



TITLE: Sale to Prior Owner of Record		PROCEDURE #: 809B
DEPT: Finance		DIVISION:
EFFECTIVE DATE: 11/11	REVIEWED:	REVISED:

OBJECTIVE: To establish a procedure for the sale of tax foreclosed real property to the prior owner of record.

REFERENCE: Policy # 809

POLICY STATEMENT: It is Marion County’s policy to offer parcels of tax foreclosed and surplus real property for sale to the prior owner of record, the adjacent property owners, or the general public in a fair and equitable manner for the benefit of the taxing districts and the county.

APPLICABILITY: All county departments.

PROCEDURES:

1. The finance property specialist shall submit to all departments, at least annually, a list of recently deeded tax foreclosed properties. The list is for review by departments for recommendations to keep, exchange, set aside for right-of-way, or other action to be taken with the property.
2. If a department recommends retaining a property and the prior owner of record has indicated an interest to reacquire the same property, then the finance property specialist shall obtain a decision from the board of commissioners. If the board decides it is in the county’s best interest to retain the property, then the property shall be retained and no further action will be taken. If the board decides that the property is not required to be retained by the county and the prior owner has no interest in the property then the property shall be sold in accordance with Administrative Procedures 809C and 809D. However if the prior owner of record has an interest in reacquiring the property, the property may be sold as described below:
 - 2.1. The prior owner of record shall request to purchase the property by submitting a letter to the board of commissioners, via the finance property specialist. The letter shall detail the specifics of why the prior owner wants to purchase and that he/she now has the financial ability to purchase the property from the county.
 - 2.2. If the board of commissioners denies the request, the property shall be sold in accordance with Administrative Procedures 809C and 809D. If the board approves the request to sell the property to the prior owner of record, the finance property specialist, with assistance from legal counsel, shall execute the sale.

2.2.1. The sale price shall be the total of the amount of taxes and interest accrued against the property at the time the property was deeded to the county, plus any fees assessed by the tax collector and a 10% (of the purchase price) administrative fee.

2.2.2. The property sale shall be for cash or land sale contract as follows:

2.2.2.1. Sale for a purchase price of \$5,000 or less shall be for cash only.

2.2.2.2. Contract may be offered for sale of a purchase price of \$5,001-\$9,999 and shall be paid in monthly payments for no more than 2 years.

2.2.2.3. Contract may be offered for sale of a purchase price of \$10,000-\$19,999 and shall be paid in monthly payments for no more than 5 years.

2.2.2.4. Contract may be offered for sale of a purchase price of \$20,000 or over and shall be paid in monthly payments for no more than 10 years.

2.2.2.5. The interest rate for the land sale contract shall be set at prime rate, on the day of the sale, plus 3%. The monthly payment will be calculated by Marion County and will include principal and interest.

2.2.2.6. A 25% non-refundable down payment is required for the land sale contract.

2.2.2.7. The finance property specialist shall review the land sale contract with the purchaser and have purchaser sign a land sale contract summary acknowledging that the purchaser understands the contract.