



Fayette County Sheriff's Office Sheriff Sale FAQ's



(Effective for ALL sales filed on or after 09-28-2016 pursuant to HB 390)

GENERAL INFORMATION

The appraisals conducted for purposes of these sales **did not** include an interior examination of the premises.

The Fayette County Sheriff's Office is NOT associated in any way with the showing of these properties. Please do not contact the Sheriff's Office for the purpose of trying to view the properties listed on this site. These properties may be occupied and if you choose to view them, you do so are your own risk.

A completed title search is recommended before you bid on a property. Consult with legal counsel regarding the risks involved with the purchase of properties at a Sheriff's Sale.

All sales are advertised in the Record Herald. The newspaper is not required to run the ad without payment.

All Praecipes for Orders of Sale must include a notation if you do not want the entire legal description included in the ad. If none is included the entire legal description will be put into the advertisement.

Advertisements will contain the date, time, and place of sale, deposit requirements, a statement that the purchaser shall be responsible for costs, allowances and taxes that the proceeds of the sale are insufficient to cover, and a provisional second sale date. Full legal description is no longer required. If not using full legal description, the ad must include the location where the full legal description can be obtained.

On the provisional second sale date, the property will be sold to the highest bidder with no minimum bid, subject to ORC 2329.21 relating to costs, allowance and real estate taxes. NOTE: The Judgment Creditor and First Lienholder have the right to redeem the property within fourteen (14) days of the sale by paying the full purchase price to the Clerk of Court.

Sales are held on Wednesdays at 10:00 a.m. (as advertised) at the Fayette County Court House 110 East Court Street, Washington Court House, Ohio 43160. They are held on the lower level next to the stairway.

AT THE SALE:

The bidding will start a 2/3 of the appraised value of each property, unless otherwise stated. Bids will be accepted in \$100.00 increments or more.

If a Judgment Creditors/Lienholder is the purchaser of residential property, no deposit is required. All Judgment Creditors/Lienholders are required to have a completed **Purchaser Information Form** with them at the time of the sale if purchasing a property. If a Judgment Creditor/Lienholder is the purchaser of commercial property, deposit is required.

Remote bids can be made **ONLY** by Judgment Creditors/Lienholders who are a party to the action and must be received on or before 4:30 pm (ET) the business day before the sale via one of the following: FAX: 740-333-3589; E-MAIL: sales@fayette-co-oh.com; or overnight delivery or courier. The remote bid must be a fixed amount. The officer conducting the auction will announce the bid after stating the minimum bid. A completed **Purchaser Information Form** must accompany the remote bid. Bids received with an incomplete form or bids received after the 4:30 pm (ET) deadline will not be considered a valid bid. The Fayette County Sheriff's Office will confirm receipt of the remote bid by sending a notice via FAX or E-MAIL to the submitter of the remote bid by 9:30 am the day of the sale.

Deposits are required as follows for all third party purchasers, based on the appraised value of the property:

- a) If the appraised value of the property is less than or equal to \$10,000=deposit is \$2,000
- b) If it's greater than \$10,000 and less than or equal to \$200,000=deposit is \$5,000
- c) If it's greater than \$200,000=\$10,000 is required

Third party purchasers should be prepared to come forward as soon as the property is announced "sold" and provide a completed **Purchaser Information Form**, a business check, bank or cashier's check, or money order made payable to the Fayette County Sheriff's Office for the amount of the deposit as listed above. No out-of-state checks or starter checks will be accepted. Cash will no longer be accepted for deposits. A government issued valid picture I.D. such as a driver's license or state ID card is also required immediately following the sale. NOTE: See required information with the PIF.

If you do not have payment and completed form at the time the bid is announced as "sold", the property will immediately be auctioned again.

AFTER THE SALE:

The sale must be confirmed within thirty (30) days of the sale date, unless vacated or stayed by court order (i.e. bankruptcy).

Purchaser is required to pay the balance in full no later than thirty (30) days from the date the Confirmation of Sale is filed. You will be notified by phone and/or e-mail when the Confirmation Entry has been filed.

If you change your mind after the property is sold or cannot pay the purchase price for any reason, you risk losing the deposit and may be found in Contempt of Court.

The attorney of record must provide the deed to the Sheriff's Office within seven (7) days from the filing of the Confirmation of Sale along with distribution checks to cover costs of the action and recording of the deed, to-wit:

1. Fayette County Clerk of Courts for costs due (this includes costs due to the Sheriff's Office)
2. Fayette County Auditor for the conveyance amount
3. Fayette County Recorder for costs to cover the recording of the deed.

NOTE: It is the responsibility of the Attorney of Record to confirm the amounts. Failure to send the correct funds and/or failure to send the funds with the deed will delay recording of the deed.

The Sheriff's Office will proof the deed, obtain the Sheriff's signature, notarize and record the deed within fourteen (14) calendar days from the confirmation of sale AND payment of the balance due providing it was received in the seven (7) days as required above.

MISCELLANEOUS:

The Sheriff's Office will not provide keys or garage door openers if you purchase the property.

The Sheriff's Office does not guarantee a free and clear deed.

You are urged to consult with an attorney if you have questions.

The Sheriff's Office cannot give legal advice.

The Sheriff's Office takes care to ensure the accuracy of the sale information, but there is no guarantee that all information is complete and error-free.

All sale information is posted on our web site as a secondary resource for informational purposes and generally updated within 24 hours of any changes received in the status of the sale date.

Sale results are generally posted to the website within 24 hours of the sale.

The Fayette County Sheriff's Office assumes no liability for erroneous information.

POC for Sales:

Sgt. Jodi D. Kelley

Email: sales@fayette-co-oh.com

Phone: 740-335-6170

FAX: 740-333-3589