

CONDITIONS OF SALE
UPSET PRICE SALE (updated June 10, 2024)

The following conditions shall govern the sale of properties by the Tax Claim Bureau:

The Initial bid must equal the fixed UPSET PRICE. In the event of a bid higher than the Upset Price, the Bureau will require that excess bid(s) be made in multiples of \$1,000.00 or more. The auctioneer will describe the bidding increments prior to beginning the sale. In addition to the Upset Price, the purchaser must pay the realty transfer tax, preparation of the Deed, Acknowledgement of Deed, Recording Fee, Title Search and Deed Registration Fee. **These costs and the winning Bid Price must be paid in full on all property(s) sold on the day of sale no later than noon the day after the sale. ALL SALES ARE FINAL.**

The purchaser on a successful bid shall make checks payable to the TAX CLAIM BUREAU.
Pay only by: TREASURER'S CHECK, CASHIER CHECK, CERTIFIED CHECK OR MONEY ORDER.

Anyone who does not finalize a sale will be debarred from all future sales for five years starting from the date of the sale you did not finalize and will forfeit your \$1,000.00 registration fee. Failure to finalize on one property means you do not get to purchase any. It's all or none, no exceptions.

All listed Properties are subject to prior payment of taxes due and to confirmation by the Court of Common Pleas, County of Delaware, Pennsylvania.

The Tax Claim Bureau will issue a deed to the purchaser (or assignee, if purchaser is pre-registered as the principal of the assignee or under a power of attorney). The deed will not contain ANY warranty, either general or special.

IT WILL TAKE 6 TO 12 MONTHS FOR THE DEED TO BE ISSUED.

The Bureau will sell the property as described on the dockets 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 "Real Estate Tax Sale Law." All titles transferred by the Tax Claim Bureau are under and subject to the said Act.

Payment of Taxes any time prior to the sale will take precedence over the Tax Claim Bureau's Sale, thus voiding the sale.

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 or mortgages on the property, all of which must be paid by the purchaser.

The Bureau reserves the right to participate or not participate in any post-sale litigation.

At the time of registration and within twenty (20) days following any sale under the act, a successful bidder shall be required to provide certification to the Bureau that the person is not delinquent in paying real estate taxes to any taxing authorities where the property is located and that the person has no municipal utility bills that are more than one year outstanding.ⁱ

Effective 8/30/21, there are additional conditions of sale required by the Real Estate Tax Sale Law:

At registration, every bidder is required to fill out an application that provides the name, residential address and phone number for all those who are bidding as individuals. For anyone bidding on behalf of an entity, you must provide the names, addresses and phone numbers of all members, officers, partners, trustees or anyone with an ownership interest in the entity. You must provide proof of the existence of the entity and the authority of the bidder to act on behalf of the entity. You must provide the address and folio number for every property in Delaware County that is owned by you or an entity in which you have an ownership interest.

In addition, every bidder is required to provide an Affidavit, verifying (1) you are not delinquent in paying real estate taxes to any taxing district in the Commonwealth of Pennsylvania; (2) you have no municipal utility bills within the Commonwealth of Pennsylvania that are more than one year outstanding; (3) you have not had a landlord's license, certificate or permit revoked in any taxing district in the County of Delaware; (4) in the last three (3) years, you have not engaged in or permitted an uncorrected housing code violation; failed to maintain property in a reasonable manner such that the property posed a threat

to the health, safety or property; or permitted the use of property in an unsafe, illegal or unsanitary manner such that the property posed a threat to health, safety or property; and (5) you are not the owner of any property being exposed to the tax sale, nor acting on behalf of any owner of property being exposed to the tax sale.

If you are bidding on behalf of an entity, you are also providing verification on behalf of the entity.

When signing the Affidavit, you must acknowledge that you are familiar with each and every property owned by you in the County of Delaware and you have taken all necessary steps to determine the status of those properties. If you are unable to make that determination with certainty, you should not sign the Affidavit and you should not participate in the bidding process. By signing the Affidavit, if it is discovered that any statement you verified is untrue, you can and will be prosecuted for Unsworn Falsification to Authorities, 18 Pa.C.S. 4904, a criminal offense.

All sales will be placed in the name of the bidder. No transfers may occur at closing. All transfer of title to real estate must *occur* after the closing and the appropriate taxes paid. The exception is that an individual may bid on behalf of an entity or a spouse may bid on behalf of both husband and wife and title placed in the name of the entity or both spouses at the time of closing upon presentation of proof of the existence of the entity and the authority of the bidder.

Debarred Bidders (those who cannot bid):

- All tax delinquent individuals and entities. (The principals of entities are also barred from bidding.)
- Anyone who has municipal utility bills within the Commonwealth that are more than one-year delinquent.
- Anyone who has sold or otherwise transferred a Delaware County property to another while that property has had delinquent real estate taxes or municipal utility bills will be considered delinquent and barred until the delinquent taxes and municipal utility bills that accrued during your ownership have been paid.
- Anyone with trash or sewer liens in the County of Delaware.
- Anyone who has engaged in or permitted an uncorrected housing code violation in the last 3 years.
- Anyone who has failed to settle on a prior purchase and has not satisfied the conditions of the Treasurer for the failure to close and pay all cost established by the Treasurer for such failure to purchase.
- Anyone owning property in violation of the tax sale law or the rules and regulations of the Tax Claim Bureau as it relates to such sales or the conditions of ownership of real estate with the taxing authorities, including but not limited to landlords whose license or certificate and permit for the rental of real estate have been revoked in any taxing district or any owner of real estate in violation or any owner of real estate in any taxing district who is in violation of the real estate tax state law.

For your information:

Know the address and folio number of all properties in which you have an interest. You are free to bid on more than one property if you so desire. The Bureau will sell the property as described by the Board of Assessment Office and makes no representation or warranty as to description, condition of the property, accuracy of ownership, size, boundaries, locations, existence of structures or lack thereof, title, occupancy or any other matter pertaining to said premises, recorded or unrecorded. Please make sure you have checked with the Assessment office and GIS (Geographic Information System) aka mapping. You must not rely on any Google type searches for accuracy of location of property or any structure that may or may not be there.

I have read, understood, and accept the conditions of sale set forth above:

Signature_____

Date._____

As used in this section, the following terms shall have the following meaning:

"Certification" shall mean proof via receipts of paid taxes and municipal utility bills within the jurisdiction or a notarized affidavit by the bidder evincing payment of such real estate taxes and municipal utility bills.

"Municipal Utility Bills" shall mean for services provided by a utility, which is wholly owned and operated by a municipal authority. The term shall include but not be limited to water, sewer and solid waste disposal utility bills.

"Municipality" refers to any county, city, borough, incorporated town, township, home rule municipality, optional plan municipality, optional charter municipality or any similar general-purpose unit of government, which may be authorized by statute.

"Person" includes a Corporation, Partnership, Limited Liability Company, Business Trust, other Association Government Entity (other than the Commonwealth), Estate, Trusts, Foundation, or natural Person.