



LUCAS COUNTY SHERIFF'S OFFICE CIVIL BRANCH

INFORMATION ABOUT SHERIFF'S SALES

LOCATION-Beginning on December 16, 2020 **and** with order of sales that are received after 10/1/2020, the Lucas County Sheriff's Office will conduct **mortgage foreclosure sales** on the "Official Public Sheriff's Sale Website"; which is operated by Realauction, based on a contract with the Ohio Department of Administrative Services. The process and procedures under which these sales will be completed are detailed at the Realauction website <https://lucas.sheriffsaleauction.ohio.gov>. All prospective bidders should familiarize themselves with this new process.

NOTE: Tax foreclosure sales will be sold on location at Lucas County Courthouse in person at 700 Adams Street Toledo, Ohio 43604.

(When scheduled, the mortgage foreclosure sales are on Wednesdays and tax foreclosure sales are on Thursdays.)

BIDDING-According to Ohio Revised Code 2329.20, bidding for mortgage foreclosure sales starts at two-thirds (2/3) of the appraised value of the property, unless there is a court-order stating starting bid. Per ORC 2329.52, when a residential property is ordered to be sold pursuant to a residential mortgage loan foreclosure action, if the property remains unsold after the first auction, then a second auction shall be held and the property shall be sold to the highest bidder without regard to the minimum bid requirement (ORC 2329.21) but subject to all related costs, allowances, and real estate taxes.

*****Be advised** in regards to sales of the residential property that are sold at an auction with no set minimum bid, the judgment creditor and the first lien holder each have the right to redeem the property within fourteen (14) days after the sale by paying the purchase price. Upon timely payment, the court shall proceed, as described in (ORC 2329.31), with the redeeming party considered the successful purchaser at the sale.

Bidding on tax foreclosure sales shall be sold for either back taxes and costs or the Auditor's recorded fair market value and costs, depending on the order of the Court. The lands designated by an asterisk (*) have been determined by the electing subdivision to be

nonproductive lands and that, if at the foreclosure sale no bid for the appropriate amount specified in this division is received, such lands shall be sold or transferred to the electing subdivision. The abandoned lands designated by a dagger (†) will be offered for sale only at the first sale offered for sale. This is determined by the Treasurer's Office. Information about tax sales can be obtained by contact Ruth Seth, Tax Sale Coordinator at RSeth@co.lucas.oh.us or 419-213-4316.

- Competitive bids for all tax foreclosure sales will be accepted in increments of at least \$25.00
- **You must** have your money with you at the time you are bidding. **No one** will be allowed to leave and return at a later time to pay their deposit. **Remember**, if you do not have your money with you, you do not bid.

DEPOSITS-In every sheriff's sale of real property, upon acceptance of a bid, the successful bidder shall make a sale deposit as follows:

If the appraised value of the residential property is:

- Less than or equal to 10,000.00, the deposit is \$2,000.00
- Greater than \$10,000.00 but less than or equal to \$200,000,000, the deposit is \$5,000.00
- Greater than \$200,000.00, the deposit is \$10,000.00

In a **mortgage foreclosure sale**, the individuals must register and submit a deposit by wire transfer or ACH debit transfer with <https://lucas.sheriffsaleauction.ohio.gov/>. All registration and deposit requirements must be met to be eligible to place a bid on a property.

In a **tax foreclosure sale** and if the property has not been appraised, a deposit in an amount equal to ten percent (10%) of the starting bid is required; however no such deposit shall be less than one thousand and 00/100 dollars (\$1,000.00) or greater than five thousand and 00/100 (\$5,000.00). The deposit shall be paid in cash or certified check.

- The deposit shall be paid in cash or certified bank check. The certified check is to be made payable to yourself or the Lucas County Sheriff's Office.
- **NO** personal checks, credit cards, or business cards are accepted.
- If the judgment creditor is the purchaser at the sale, the purchaser shall not be required to make a sale deposit

COMPLETING THE SALE-

In addition to the balance owed, the Lucas County Sheriff's Office is required to collect:

- \$50.00-for the Sheriff's deed
- \$34.00-for recording a two sided deed (\$8.00 for each additional page)
- \$0.50-transfer fee, per parcel
- \$75.00-administrative fee for recording the deed
- The current 1st class postage rate for mailing the deed by the Recorder's Office
- Purchasers are responsible for completing the auditor's conveyance form paying the appropriate conveyance fee, if applicable.

- The debtor has the right for redemption of the property until the Confirmation of Sale is signed by the Judge and filed by the Court. Upon payment of all costs, poundage, and interest at the rate of 8% per annum on the purchase money from the date of sale to the time of deposit to the Clerk of Courts. The clerk will set aside the sale and apply the deposit to the payment and award such interest to the purchaser on the sale.
- Upon the Sheriff Civil Branch receiving the Confirmation of Sale from the Clerk's Office, a Sheriff's Deed and a cost sheet are prepared and the buyer is notified of the amount that is due so that the deed can be recorded.
- The purchaser shall be responsible for costs, allowance and taxes that the proceeds of the sale are insufficient to cover.
- After notification from the Sheriff's Office, the purchaser has 30 days to bring in the balance of the money due. ***The final payment must be made with a certified bank check. Failure to pay the remaining balance within 30 days could result in the forfeiture of the deposit and possible contempt of court charges.***

TAKING POSSESSION OF THE PROPERTY-

If the property is still occupied after the deed is received, the purchaser may obtain a Writ of Possession to evict the occupants. You must file a praecipe in the Clerk of Courts Office requesting them to issue the writ for a fee of \$2.00. There is also an additional \$60.00 fee that is payable to the Sheriff's Office. Upon our office receiving payment and the Writ from the Clerk's office, we will give the occupants a notice that they are to voluntarily vacate the premises or else be evicted. NOTE: The purchaser must supply their own movers and locksmith at the eviction.

WARNING!!! ENTERING THE PROPERTY WITHOUT THE OWNER(S) OR OCCUPANT(S) IS A VIOLATION OF OHIO REVISED CODE SECTION 2911.21 (CRIMINAL TRESPASS). THIS IS PUNISHABLE BY UP TO 30 DAYS IN JAIL AND/OR FINE A FINE OF \$250.00. FURTHER PHYSICALLY REMOVING THE PROPERTY OF THE OCCUPANTS WITHOUT A COURT ORDER, EVEN AFTER RECEIVING THE DEED, MAY RESULT IN CIVIL AND CRIMINAL LIABILITY.

AS A POTENTIAL BIDDER AT A FORECLOSURE SALE, THE FOLLOWING POINTS SHOULD BE CONSIDERED:

- BUYER BEWARE!! The Lucas County Sheriff's Office does not have access or keys to any of the properties. Properties are sold as is. The appraisals do not include interior inspections.
- The Sheriff's Office does not order a title search and therefore does not guarantee a clear title to any property. All interested bidders should check the Court file located in the office of the Lucas County Clerk of Courts for the attorney's name representing the party requesting the sale and ask for a copy of the title report.

- Make a visual inspection of the property on which you desire to bid in advance of the sale date to verify whether there are or are not buildings there. Interested bidders should check with the map draftsman in the Lucas County Auditor's Office in the Government Center in advance of the sale date to determine if the property you desire to bid on is the property you actually want and to determine whether or not such property has a building thereon.
- Interested bidders should check with the City of Toledo, Dept. of Neighborhoods to see if the property is on the demolition list. Additionally, interest bidders should check with the utility departments to be sure there are no liens, as they will remain on the property.
- Taxes will be paid according to the last tax bill due at the time of sale. There is no prorating of real estate taxes on Sheriff's Sales. Any questions regarding this, contact Ruth Set at RSeth@co.lucas.oh.us or (419) 213-4316 in the Lucas County Treasurer's Office.
- Complete legal descriptions can be obtained at the Lucas County Auditor (419-213-4406) or online at www.co.lucas.oh.us/auditor
- The Sheriff's Sale List is published monthly and available in the Lucas County Sheriff's Office-Civil Branch office or on-line at www.co.lucas.oh.us/sheriff.
- A case beginning with CI denotes a **Mortgage Foreclosure Sale** and a case beginning with TF denotes a **Tax Foreclosure Sale**.

Revised October 6, 2020