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**Clinton County Treasurer**  
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Clinton, Iowa 52733-2957

[www.clintoncounty-ia.gov](http://www.clintoncounty-ia.gov)  
[www.iowatreasurers.org](http://www.iowatreasurers.org)

Revised 5/21/2011

## Clinton County

### BASIC RULES OF THE ANNUAL TAX SALE

You may register between May 25, 2011 through 12:00 P.M. (noon) on June 16, 2011 by completing a Registration of Tax sale Bidder form and W-9 form in the Treasurer's Office. If the registrant is a company, a company officer must sign the "Registration of Tax Sale Bidder" form. The W-9, "Registration of Tax Sale Bidder" must be completed with the official unabbreviated IRS name for the bidder name.

To be authorized to register to bid or to bid at a tax sale in Iowa, a person, other than an individual, must have a federal tax identification number AND either a designation of agent for service of process on file with the Iowa Secretary of State or Clinton County recorder where the sale will be held. Each registration submitted other than that for an individual shall require the authorized agent to certify they have met this requirement.

Registrants are prohibited from modifying the registration forms. A violation of this policy or errors, omissions, or misrepresentations by a registrant may disqualify the bidder from the sale, and all certificates purchased by the disqualified bidder during the sale may be cancelled and re-offered to other properly registered bidders.

Please address mailed/delivered registration forms as follows:

Clinton County Treasurer's Office  
Attn: Tax Sale Registration Clerk  
1900 N 3<sup>rd</sup> Street-PO Box 2957  
Clinton, Iowa 52733-2957

A Tax I.D. Number (TIN) is required. If an incorrect TIN number is furnished, the IRS requires 31% of your interest earnings withheld as backup withholding for the IRS. **One bidder number per Tax I.D. Number.** By administrative rule each bidder number will cost \$20.00 and all tax sale purchasers must be 18 years of age or older. The \$20.00 registration fee must be paid at time of registration and is non-refundable. Registrations may be processed by mail with the appropriate information and fee submitted prior to noon on June 16, 2011.

The tax sale will be held at 8:30 am on Monday, June 20, 2011 in the Clinton County Conference Room D at the Clinton County Administrative Center located at 1900 North Third Street, Clinton, Iowa. Investors must register prior to noon on June 16<sup>th</sup> to guarantee their bidder number(s) are activated at the beginning of the tax sale.

A tax sale Certificate of Purchase and/or a Treasurer's Deed can be set aside by the courts if it is determined that the tax sale purchaser was ineligible to bid at tax sale. The general rule is that a tax sale purchaser should never have an interest or lien in the parcel offered for sale. You should consult with your legal counsel to determine your right to bid and become a tax sale purchaser.

Properties will be offered in item/parcel number order. The regular certificates will be listed first by district and then by parcel number. Then the public bidder sale certificates will be offered in district order and parcel order. Finally, the mobile homes will be listed in district order. If there is more than one purchaser interested in the same property, there are two methods that are used to determine the successful purchaser. The first is a bid down process whereby you would bid down your interest in the property 95%, 90%, 80%, etc. If there is a tie bid for the bid down, there will be a random selection process for all those tied at the bid down percentage. (Should you take deed you would only own that much interest in the property and the owner would still own the remainder) You still pay the full amount of the tax and \$20 tax sale certificate fee, and if redeemed, you receive your original investment plus the 2% per month interest. The second method involves a random number selection process of all the bidder numbers at one hundred percent.

You may research all sales for unpaid taxes and the amount needed to redeem the parcel at [www.clintoncounty-ia.gov](http://www.clintoncounty-ia.gov).

Full payment must be received at the conclusion of the sale, or at the time the buyer leaves if earlier than at the conclusion of the sale. The amount collected will include all delinquent taxes, special assessments, interest, special assessment collection fees, service fee, and a certificate fee for each certificate issued to you. Failure to receive payment at the Conclusion of the sale will cancel the purchase of the tax resulting in the items being offered at the next adjourned tax sale.

If the sale is not completed on Monday, June 20th, we will continue the sale at 1:00 PM on Tuesday, June 21<sup>st</sup> in the Clinton County conference Room D.

Payments must be in the form of a personal check, money order, or any form of guaranteed funds for the exact amount of the purchase. IRA checks will not be accepted unless issued for the exact amount of the purchase. Two-party checks will not be accepted for payment.

The certificates will be issued to the name and tax I.D. number on the W-9. There will be no substitutions or exchanges.

Please allow up to 15 days to receive your certificate(s). This allows the Treasurer's staff time to complete posting of records, editing of certificates and balancing the proceeds received from the tax sale.

At the end of the calendar year the Treasurer will issue a 1 099-INT form to you and to the Internal Revenue Service for the accumulative interest paid to you during the calendar year. You will use this information when filing your Federal and State Income Tax returns.

The tax sale certificate of purchase does not convey title to the buyer. The title holder of record or other interested party retains the right to redeem within a specified period of time, depending on the type of tax sale certificate. If the sale remains unredeemed after the statutory period, the buyer may begin action to obtain a tax deed (refer to 90 Day Notice of Right of Redemption Affidavit).

For each parcel on which taxes were sold, the county treasurer shall mail notification to the current titleholder, according to the mailing address on file in the treasurer's office, of the sale of delinquent taxes on the property. The notice will be sent by regular mailing within fifteen days from the date of the annual tax sale or adjourned tax sale.

## Reimbursement of Tax Sale Redemption

A redeemed tax sale will include the following:

- a) The original tax sale amount, including \$20.00 of the tax sale certificate fee paid by the buyer at the time of the sale.
- b) Interest in the amount of 2% per month, beginning with the month of the sale to the month of redemption, calculated against the amount for which the item was sold, including the \$20.00 tax sale certificate fee. Each fraction of a month will count as a whole month.
- c) Subsequent tax payments paid and properly reported by the buyer as an addition to the sale, with interest in the amount of 2% per month, beginning with the month the subsequent payment is posted to the county system to the month of redemption. Each fraction of the month will count as a whole month.
- d) Valid costs incurred by the certificate holder of record and posted to the county system for action taken toward obtaining a tax sale deed period. Costs not posted to the county system before redemption shall not be collected by the county treasurer.

Valid costs are defined in 447.13. The cost of serving the notice, including the cost of sending certified mail notices, and the cost of publication under section 447.10, if publication is required, shall be added to the amount necessary to redeem. The cost of a record search shall also be added to the amount necessary to redeem. However, if the certificate holder is other than a county, the search must be performed by an abstractor who is an active participant in the title guaranty program under section 16.91 or by an attorney licensed to practice law in the state of Iowa, and the amount of the cost of the record search that may be added to the amount necessary to redeem shall not exceed three hundred dollars.

The Clinton County Treasurer requires proof that the costs are valid. For publication costs a copy of the newspaper publisher's invoice and a statement from the certificate holder substantiating the reason the service was made by publication prior to posting publication costs to the amount necessary to redeem to determine whether publication costs are valid. Fees for publication, if publication is required, shall not exceed customary publication fees for official county publications.

By statute 447.12, costs cannot be filed with the county treasurer prior to the filing of the 90 Day Notice of Right of Redemption affidavit with the county treasurer.

Redemption is not valid unless received by the Treasurer prior to the close of business on the ninetieth day from the date of completed service. Service is complete when the certificate holder files the 90 day affidavit with the Treasurer:

*Regular Tax Sale*

The 90 day Notice of Right of Redemption may be issued after one year and nine months.

*Public Bidder Sale*

The 90 day Notice of Right of Redemption may be issued nine months from the date of sale.

After three years have elapsed from the time of the sale, if action has not been completed which qualifies the holder of the certificate to obtain deed, the treasurer will cancel the tax sale.

A tax sale purchaser may pay subsequent taxes or special assessments on the same parcel on which he or she holds the tax sale certificate. Taxes for a subsequent year may be paid beginning fourteen days following the date from which an installment becomes delinquent. Payments for subsequent taxes will not be accepted before the 15<sup>th</sup> of the month eligible. to pay the subsequent taxes in person, you must inform the Cashier or Senior Tax Clerk of the subsequent payment so it is paid and recorded properly. Subsequent tax payments not properly reported will be treated as voluntary payments and will be omitted from redemption calculations. Subsequent tax payments may not be paid online.

Upon surrender of the tax sale certificate of a redeemed parcel, either in person or by mail, the Treasurer shall issue a check or make an ACH direct deposit to your bank account for the redemption amount. If the original Certificate of Purchase has been lost or destroyed, a duplicate may be obtained at a cost of \$10.00.

The tax sale certificate of purchase may be assigned by endorsement of the certificate, payment of the assignment fee of \$100 (\$10 for a municipality) and entry in the Treasurer's Register of Tax Sales. A certificate cannot be assigned to a person, other than a municipality, who is entitled to redeem. The assignor may not assign a certificate of purchase to more than one assignee and upon entry in the Treasurer's Register of Tax Sales it shall vest in the assignee all the right and title of the assignor; except, when a county held certificate is assigned, the assignee has only three years from the date of assignment to qualify for a

deed. Please contact this office if you desire to assign a certificate. The assignment fee is \$100.00 and all terms and conditions of 446.31 apply.

The deed issuance fee is \$25.00 and the recording fee is variable and will be determined at the time a deed is requested. Upon receipt of the deed issuance and recording fees, the treasurer will record the deed with the Clinton County Recorder prior to delivering the deed to the buyer.

If it is determined that any parcel was erroneously sold, the certificate of purchase will be cancelled. The certificate holder is required to return the certificate of purchase and will be immediately reimbursed the principal amount of the investment. Interest will not be paid unless it is determined to be an error by the Treasurer's office.

If it is determined that a tax payment was made online prior to a subsequent tax payment or tax sale, but the county records had not been updated, the subsequent payment or tax sale will be cancelled and the investor will receive their payment back.

Failure to comply with notice from the Treasurer's Office to cancel a certificate will result in the certificate holder's prohibition from again bidding at the annual tax sale.

Failure to make full payment at the conclusion of the annual tax sale or any adjourned sale in Clinton County or any other county in the State of Iowa will result in a ban for that bidder in any future tax sales.

Reports of delinquent parcels will be available as of May 25, 2011. The delinquent tax list will be available at no cost on our web site at [www.clintoncounty-ia.gov](http://www.clintoncounty-ia.gov).

Delinquent taxes will be published the week of June 5, 2011 in the Clinton Herald newspaper and the Dewitt Observer newspaper.

There will be a fifteen minute morning break, a fifteen minute lunch break at noon and a fifteen minute break in the afternoon if necessary.

No cellular phones or pagers will be allowed while the sale is in progress. Only battery powered lap top computers will be permitted.

We will be glad to answer questions before the tax sale begins. No questions will be answered during the sale.

The dates for the adjourned tax sales are listed below.

This document has been prepared to provide general information and guidelines relative to tax sales, assignments and tax sale redemption. It is not an all-inclusive listing of statutory requirements, procedures or policy, nor is it to be construed as a legal opinion of statutes governing tax sales.

To protect your interest as a tax sale buyer and to determine your legal rights and remedies, we recommend that you consult your legal counsel. You may call the Treasurer's Office at 563-244-0573 for additional information.

## **Adjourned Tax Sale Calendar**

In the Clinton County Treasurer's Office 9:00 am

August 9, 2011

October 4, 2011

November 22, 2011