smaller counties you will have to go to the assessment department to research the properties and the mapping department to find their location as no address is given on the sale list. You may also want to search the property records for any liens that the tax claim office might have missed in their search, since you can be responsible to pay any lien holders that were not properly notified of the sale. For this you will need to go to the county prothonotary's office.

Although I have heard that the city of Philadelphia sells tax liens, I have found that this is not true. The cities of Pittsburgh and Philadelphia have what is referred to as "tax lien sales," but they are actually selling deeds to satisfy tax liens levied by the city. The city of Pittsburgh actually sells redeemable deeds with a 90-day redemption period and a 15% penalty. Philadelphia tax sales are usually conducted by a law firm and may be held as often as once a month. The Philadelphia tax sales are conducted by the law firm of Linebarger, Goggan, Blair and Sampson, LLP and you can find information about them at <http://www.publicans.com/>.

In addition to redeemable deed sales, in 2014 the city of Philadelphia had their first online tax lien sale. This sale is now conducted annually on [www.RealAuction.com](http://www.RealAuction.com).

## **Rhode Island**

Rhode Island is a lien state. The state of Rhode Island has 39 municipalities divided among 5 counties. Although there are counties in Rhode Island, there is no county government. All local government



is on the municipal level. The municipal treasurer, tax collector, or finance director, depending on the municipality, handles tax sales.

The bidding starts at 100% ownership or interest in the property and is bid down to 10% in 10% increments; then it is bid down by 1% increments to 1%. The lowest bid accepted is 1%. No tax lien certificate is issued to the purchaser of the tax lien; instead a tax collector's deed is filed by the tax collector, or treasurer, transferring the lien from the municipality to the purchaser. After the tax sale, the municipal tax lien is transferred to the bidder willing to accept the lowest percent ownership of the property. This is not the same thing as a deed to the property, which is not issued unless the lien is not redeemed. The redemption period is 1 year. In order to redeem the lien the property owner must pay the lien amount plus 10% interest on the lien amount. If the lien is redeemed after 6 months another 1% interest is added per month.

Limited information is available online for Rhode Island municipalities. Although tax assessment data can readily be found online, tax sale information cannot. To get contact information and assessment data click on Rhode Island for a list of all the municipalities. Call the town or city hall to find out who is in charge of collecting taxes. To get tax assessment data look for a link to municipal government offices and then look for a link to the tax assessor.

## South Carolina

South Carolina sells redeemable deeds. Tax sales are the responsibility of the county treasurer or the delinquent tax department. Bidding starts at the combined amount of delinquent and current taxes due and is bid in \$25.00 increments. Payment in cash or certified funds must be made by 5:00 P.M. on the day of the sale. If the bidder fails to remit payment within the time allowed, a fine of up to \$300 per bid may be charged.

If a property is included in the sale because of an error, the sale will be nullified and the full bid amount *with no* interest will be returned to the successful bidder.

The owner has one year to redeem the property, and may do so by paying the bid amount plus 3% per quarter of a year up to 12% interest for a full year. Any premium that was bid is returned with interest if the property is redeemed. If the property is not redeemed, the previous owner may request the premium from the county. The deed is issued after the 1-year redemption period and may take some months longer than that, depending on how busy the department handling the tax sale is. Sales are held in the fall. Most South Carolina counties have property assessment data online. Some counties have tax sale lists online as well. Tax sales are referred to as “forfeited land commission sales.”

### **South Dakota**

South Dakota is a lien state. The county treasurer is required by law to conduct a tax certificate sale the third Monday in December each year. A tax certificate will be issued and sold on any property having delinquent taxes. The interest rate is 12% per annum with a 3-year redemption period. Premium is bid. After the 3-year redemption period, legal notification must be given and an affidavit filed with the county in order to receive a deed.

Most of the counties in South Dakota have small populations compared to counties of other states. Although most South Dakota counties do not have tax sale information online, you will be able to search tax records and find contact information. Click on the link to South Dakota and then the county and look for a property search link to search assessment data. For tax sale data, look for a link to the county treasurer.

### **Tennessee**

The state of Tennessee sells redeemable deeds. The office of the county trustee handles tax sales in Tennessee. In larger counties, tax sales may be held throughout the year. The minimum bid is the total amount of taxes owed plus fees associated with the sale. The property is sold to the highest bidder. Full payment is required within 24 hours of the sale by cash, money order, or cashiers check. Some counties

will also accept personal checks. If payment is not made in the allotted time, legal action may be taken by the county against the bidder.

Once the sale is confirmed, the purchaser may request a deed from the chancery court clerk master. The confirmation date is typically 30-45 days after the date of sale. Some counties require you to wait for the redemption period to end before issuing a deed. There is a 1-year right of redemption. The redemption amount is the amount bid at the sale plus interest (12% per annum). In addition, the court may award reimbursement for costs of maintaining the property during the purchaser's ownership. Properties that are not purchased are bought by the county. If property bought by the county is not redeemed, it will then be added to the surplus property inventory at the end of the redemption period. At that time, the county trustee's office may conduct a surplus property sale.

The state of Tennessee has 95 counties. The larger counties have tax assessment data and tax sale information, or at least contact information for the tax sale online. Some counties have over the counter deeds available for purchase. In January 2016 Shelby County Tennessee will be the first Tennessee County to conduct an online tax sale. The tax sale will be held on [www.CivicSource.com](http://www.CivicSource.com), and will be not only the first online tax sale for Tennessee, but the first ever redeemable tax deed sale online as well.

## **Texas**

Texas is a redeemable deed state and has the highest return of any lien or redeemable deed state at 25% per six months for non-homesteaded and non-agricultural properties. There are 254 counties in Texas. The larger counties have tax sales 4 times a year and counties with really large populations may even have a tax sale every month. Some counties also have over the counter deeds available.

As with all other redeemable deed states, you must physically attend the tax sale, however Texas counties also require that you register in advance of the tax sale and have a bidders statement in order to participate in the tax sale. The bidders statement is a statement signed

by the county assessor-collector attesting to the fact that you do not owe any county, municipal or school taxes in that taxing jurisdiction. Travis County requires that you request a bidders statement at least 5 days before the tax sale. Once you get a bidders statement from Travis County, it is good for 90 days.

The Travis County tax collector also has a lot of good information on her web site for bidders including a due diligence guide, a video explaining the tax sale process, tax sale information, and tax sale lists. You can even sign up to receive notices of tax foreclosure sales by e-mail. The web site is at <https://tax-office.traviscountytexas.gov/foreclosure>.

For most of the other counties the tax sales are handled by private law firms. Two law firms that conduct a lot of the Texas tax sales are Linebarger Goggan Blair & Sampson, LLP and Perdue Brandon Fielder Collins & Mott LLP.

The redemption period is 2 years for homesteaded (owner occupied residential) and agricultural property, and 6 months for all other properties. The redemption penalty is 25% and the penalty is paid on the total amount paid for the deed, not just the minimum bid amount. The minimum bid consists of delinquent taxes, penalties and cost of the sale. All this makes Texas an excellent state for tax deed investing.

Successful bidders must pay in full at the time of the sale, or within a given time period; failure to do so will result in penalties of up to 25% of the value of the property plus the cost of resale. Personal checks, money orders, and cashiers checks (with proper ID) are accepted for payment; cash and credit cards are not.

All bidders must be registered before the sale. In order to bid for another person or entity, documentation of the bidder's authority to do so must be presented to the officer conducting the sale. Purchasers will receive a "tax resale deed", which is without warranty, and will have a legal right to the property during the redemption period. . For the smaller counties that do not require the bidder's statement of no taxes owed before the sale, the purchaser must furnish a statement signed by the county tax assessor stating that the purchaser has no known delinquent taxes owed to the county or any of its taxing authorities within a couple of days of the sale. Since a property could

be subject to different taxing authorities, such as the county, school district, or city, the purchaser may be responsible for additional tax liens as well as current taxes on the property.

Many Texas counties have tax information online, but to find information on the tax sale you will need to contact the legal firm that is handling the sale. You can get a lot of information tax sales for a lot of counties at the Linegarger Goggan Blair & Sampson, LLP website at <http://www.publicans.com>, including tax sale lists for the regular tax sales, resales, and struck off (over the counter) properties. The firm of Perdue Brandon Fielder Collins & Mott LLP also has some information online at <http://www.pbfcm.com/>. Some of the larger counties will use both law firms and have more than one tax sale going on at the same time.

## Utah

Utah is a deed state, but it's not a very good state to invest in for 2 reasons. First properties are at least 5 years delinquent before they are sold at the tax sale. Secondly, state law allows for 2 different bidding procedures, one of which is not advantageous to the investor. Either the amount of the deed is bid up, starting at what is owed for back taxes and penalties and the highest bid is accepted, or the percentage of the property is bid down. In this instance the successful bidder is the one that bids the full amount of taxes owed for the smallest portion of the entire parcel.

Each May, the county treasurer (or in some counties, the county auditor) conducts a sale of properties that are at least 5 years delinquent. The properties to be sold are advertised in a newspaper approximately four weeks prior to the sale. Registration prior to the sale, along with a written sealed first bid accompanied by certified funds for an amount of the minimum bid, may be required in order to bid. The minimum bid amount consists of the total accrued taxes, interest, penalties, costs, and all accrued assessments and charges that have been certified as a lien against the property. All properties not withdrawn or redeemed before the sale, and for which no bid is offered, will be struck off to the county.

Collusive bidding is prohibited. (Which is the law in most states; both tax deed and tax lien states) Bid sheets must be completed and money paid immediately after being declared the successful bidder. Failure or refusal to submit funds will result in the bidder being banned from both further bidding and participation in future tax sales. The successful bidder will receive a receipt on the day of the sale. A tax deed will be issued later with the bidder's name and address, the property's legal description, and the amount paid. There is no redemption period and there is no absentee bidding allowed.

Many Utah counties have their tax sale info online; it's just a matter of knowing where to look. Sometimes it's posted on the treasurer's website and sometimes (as it is with Salt Lake County) it is on the county auditor's website. Some counties do have over the counter deeds available.

## **Vermont**

Vermont is a lien state. The interest rate is 12% per annum (actually 1% per month) and the redemption period is 1 year. The highest premium bid wins the lien. The lien may be redeemed within 1 year of the sale by the delinquent taxpayer or mortgagee of the property by paying the sale price plus interest of 1% per month. This amount is reduced by the premium paid and interest earned on that amount. What happens is that the purchaser of the lien receives the lien amount plus interest and the taxpayer may use the premium amount plus the interest on that to pay off the lien. Therefore, if you purchase a tax lien in Vermont at premium and it is redeemed, you only receive interest on the lien amount and you do not get your premium back.

Although the law in Vermont allows for tax lien sales, I could find no information about any tax sales when I searched online. Tax collection is handled by municipalities, but when I talked to municipal tax collectors they told me that it is a very rare occurrence for a property in Vermont to actually make it to a tax sale. Delinquency is uncommon in Vermont to begin with, and property owners who are delinquent usually pay up before the sale. If, however, you are lucky enough to find a tax sale in Vermont and purchase a tax lien, and if the lien is not redeemed within the 1-year redemption period, the tax collector will execute a tax collector's deed to pass title from the

delinquent taxpayer to the purchaser. All other liens and claims against the delinquent taxpayer will be extinguished. The purchaser will have to pay any current taxes due, file the deed with the county clerk and pay a realty transfer fee.

There is not much tax data or tax sale information available online for Vermont. In order to find out if there are any tax sales you will have to call the tax collector in each municipality. The phone numbers for most of the tax collectors can be found on the municipality's website.

## Virginia

Virginia is a deed state. Since there are independent cities in Virginia, tax sales may be held by independent cities as well as counties. The property sells for the amount of the highest bid. The court orders the property sold **free of liens and encumbrances**. The purchaser gets a special warranty deed.

Virginia's larger cities and counties have tax assessment data and tax sale information online. Most counties hold tax sales annually. The city of Richmond's tax delinquent sale properties are available year round. The properties are offered for private sale or at public auction.

## Washington

Washington is a deed state. The minimum bid includes the amount due to the county for the tax, interest, penalties and foreclosure costs. Bidding in most counties must be done in person, not by phone or mail. Payment by the successful bidder must be made immediately upon winning the bid by cashier's check, money order, certified check, or cash. The successful bidder will receive a treasurer's deed without any expressed or implied warranty.

There is no right of redemption for parcels sold. Exceptions to this are the rights of a minor child or a person legally judged to be incompetent. In those cases, there is a 3-year redemption period. As real estate taxes are in the first lien position, the tax foreclosure extinguishes all other encumbrances including, but not limited to, deeds of trust, mortgages, contracts, liens, judgments and any similar

items. However, any local improvement assessments remain and become the obligation of the buyer. Also, Internal Revenue liens remain.

Tax sales in the state of Washington are the responsibility of the county treasurer. Most counties have tax sale information online. Some of the larger counties even have their tax sale lists available online and update them regularly. In 2009 Thurston County and Benton County began conducting online tax sales on [www.Bid4Assets.com](http://www.Bid4Assets.com). You can find the results of tax sales for the last 4 years for Benton County on the Treasurer's website at <http://www.bentoncountytax.com/foreclosure-and-distrain.html>. Thurston County also has the results of the past year's tax sale and tax sale information on the county treasurer's website at <http://www.co.thurston.wa.us/treasurer/delinquent.htm>.

## **West Virginia**

West Virginia conducts both tax lien and tax deed sales. The interest on tax liens is 12% per annum (1% per month) and the redemption period is 17 months. Liens that are not sold at the tax lien sale are certified to the state. If the state purchases the account, and the property is not redeemed within 18 months it may be sold by the county in a "land sale." The county sheriff handles tax collection and tax lien sales.

West Virginia code requires that tax lien sales be held between October 14th and November 23rd of each year. The purchaser, or an authorized representative, must be present in order to purchase a tax lien. Bidding starts at the amount of taxes. Premium is bid and no interest is paid on the premium amount, however the premium is returned to the tax certificate purchaser should the lien be redeemed.

A certificate of sale is issued to the successful bidder. If the tax lien is not redeemed within the 17-month redemption period, the purchaser may then apply for a tax deed through the county clerk's office. This needs to be taken care of right away because the lien expires after 18 months. If you wait too long to apply for a tax deed, you will lose your investment.



The interest on a tax lien certificate is 1% per month and is paid on the certificate amount and any subsequent tax payments. The lien purchaser is also entitled to additional expenses incurred, and all additional statutory costs paid applicable to the lien.

Subsequent taxes may be paid by the lien holder, as they become due, in order to protect the purchase. If such taxes are not paid, the property is again offered for sale at the sheriff's tax lien sale for the appropriate year. Any lien that is not sold at the sheriff's sale is certified to the West Virginia State Auditor. The state auditor is the ex-officio commissioner of forfeited and delinquent lands. Former owners then have an 18-month period to redeem the property from the state auditor's office.

The state supervises a second sale at the county courthouse. The parcels sold at these tax sales are delinquencies that were certified to the state auditor at the sheriff's sales but were not redeemed from the state auditor's office within the statutory 18 months. A deputy commissioner's sale purchaser must fulfill certain requirements to secure a deed to the property from the deputy commissioner. The purchaser must do this within 30 days following the sale or lose all benefits of the purchase. For an explanation of what must be done to secure a deed, it would be best to contact the West Virginia State Auditor's office. A purchaser can obtain a tax deed from the deputy commissioner within about 4 months of the sale. The purchaser is required to pay a deed preparation fee and the deed-recording fee.

A tax deed, either from the clerk of the county commission as the result of a purchase at a sheriff's sale, or from the deputy commissioner as the result of a purchase from his sale, does not in itself convey absolute title to the property. Rather, it is a quitclaim deed conveying whatever right, title or interest was held by the state or one of its political subdivisions for nonpayment of taxes.

At both of these tax sales, a purchaser stands the chance of purchasing nonexistent land that was the outcome of a double or an incorrect assessment. Although the "buyers beware" principle generally applies, refund statutes exist for both sales. A purchaser should contact the sheriff and/or deputy commissioner on the procedure for obtaining a refund in the event that the purchase is ascertained to be nonexistent.

You can find out more about the county land sales (deed sales) on the state auditor's website at

<http://www.wvsao.gov/CountyCollections/LandSales.aspx>.

### **Wisconsin**

Wisconsin is a tax deed state, but not a very good state for investors. Delinquent tax properties are foreclosed by the county and sold at market value. Not a good deal for the tax deed investor, especially considering that a non-warranty quit claim deed is issued and properties are sold "as-is." Also the purchaser is responsible for any additional fees such as permits, soil testing and title search fees. If you are still interested in buying tax foreclosed properties in Wisconsin, you may be able to find a list of county-owned properties for sale on the county treasurer's website. Assessment data and property maps are also available online.

### **Wyoming**

The state of Wyoming is a lien state. The interest earned on liens is 15% per annum plus a penalty of 3% of the lien amount. The redemption period is 4 years. The lien expires 6 years from the date of issue. The following information was taken from the Laramie County Treasurer's website:

"State statute provides a tax lien purchaser interest at 15% per annum in addition to a 3% penalty the day of purchase. Subsequent year taxes may be paid by the purchaser and also earn 15% interest.

Four years from the date of the tax sale, the treasurer will accept applications and issue tax deeds for unredeemed real property to purchasers upon proof of compliance with the statutory notice requirements. A tax deed cannot be issued by the county treasurer after six years have lapsed since the original date of sale."

Pre-registration for the sale is required. You must hand in a completed W-9 form and get a bid number. The bidding procedure in Wyoming is by random selection as described below by the Laramie County Treasurer:

“A participant of the sale cannot pick and choose properties for purchase. Instead, the treasurer announces each delinquent property by owner name and amount due. After each announcement, a number is drawn. The participant's number matching the number drawn has the option to purchase the lien or pass. In the case of a pass, another number is drawn until the lien is purchased. This process is repeated until all liens are sold.”

Payment must be made the day of the sale in cash or certified funds. In some counties personal checks and certain credit cards will also be accepted as payment. A “certificate of purchase” is issued to the buyer. In Laramie County, the county retains the certificate of purchase and issues a receipt to the buyer.

There are 23 counties in Wyoming. Laramie County, which has the largest population, has detailed tax sale information online. You can also get statistics from past tax sales for Laramie County on the county treasurer’s website at [http://webgate.co.laramie.wy.us/\\_departments/\\_treasurer/tax\\_sale.asp](http://webgate.co.laramie.wy.us/_departments/_treasurer/tax_sale.asp).

It is the county treasurer who is responsible for collecting taxes and conducting tax sales in Wyoming.



## About the Author

### Joanne Musa, the Tax Lien Lady

Joanne M. Musa is the creator of TaxLienLady.com and Author of The Build Your Profitable Tax Lien Portfolio training course. Ms. Musa's articles on tax lien and tax deed investing appear all over the internet. Her easy to follow step-by-step guides to investing in tax lien certificates and tax deeds have earned her the reputation of The Tax Lien Lady. Through her web site [www.TaxLienLady.com](http://www.TaxLienLady.com), she has helped thousands of people around the country and now around the world to invest profitably in tax lien certificates and tax deeds.

As the owner of Tax Lien Consulting LLC, she has spent the last few years teaching people just like you how to buy profitable tax lien certificates and tax deeds. She has a full line of learning materials and coaching services.

Ms. Musa holds a B.A. degree in Biochemistry from Rutgers. She is also a National and World Champion Master Weightlifter. She made history when in 2009 she was the first woman in the United States chosen as head coach for the men's weightlifting team to the first Weightlifting Youth World Champions held in Chang Mai, Thailand.

Joanne has been married for 29 years to her husband Bill. They live in the Pocono Mountains with their three sons.



TaxLienLady.com is a web site owned by Tax Lien Consulting LLC, a company specializing in education and coaching for tax lien and tax deed investors. Tax Lien Consulting LLC is based in East Stroudsburg, Pennsylvania.

TaxLienLady.com provides information for investors who want to reap the benefits of investing in tax lien certificates and tax deeds and learn how to build their own highly profitable portfolio of tax lien certificates or tax deeds.

## Related Resources

[\*\*Tax Lien Investing Tips\*\*](#) - Our blog with articles, tips, resources and information related to investing in tax lien certificates and tax deeds.

[\*\*Tax Lien Manager Software\*\*](#) – Customized software that automates the business of investing in tax lien certificates. State versions are available for Arizona, Florida, Indiana, New Jersey, South Carolina, and Nassau County, NY.

[\*\*Build Your Profitable Tax Lien Portfolio\*\*](#) - the 8-lesson online course that will take you step-by-step through the 7 steps that you need to follow in order to build your own profitable portfolio of tax lien certificates or tax deeds.

[\*\*Tax Lien Investing Basics\*\*](#) – This is the course that you need if you don't quite know how to get started. Learn the basics of tax lien and tax deed investing. This program is also under \$200, and is a companion to the Tax Lien Lady's State Guide for finding the best place for YOU to invest. It's based on the first 2 lessons of the 8-lesson Build Your Profitable Portfolio course.

[\*\*More Profit From Tax Liens\*\*](#) – Tax Lien Lady's newest home study course. Learn strategies to make more money from your tax liens and redeemable deeds, and ways to make money from tax sale properties without even going to the tax sale.

[\*\*Buying Tax Liens Online\*\*](#) – This is a comprehensive course with step-by-step training for purchasing online tax liens. It includes Tax Lien Lady's Guide to Online Tax Lien Sales.

[\*\*Online Tax Deed Sales\*\*](#) – Now that you know how to purchase tax liens online, learn how to buy tax deeds online and how to do your due diligence for online tax deeds.