

## **Sheriff's Sales**

Under certain circumstances, a sheriff shall seize or levy upon property for the purpose of satisfying a money judgment. The asset is then liquidated (that is, the asset converted to cash) at a "Sheriff's Sale". A Sheriff's Sale is a public auction by standard bid format where the highest bidder will pay their bid price to the sheriff and take custody and ownership\*\* of the auctioned property. The sheriff will pay any vendors or service providers who assisted in the seizure (such as towing and storage) from the sale proceeds, deduct various fees and expenses associated with the levy and sale, then apply any balance to the judgment.

As Sheriff Sales are public auctions, anyone may bid with the exception of members of the Tioga County Sheriff's Office. There are no sealed bids or phone bids. Only those who have registered as bidders at the time of the sale will be allowed to bid on the item. Registering simply involves the bidder printing and signing their name, address and phone number on a ledger sheet provided at the sale.

\*\*The high bidder is purchasing the interest of the judgment debtor in the property levied upon. If, for example, the interest of the judgment debtor in a motor vehicle is subject to a lien, then that is what the bidder is buying. For real property, if the debtor's interest is governed by a joint tenancy, or other deed restriction, or is subject to a superior lien or encumbrance, then that is what the bidder is purchasing. The purchaser is acquiring the judgment debtor's right, title and interest in or to the property, whatever it may be. The sheriff will not research such things, nor make opinions or assertions relative to such matters.

When personal property is sold, the successful bidder will receive a receipt for payment of the bid price, a Release which will be directed to the party having possession of the property, and a Certificate of Sale. When real property is sold, the purchaser will receive a receipt for payment of the bid price, a Sheriff's Deed, and several documents attesting to the sale.

All sales are for cash or certified check only, U.S. currency. A minimum of 10% of the winning bid is due and payable at the conclusion of bidding. Once the down payment is made, the remaining balance is due by 3:00pm the next business day. Alternate payment arrangements must be pre-approved by the Civil Division. The bidder shall not take possession of the property until he receives the written Release from the sheriff. Where storage fees have accrued, they will be paid up to and including the date of sale. Thereafter, the purchaser is responsible for any charges. The purchaser is also responsible for making arrangements for the removal, transportation, security, safety, etc. of the purchased property.

***The preceding policies are subject to modification based upon innumerable variations and factors related to the property, court directives, etc.***