

COUNTY OF CARBON TAX CLAIM BUREAU

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UPSET TAX SALE – Questions & Answers (Page 1 of 2) Revised 07/01/2021

- 1. What is the time/date/location of the next Public Upset Tax Sale?** ****Time, date and location is subject to change****
 - Annual Sale month: September/Contact Bureau in June for actual Sale Date
 - Place and time to be determined
- 2. Where and when will the sale be advertised?** Sale information, including a list of potential properties being sold will be advertised approximately 4-6 weeks prior to the sale date in the Carbon County Law Journal and The Times News.
- 3. Where and when may I obtain a sale list? Is there a cost for the sale list?** A sale list will be available approximately 4-6 weeks prior to the Upset Tax Sale date; on or before the date of advertisement.
 - Available through the mail: Current cost is \$10.00, this includes shipping/handling. Payment should be made payable and sent to the Carbon County Tax Claim Bureau at P.O. Box 37; Jim Thorpe, PA 18229. ****cost subject to change****
 - Available on County Website: www.carboncounty.com, click Tax Claim Bureau under the departments tab.
 - In Office: Current cost is \$10.00
- 4. Is registration required to attend the sale and is there a fee?** Yes. Registration documents will be available on the county website approximately one month prior to the sale date and the fee will be set at that time. **The registration deadline is 10 days prior to the sale date, without exception.**
- 5. Where can I obtain additional information on the size and location of the properties?**
 - Carbon County Geographical Information System (<http://carbongis.maps.arcgis.com>): To view all parcels currently listed for sale by the Bureau, click the "Carbon County Property Sale Application icon.
 - Carbon County Tax Assessment Office (570-325-5254): may provide information such as dimensions, acreage, etc.
 - Carbon County Mapping Department (570-325-8519): may provide you with a detailed map reflecting the location of the property at your cost.
 - Additional information: Contact the Borough or Township Zoning Officer for additional information. Please consult a telephone directory for the telephone number of the Borough or Township Office.
- 6. What type of bidding process is used?** Auction bidding with properties being sold to the highest bidder and payment expected at time of sale. Minimum Bids are established for each sale property. The Bid includes current and delinquent Real Estate Taxes, associated Penalties, Interest and Costs, in addition to the Recording Fee, Deed Preparation, Prothonotary Fee and Realty Transfer Tax (The Transfer Tax is equal to the Assessed Value multiplied by the Common Level Ratio Factor and 2%, which includes 1% Taxing Entities - 1% Commonwealth of PA.)

UPSET TAX SALE – Questions & Answers (Page 2 of 2)
Revised 07/01/2021

7. What type of payment is required for purchase? Sale payments are strictly Cash, Cashier's Check, Certified Check or Money Order. Attorney checks maybe accepted with prior authorization from director. Personal or Business Checks are not acceptable. If successful, the purchaser must remit payment in full at the time the property is struck down. You may not leave the sale proceedings to obtain additional funds.

8. Will the sale be final? All sales are final and no refunds will be made after the sale. There is no redemption period. However, following the Upset Tax Sale, the owner may file objections or exceptions with the local court relating to the regularity and procedures followed during the sale no later than thirty days after the court has made a confirmation nisi of the consolidated return. If contested, the local Court of Common Pleas will render a decision on the ownership of the property. In the event of litigation, you will need legal representation.

9. Will I receive a document to verify the purchase? Following the Upset Tax Sale, you will receive a Deed for the purchased property at a date pre-determined by statute. In the event of a Mobile Home purchase, you will receive a Bill of Sale.

10. Do I have clear title to the property purchased? The Bureau does not provide clear title nor will assist the Purchaser in obtaining clear title to any property purchased at sale. It is strongly urged that you have a professional examination made of the title. These properties are offered for sale by the Tax Claim Bureau without any guarantee or warranty whatsoever either as to structures upon the land, liens, title or any other matter. The Bureau will sell the property as described on the dockets in the Carbon County Tax Claim Bureau and makes no representations or warranties as to the description, or even the existence of the property, nor will it make any survey on a property sold. Also, the Bureau, its representatives, employees and Solicitor make no representations or warranties as to the state of the property or title. You must seek your own legal counsel before and following purchase.

11. Will all other liens be cleared from the property as a result of the sale? The Upset Tax Sale is held for the satisfaction of current and back-taxes of record. Mortgages, Liens and Encumbrances are not divested by this type of sale. As Purchaser, you are responsible for all liens of record. Consequently, you must conduct your own Title Search prior to purchase.

12. Where do I obtain information on liens or mortgages?

- Carbon County Prothonotary (570-325-2481): for the existence of liens and/or judgements; including any other additional information against the property of interest.
- Carbon County Recorder of Deeds - <https://www.landex.com/webstore> for the existence of mortgages; including any other information against the property of interest.

13. When will the list of unsold properties be available? Following the Upset Tax Sale, unsold properties will be eligible for the Judicial Sale at a scheduled date in November of the following year (month is subject to change). Please obtain and refer to the Judicial Sale Questions & Answers Sheet for further detail.

14. Is a copy of the state statutes available for purchase? No. You can review the Pennsylvania Real Estate Tax Sale Law, Act 542, at any County Law Library in Pennsylvania and request copies at your cost. Also, you may obtain a copy of the Act through your respective state legislator.

15. If I have any other questions or legal concerns, may I call the Bureau? No. All other questions should be directed to an attorney of your choice as Bureau staff cannot give legal advice.