



COUNTY OF ERIE
DEPARTMENT OF FINANCE
BUREAU OF REVENUE AND TAX CLAIM
ERIE COUNTY COURT HOUSE
140 WEST SIXTH STREET RM. 110
ERIE, PENNSYLVANIA 16501
(814) 451-6206 (Phone)
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Erie County Tax Sales:

The Upset Tax Sale is for properties located within Erie County with outstanding tax balances that are at least two years' delinquent. The sale is held annually on the last Monday in September. This year it is scheduled for Monday, September 26, 2022 at 10:00 a.m. at the H.O. Hirt Auditorium at the Blasco Library, 160 East Front Street, Erie, PA 16507 (Subject to change due to the ongoing COVID-19 Outbreak). This sale is held as an open public auction. A listing of the properties is available in the Erie Times and Erie County Legal Journal thirty days prior to the sale. This year it will be advertised on Friday, August 26, 2022. You may be able to obtain copies by contacting them directly. The addresses are as follows: Erie Times, 205 West 12th St, Erie, PA 16534 and Erie County Legal Journal, 302 West 9th St, Erie, PA 16502-1427. Tax Claim may provide an updated list, after August 27, 2022, for a \$0.25/per page copy fee in the office or **for free via the Erie County web site at "<https://eriecountypa.gov/paytaxes>".**

There are a number of situations that prospective bidders should keep in mind:

- 1) **Pre-Registered bidders, per Act 33 of 2022, all bidders must now Register with the Tax Claim Bureau at least ten days in advance of the Tax Sale, or by 4:00pm on Thursday, September 15, 2022. Bidder information will then be shared with the local Municipalities, who will have the right to deny a bid if the Bidder fails to meet their qualifications; no municipality may unreasonably deny a bidder. Approved bidders will then be issued a Bidder number immediately prior to the start of the auction. Only bidders who are pre-registered with the Bureau will be permitted to bid. No Registrations will be accepted at the location of the Upset Tax Sale.**

- 2) A number of properties will be advertised that have already been removed from the sale or will be removed from the sale prior to the actual sale date. Many tax payers will make the necessary payment in order to remove the parcel from the Upset Tax Sale or sign a stay of sale agreement to remove the parcel with a specified down payment (generated according to the Pennsylvania Real Estate Tax Sale Law) and a written agreement to pay the remaining balance. Also, properties may be removed from the Upset Tax Sale by Court Orders to stay the sale. Those properties may be placed on the list in the future.

- 3) Even if the property is sold at the tax sale auction, the property owner has the ability to pay the delinquency prior to the successful bidder paying the Upset Bid Price. If the property owner is able to pay the delinquency taxes first, then they will retain ownership and it would be as if the property had never been exposed to the Upset Tax Sale. If the successful bidder remits the entire amount of their bid, along with all related transfer taxes and recording fees, prior to the current owner paying their taxes, then the sale is complete (pending court approval of the sale - see No. 3 below). **There shall be no period of redemption after completion of the actual sale, which occurs when the purchaser pays the full bid price, along with any related transfer taxes and deed recording fees, to the Bureau**.

- 4) The current owner still has the right to contest the sale of his or her property if it is sold at the Upset Tax Sale. Current owners could claim that they did not receive proper notification of the sale. If a property is contested it may be defended by the Bureau and litigated in the Court of Common Pleas. If the sale is set aside, then the successful bidder will receive a full refund of the bid price, along with any recording fees collected by the Bureau, unless it is otherwise settled via the Courts.

- 5) **2022 UPSET TAX SALE-LOCATION NOTICE:** Notice is hereby given, by the Erie County Tax Claim Bureau, that the location of the **September 26, 2022** The Upset Tax Sale is scheduled to be held at the **H.O. Hirt Auditorium at the Blasco Library, 160 East Front Street, Erie, PA, 16507**, and beginning at 10 a.m., with doors opening at 9 a.m. **There will be NO Bidder registration the morning of the Upset Tax Sale.** Attendance to the auction may need to be restricted to active bidders only depending on the number of participants. All Participants will be required to comply with

any current Covid-19 Guidelines. No payments will be accepted at this locations. Winning bidders are still required to pay the full bid amount, along with all transfer and other related filing taxes and fees, by 3:30 p.m. on the day of the sale, to the Erie County Tax Claim Bureau's office, located in the Erie County Court House, 140 W. Sixth Street, Room 110, Erie, PA 16501. All other requirements of the sale, including but not limited to the Certification of Successful Bidder, and compliance with Act 33 of 2022, will be enforced.

- 6) Prospective bidders shall consult with an Attorney of their own choice prior to the Upset Tax Sale in order to obtain more detailed information on the responsibilities of purchasing properties in this manner.

All bidders may be required to pay a registration fee (cash only), for an amount to be determined, in order to be assigned a valid bid number. The registration amount will be determined 30 days prior to the actual sale date. **All Bidders must be present and have been register, with the Tax Claim Bureau, by no later than 4:00pm on Thursday, September 15, 2022. No Bidder Registration will occur at the location of the Upset Tax Sale.** Bidders may send a representative in your place (i.e.: An Attorney), who also must be pre-registered. The minimum bid will start at approximately the sum of the delinquent and current taxes, as well as, municipal liens. The minimum bid will also include a \$25 preparation of deed fee and a \$100 engineering fee for all properties located in the City of Erie (all fees are subject to change). **As a prospective bidder, it is strongly recommended that you conduct a title search on the property that you may be interested in, as all liens, judgments and rents of record follow the property. These liens then become the responsibility of the new owner. This is a "BUYER-BEWARE" Sale, and All Sales are FINAL (No Refunds).**

By State Law, the successful bidder at the tax sale must remit the full bid amount, along with any Transfer Taxes, and other Real Estate Transfer Taxes and other Deed Recording fees, to the Tax Claim Bureau by certified check, cashier's check, money order, or cash, **by 3:30 p.m. the day of the Upset Tax Sale.** **All Transfer fees must be paid at that time by the successful bidder, and include, but aren't limited to, 2% of Current Common Level Ratio (CLR) multiplied by the Assessed Value of the property plus all recording costs (all costs are subject to change without notice).** In addition, within 20 business days from the actual sale date, no later than close of Business on Tuesday, October 25, 2022, the successful bidder must submit to Tax Claim, **a notarized statement**

certifying they do not have any delinquent taxes owing to any of the taxing district in which the property is located, or municipal utilities (Liens) more than one year outstanding. Failure to comply may result in the sale being voided, suspension of future bidding rights, and possible loss of your bid amount.

Once all of the appropriate documents have been filed, pending no legal exceptions to the Tax Sale, a Tax Sale Deed will be recorded roughly 60 - 120 days from the sale date at the new owner's expense (as previously noted). Also, since most Tax Sale deeds may not be issued until the next calendar year, the new owner should contact the local tax collector for the current year's tax information, and any amounts due, as they will be responsible for paying those taxes, unless the sale is voided by Court Order.

The Upset Sale is a "**BUYER-BEWARE**" Sale, and as such the deed will not contain any warranty, either general or specific, and it will be a Quit Claim deed. The Bureau will sell the property as described on the docket in the Tax Claim Bureau and the Bureau makes no representation or warranty as to the description, nor will the Bureau make any survey on the property. All properties are sold under and by virtue of the Act of 1947, P.L. 1368, as amended, known as the "Real Estate Tax Sale Law." All properties are sold subject to existing occupancy, payment of Registry Fees, Municipal, or Governmental claims not paid out of the Sale price and any other liens which must be paid by the purchaser. **The Bureau reserves the right to participate or not participate in any post-sale litigation.**

If objections or exceptions are filed within the prescribed time and concern only the legality of the manner in which the Bureau conducted the proceedings with respect to the sale, the court may either overrule them and enter a decree of absolute confirmation or sustain them and order the sale to be set aside.

If a property is not sold at the Upset Tax Sale and delinquencies have not been satisfied, the property will be turned over to a Law Firm at a date to be determined in the future, for possible exposure at the next scheduled **Judicial Lien Free Tax Sale**. Those who are interested in the fall 2022 Judicial Sale, may contact the office of the MacDonald Illig Law Firm directly at (814) 870-7770 with any questions. A current sale list may also be obtained by visiting the **Judicial Sale Web Site at <http://www.eriejudicialtaxsale.com>**. A link to this site is also available on the County of Erie's web site under Tax Sales. All questions pertaining to the Judicial Sale, including payoff amounts, availability of any title searches, or

the information provided on the Judicial Sale Web Site should be directed to the MacDonald Illig Law Firm at (814) 870-7770.

The property owner whose property is in jeopardy for a judicial tax sale may not bid on his or her own property. The date, time, and structure of the Judicial Tax Sale are determined by The MacDonald Illig Law Firm.

After the Judicial Sale is confirmed by the Courts, the unsold properties come back to Tax Claim as Repository properties. **The property owner whose property is at jeopardy for a repository sale may NOT bid on his or her own property, and by Law there is no right of redemption.** The list of Repository properties is available from the Tax Claim Office, for a \$0.25/page copy fee, or for free by visiting the County of Erie's website at <https://eriecountypa.gov/paytaxes>, and clicking the "View the Repository List (free to view)" link under Tax Sales. The repository list is updated frequently, and is subject to change without notice.

Before submitting any Repository Bid(s), please contact the Erie County Tax Claim Bureau to confirm that no current bids exist on any property that you are considering placing a Bid on. Repository properties can be purchased by completing a both the **Repository Letter of Intent** and an **Affidavit of Bidder form** (available via the County's web site) along with a minimum bid of \$250.00 (subject to change) in the form of a **Money Order only**. Repository bids come in frequently, and are on a first come first served basis. Once the Tax Claim Bureau accepts a Repository Bid, bidding on that property is then halted until that bid is accepted or denied by the three taxing authorities. All three taxing authorities must approve the bid in writing before the sale can be completed, a process that can take several months to complete. If a bid is rejected, your money order will be returned to you, or you may use it to bid on another Repository listed property.

All Repository bidder(s) must submit, to Tax Claim, a notarized statement certifying they do not have any delinquent taxes or municipal utilities more than one year outstanding. This is the Affidavit of Bidder form. Failure to comply will cause the bid to be denied immediately. The Affidavit of Bidder, and the Repository Letter of Intent forms, both of which are required at the time of the bid, are currently available by visiting the County of Erie's website at <https://eriecountypa.gov/paytaxes>, and clicking the various links under Tax Sale

Forms. **The bidder is responsible to conduct their own title search at their own expense.**

The mailing address for any Repository bids is: Erie County Tax Claim Bureau, 140 West Sixth St, Room 110 - Repository Sales, Erie, PA 16501. Upon their receipt, Tax Claim will petition the appropriate taxing bodies to ask for exoneration of their portion of the delinquent taxes less their portion of the bid and allow the sale from Repository. Please expect to be contacted by the local municipalities or school districts, for they may require that you **appear in person at a council/board meeting**. In most cases they will approve of the Repository bid. Pending no disagreement, the **bidder will then be contacted after approval of their Repository bid**. The bidder may then be required to come into the Erie County Court House to transfer the property's title through issuance of a Tax Claim Deed, or a Bill of Sale for Mobile Homes, or it will be mailed to the winning bidder by the Bureau, for them to sign and return it back to the Bureau with a check or money order to cover the transfer fees. All standard transfer costs (2% of the bid amount plus all applicable deed recording fees) will be at the new owner's expense. For mobile homes, the winning bidder will be issued a Repository Bill of Sale, and it is the new owner's responsibility to obtain a new vehicle title, from the Pennsylvania Department of Motor Vehicles, at their own expense. They also must inform both the Local Tax Collector and the Erie County Assessment Bureau of the new ownership. All trailer (Mobile Home) purchases, require that you obtain a certification of no delinquent taxes from the Tax Claim Bureau, and one from the local Tax Collector, showing no taxes are currently due for that Mobile Home, which is required to secure the legal title from the Pennsylvania Department of Motor Vehicles.

In response to the COVID-19 Outbreak, all Tax Sales will be conducted following the current CDC Guidelines, including but not limited to the wearing of a face mask and practicing of Social Distancing as required. Also, ongoing COVID-19 pandemic restrictions may require relocation or rescheduling of advertised tax sales. In that event, the Bureau will provide appropriate notice on the County website, newspaper, and posting at the original time and location of the tax sale.

Please note that Erie County Employees are unable to issue any legal advice. Please contact a lawyer of your own choice to find out any additional information in regards to the various Tax Sales and your Legal Rights and Responsibilities. All information above is subject to change without notice.

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