

**The Daviess County Delinquent Tax Sale
Will be held Tuesday, August 24th, 2010
At 10:00AM CST
In the Daviess County Fiscal Courtroom
Located on the 2nd Floor of the Courthouse,
212 Saint Ann Street, Owensboro, KY 42301**

Information For the Taxpayers

If you have a delinquent tax bill, which is unpaid, you may pay your bill at the Daviess County Clerk's Office located in the Courthouse, Room 104. You may inquire about the amount of the bill by calling our office at **270-685-8434, Ext 3**. Our office hours are **8:00AM until 4:30PM, Monday thru Friday**. If you are paying your bill, you will need to have **cash, cashiers check, or you may choose to use a debit/credit card (The vendor for the card company does charge a fee based on the amount)**.

You may arrange payments with the County Attorney's Office prior to August 17, 2010 for the 2009 Tax Bills. You may contact the **County Attorney's Office at 270-685-8442** to make arrangements, however the entire bill must be paid by August 17th, 2010 to avoid being included in the Delinquent Tax Sale on August 24th, 2010.

After a bill has been purchased at the Sale, the taxpayer will have to pay the purchaser the amount of the bill plus interest and fees that they determine.

Third Party Purchaser Information

In order to participate in the tax sale, **all Third Party Purchasers must register with the County Clerk's Office and may be required to register with the Department of Revenue** if any of the following conditions are met:

- Plan to purchase 5 or more certificates of delinquency statewide;
- Plan to purchase 3 or more certificates of delinquency in any county; or
- Plan to invest more than \$10,000 statewide in any calendar year

See www.daviesscountyclerk.org for the County Clerk's registration form. Each individual or entity seeking to participate in the sale shall register with the County Clerk at least fifteen (15) days before the date of the sale but no later than August 9. The County Clerk shall require a nonrefundable registration fee which will be paid at a rate of \$5 for each certificate of delinquency on a purchaser's priority list and \$10 for each certificate on a purchaser's list of current certificates. The maximum registration fee is \$250. The registration fee is due no later than August 18.

See www.revenue.ky.gov for the Department of Revenue registration form.

Purchase Process for Third Parties Holding Prior Year Certificates:

- 1) Any individual or entity holding a certificate of delinquency from a prior year shall submit to the County Clerk a separate list of certificates of delinquency they wish to purchase relating to the property for which they held the prior year certificate of delinquency. This list must be submitted at least fifteen (15) days before the date of the sale but no later than August 9. This list shall be clearly marked as a prior year certificate of delinquency list. The prior year certificate of delinquency list shall include for each certificate of delinquency:
 - a) **The current year's tax bill number;**
 - b) **The prior year claim's tax bill number;**
 - c) **The prior year claim's tax year;**
 - d) **The book and page numbers where the prior year claim is filed, if applicable; and**
 - e) **The account or parcel identification number**
- 2) The prior year certificate holder seeking to purchase the current year certificate on the same property shall provide the County Clerk with a copy of the prior year certificate of delinquency.
- 3) Full payment by certified funds shall be tendered to the County Clerk by August 18.
- 4) During the period between the submission of the lists and the Clerk's Sale, the County Clerk shall review the submitted lists to identify multiple purchasers interested in the certificate of delinquency on the same property and based upon the information submitted, shall determine the individual or entity that holds the prior year claim for the most recent tax year. As an example, if Company A purchased a 2007 tax bill on April

15, 2008 and Company B purchased a 2000 tax bill on August 20, 2008 and both companies wish to purchase the 2009 tax bill, Company A would be awarded the 2009 tax bill because they own the most recent tax year.

- 5) On the morning of the County Clerk's Sale, prior to beginning the sale process, the Clerk shall sell all certificates of delinquency for which prior year certificate information was presented and verified to the third-party with the most recent tax year claim seeking to purchase the certificate of delinquency. The payment tendered at the time the list was submitted shall be used to satisfy the amount due, and any refunds shall be made for certificates of delinquency not sold in accordance with the list and payment presented.
- 6) All remaining tax bills will be placed in the pool of liens to be sold by the Clerk as described below.
- 7) Failure of a third party purchaser to properly and timely submit a purchase list or to make payment in full shall result in the loss of purchase priority established by this Section, and all certificates of delinquency to which this paragraph applies shall be included in the pool of certificates of delinquency that will be sold by the County Clerk.

Third Party Purchaser Lists of Current Certificates of Delinquency:

- 1) The purchaser shall submit a list of current certificates of delinquency he, she, or it is interested in purchasing at least ten (10) days before the date of the sale but no later than August 13. The list shall include the certificates of delinquency in the following order:
 - a) The tax bill number;**
 - b) The taxpayer name;**
 - c) Address of property;**
 - d) The amount due on the certificate of delinquency; and**
 - e) A total amount for all certificates of delinquency included on the list.**

- 2) The County Clerk shall require 15% of the amount due on all current certificates by August 18. Payment must be in certified funds.

Tax Sale Procedures

- 1) The Sale shall be conducted similar to a professional sports draft, with each purchaser having an opportunity to purchase certificates of delinquency in turn through several rounds.
 - a) The order of selection by purchasers shall be determined by a random drawing conducted on the day of the sale. All purchasers seeking to participate in the sale shall be present for the random drawing, and any purchaser who is not present when random drawing is held may be prohibited from participating in the sale. The County Clerk will permit a purchaser who was not present for the random drawing, but

- shows up after the random drawing has been conducted to participate in the sale, provided the purchaser has registered and submitted a list as required by subsection 1 of this section, and provided that the late arriving purchaser is placed at the bottom of the selection list behind all purchasers who were present for the random drawing.
- b) The purchaser who draws the lowest number during the random drawing shall have the first turn to purchase certificates of delinquency. Thereafter, purchasers will select certificates of delinquency to purchase in order based on the random drawing order from lowest to highest. Purchase rounds shall continue until all certificates of delinquency are sold, or all purchasers have withdrawn from the sale. When a purchaser withdraws from the sale, no other purchaser may take the place of the withdrawing purchaser.
 - c) Purchasers shall be permitted to purchase only those certificates of delinquency included on the previously submitted list during the sale, unless and until all other purchasers have withdrawn, in which case any remaining certificates may be sold to any purchaser able and willing to buy them.
 - d) The County Clerk may impose a time limit on each purchaser during each round, and the County Clerk may allow a purchaser to select another bill if the bill selected by the purchaser has been paid or already purchased, so long as the alternative selection can be made within any allotted time limit.
 - e) Up to Twenty (20) certificates of delinquency may be purchased by each purchaser during each round.
- 2) To the extent possible, the County Clerk shall try to prevent unfairness in the Sale process by prohibiting participation by multiple related entities. The goal is to have one and only one sale participant for each group of related entities:
- a) Members of a family; and

b) Entities:

- i) With common ownership or management;
 - ii) Having been formed by one or more of the same entities;
 - iii) Having one or more of the same investors;
 - iv) Having one or more of the same directors, members, partners, or officers; or
 - v) Having more than one (1) client registered for the sale in that county.
- 3) A purchaser may opt out of the purchase process at any time prior to completion of the sale.
- 4) Payment shall be made at the time of the Sale, and shall be submitted in the form of cash, certified check, or credit/debit card. If a card is used, the card vendor does charge fees. Ask Deputy Clerk for details.
- 5) The Clerk shall address any questions or controversies regarding the sale.
- 6) Additional monies due after the sale include a \$28 assignment fee for each certificate of delinquency purchased. A separate payment for the assignment fee is required on the date of sale. Payments will be made in the same manner as stated in section 4. All certified funds shall be payable to the Daviess County Clerk.