



**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  
(814) 451-7484

**Erie County Tax Sales:**

The 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 27, 2010 at 10:00 a.m. at the Erie County Court House (actual location/room to be determined). 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 27, 2010. You may be able to obtain copies by contacting them directly. The addresses are as follows: Erie Times, 205 West 12<sup>th</sup> St, Erie, PA 16534 and Erie County Legal Journal, 302 West 9<sup>th</sup> St, Erie, PA 16502-1427. Tax Claim may provide a list for a \$0.25/per page copy fee in the office, or you may view it for free via our web site at [www.eriecountygov.org](http://www.eriecountygov.org).

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

- 1) 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 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.

- 2) Even if the property is sold at the tax sale, the property owner has the ability to pay the delinquency prior to the successful bidder paying the Upset Price. If the property owner is able to pay the delinquency first then they will retain ownership and it would be as if the property had never been up for Upset Tax Sale. If the successful bidder remits the entire amount of their bid prior to the current owner coming into pay then the sale will stand.
- 3) Once a property is sold, the current owner still has the right to contest the sale of his or her property. There are many reasons why a sale can be contested, and to do so the owner(s) must prove to the Courts that the PA Real Estate Sale Tax Law was not followed properly. Contested sales will be settled 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 unless it is otherwise settled via the Courts.
- 4) 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. Also, all sales are final and are 'buyer-beware", for the Erie County Tax Claims Bureau makes not guarantees' what so ever.

All bidders must be present and sign in before the auction starts. You may, however, send a representative in your place (i.e.: an attorney). 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 (subject to change) for all properties located in the City of Erie. **As a prospective bidder, it would be wise to 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 will become the responsibility of the new owner.**

The successful bidder at the tax sale must remit the full bid amount to the Tax Claims Bureau by certified check, cashier's check, money order, or cash by 3:30 pm the day of the sale. In addition, within 20 days from the sale, the successful bidder must also submit, to Tax Claims, a notarized statement certifying they do not have any delinquent taxes or municipal utilities more than one year outstanding. Failure to comply will cause the sale to be voided.

Once all of the appropriate documents have been filed, pending no exceptions, a deed will be issued roughly 90 - 160 days from the sale date at the new owner's expense (2% of the current Common Level Ratio multiplied by the assessed value of the property plus recording costs and fees). Since the deeds will not be issued until after the next calendar year, the new owner should contact the local tax collector for current tax information, as they will be responsible for the payment.

*The deed will not contain any warranty, either general or specific. 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 tax sale and delinquencies have not been satisfied, the property will be turned over to The Agresti Law Firm at a date to be determined in the future, and could be exposed to a Judicial Sale, which is a lien free tax sale. Those who are interested may contact the Agresti Law Firm at (814) 866-8800 with any questions. A current sale list may also be obtained from The Tax Claim Bureau for a \$0.25/per page copy fee in the office, or available by free by visiting the County of Erie's website at

<http://www.eriecountygov.org/government/taxclaim/default.aspx>. **The property owner who is at jeopardy for a judicial sale may not bid on his or her own property.** The date, time, and structure of the Judicial Tax Sale are determined by The Agresti Law Firm.

After the Judicial Sale process the unsold properties come back to Tax Claim as Repository properties. **The property owner who is at jeopardy for a repository sale may not bid on his or her own property.** A list can be obtained free of charge from Tax Claim or by visiting the County of Erie's website at <http://www.eriecountygov.org/government/taxclaim/default.aspx> . These properties can be purchased by completing a Repository Letter of Intent and an

Affidavit of Bidder form along with a minimum bid of \$250.00 in the form of a money order or cashier check. The bidder 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 bidder is responsible to conduct a title search, as this is not a lien free sale.**

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. You may be required to appear in person (**Required by the City of Erie**) at a council/board meeting. In most cases they will agree. Pending no disagreement, the bidder will then be contacted approximately 30 - 120 days from submission of bid. They will then come to the Court House to transfer title through issuance of a Quit Claim Deed. The transfer costs (2% of the bid plus recording costs) will be at the new owner's expense.

**All information is subject to change without notice. Please note that County Employees are unable to issue legal advice. Please contact a lawyer of your own choice to find out any additional information in regards to these sales and your rights.**