

MONTGOMERY COUNTY TAX LIEN SALE

Anita L. Sullivan, Montgomery County Collector
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Held on the front steps of the Courthouse on the 4th Monday in August at 10:00 a.m.

Please be advised that this is only a brief outline of the procedures in *this office*. You may wish to consult an attorney before participating.

You can visit the Missouri Revised Statutes Chapter 140 at <https://revisor.mo.gov/main/OneChapter.aspx?chapter=140>

PRIOR TO SALE

- ❖ All lands and lots on which taxes are two years delinquent in Montgomery County are subject to sale at public auction.
- ❖ The tax sale is held annually, on the fourth Monday in August, commencing at 10:00 a.m. at the Montgomery County Courthouse.
- ❖ Delinquent taxes with penalty, interest, and costs may be paid to the county collector at any time before the sale.
- ❖ The list of properties subject to sale is published in the Montgomery Standard for three consecutive weeks prior to the sale. We will also post the list on our website, the list on the website will be updated.
- ❖ Non-residents of Missouri must appoint a citizen of Montgomery County as agent and sign an affidavit stating such.
- ❖ **Bidders must sign an affidavit stating that he/she is not currently delinquent on any tax payments on any property.** The name and address on the affidavit must be filled out to reflect the way the purchaser wants the Certificate of Purchase. Failure to sign such affidavit, as well as signing a false affidavit, will void the sale.
- ❖ Buyers must be present to bid.
- ❖ The sale is conducted by the Collector of Revenue. Bidding begins for the amount of taxes, penalties, and sale costs.
- ❖ Each parcel offered for sale is individually identified by a tract number and a tax inventory description.

AFTER THE SALE

- ❖ The successful bidder must pay the total purchase price **immediately** at the close of the sale. Payment will be taken at the collector's office located in the Courthouse Annex.
- ❖ If the full bid is not paid, a penalty of 25% of the bid amount plus a Prosecuting Attorney's fee must be paid.
- ❖ The collector will issue a Certificate of Purchase. The Certificate of Purchase, paid tax receipts, and purchaser instructions, will be mailed to the address on the certificate. (Excluding subsequent to third offering.)
- ❖ **Obtaining a Certificate of Purchase does not transfer ownership.**
- ❖ **Post third offering sales, no Certificate of Purchase will be issued.**

PROPERTY REDEMPTION

Property sold for delinquent taxes may be redeemed anytime within one year from the issuance of a Certificate of Purchase or until the purchaser has acquired the Collector's Deed. (Excluding third offerings and post third offerings)

- ❖ All redemptions are done through the Collector's office. The purchaser will be notified through our office if the property has been redeemed.
- ❖ The purchaser will receive the amount of the Certificate of Purchase, 10% annual interest only on the amount of delinquent taxes, the amount of subsequent years taxes paid plus 8% annual interest, and costs determined by the collector to be reasonable and customary turned over for title search, and postage costs for required mailing. **No compensation shall be allowed for costs incurred prior to March 1st following the date of the tax sale certificate. Receipts should be turned into the collector immediately.**

COLLECTOR'S DEED

If the property has not been redeemed, the holder of the Certificate of Purchase may apply for and receive a collector's deed to the property. A collector's deed can be issued to the holder once the redemption period required by law is expired, provided the following has been completed:

- ❖ All subsequent taxes have been paid.
- ❖ Obtain a title search report from a licensed attorney or licensed title company, detailing the ownership and encumbrances on the property. **No compensation shall be allowed for costs incurred prior to March 1st following the date of the tax sale certificate.**
- ❖ At least ninety days before the redemption period is up, the purchaser shall notify the owner(s) of record and any person who holds a publicly recorded unreleased deed of trust, mortgage, lease, lien, judgment, or any other publicly recorded claim upon that real estate, of such person's right to redeem the property within one year of the date of the sale on first & second offering, or ninety days for a third offering. Redemption must be made by paying the county collector.
- ❖ Purchasers will not be authorized to obtain a collector's deed until proof that all the notices as required by law have been met to the satisfaction of the collector.
- ❖ Notice shall be sent by both **first-class mail and certified mail return receipt requested** to such person's last known available address. Notice must inform such persons they have one year from the date of sale to redeem by contacting the county collector.
- ❖ In the case that both the certified notice return receipt card is returned unsigned and the first class mail is returned for any reason except refusal, where the notice is returned undeliverable, then the purchaser shall attempt additional notice and certify in the purchaser's affidavit to the collector that such additional notice was attempted and by what means.
- ❖ The purchaser shall notify the collector by affidavit of the date that every required notice was sent to the owner of record, and if applicable, any other publicly recorded claim on the property. To the affidavit the purchaser shall attach:
 - A copy of a valid title search and receipt (cost must be determined reasonable and customary by the collector)
 - Copies of first-class mail and certified mail notice
 - Copies of the addressed envelopes as they appeared immediately before mailing
 - Copies of certified mail receipt as it appeared upon its return
 - Copies of any notices and their envelopes returned by the post office
 - **The original Certificate of Purchase**
- ❖ **A third offering sale must meet the same requirements as a first and second offering, however the ninety-day notices must be mailed within 45 days of the sale. At the end of the ninety days a collector's deed may be obtained.**
- ❖ **Post third offering sales have no redemption period, and the purchaser shall be entitled to the immediate issuance and delivery of a collector's deed.**

*****The ninety-day period starts on the day postmarked on the notice. Please turn in the above to the Collector's office as soon as you mail. Without the above in our office, we cannot recover your costs of the title search or postage if the owner redeems the property.**

*****Failure of the purchaser to obtain a Collector's Deed within eighteen months from the date on the Certificate of Purchase shall result in the purchaser's loss of all interest in the property. (Excluding third and post third offerings.)**

The Collector's office makes every attempt to notify interested parties. However, failure to receive notices does not affect legal time constraints for redeeming property or obtaining a collector's deed.

Contact our office for more information.