

# Delinquent Tax Sale

## DELINQUENT TAX SALE BIDDER INFORMATION COUNTY OF BAMBERG

*Tax Sale Date(s): Starting Monday, December 06, 2021 @ 10:00 AM*

**BY VIRTUE OF EXECUTIONS** issued by the Bamberg County Treasurer, pursuant to S.C. Code Section 12-45-180, she has directed the Bamberg County Tax Collector, to levy the Executions by distress and sell certain pieces and parcels of real and personal property of the defaulting tax payer's estate in her jurisdiction in order to collect the delinquent taxes, assessments, penalties and costs due. The tax sale auction will be held on the **third floor** of the Bamberg County Courthouse, located at 2959 Main Highway Bamberg, SC 29003 beginning at **10:00 am, Monday, December 06, 2021** and will stop at the call of the Bamberg County Tax Collector that same day. If additional days are necessary to complete the auction, an announcement will be made to that effect before the close of each business day. The sale on subsequent days (if necessary) will begin at 10:00 a.m. No lunch breaks during sale day(s).

**PAYMENT OF TAXES PRIOR TO TAX SALE:** All real property owing delinquent taxes for the tax years through 2020 is subject to sale. In addition, the current year (i.e. 2021) taxes will be included with the delinquent amount. To avoid sale, all delinquent taxes, assessments, penalties and costs must be received and processed by the County by **5:00 PM Friday, December 03, 2021**. **No personal checks will be accepted.** Only cash, money order, attorney's trust, mortgage escrow checks, or certified bank checks will be accepted for the payment of delinquent taxes.

**DELINQUENT TAX PROPERTY LISTINGS:** A listing of properties in the current owner's name will be available on the Bamberg County Website [www.bambergcountysc.gov](http://www.bambergcountysc.gov) on Wednesday, November 17, 2021. You will be able to view and print this listing. Property to be offered for sale will be advertised in the ***Local Newspaper*** on the succeeding three Wednesdays of November 17<sup>th</sup>, 24<sup>th</sup>, and December 1<sup>st</sup>, 2021 in the name of the owner or prior owner of record who on December thirty-first of the year proceeding the taxable year defined by South Carolina Statute or the current defaulting taxpayer (new owner of record) who owned or currently owns the particular property subject to tax sale. **Note: The newspaper and online delinquent property listing is NOT the list used during the actual tax sale.**

***\*\*\*NOTE\*\*\* we will NOT be signing up bidders on the day of the tax sale***

**BIDDER PRE-REGISTRATION AND PROCEDURES:** Anyone interested in bidding on property must register as a bidder at the Delinquent Tax Collector's office beginning Monday, November 1, 2021 through Friday, December 3, 2021. Prospective bidders are required to have a copy of valid driver's license or other acceptable valid government issued photo identification and will also complete a Disclaimer, Acknowledgement & Release Form.

Registration Cards must be filled out exactly the way legal documents should be issued. If you refuse to follow this policy, then you will not be allowed to sign up as a bidder.

**BIDDING PROCEDURE:** Property will be auctioned in alphabetical order to the highest bidder. All successful bids must be paid for with cash, money order or bank certified check by 5:00 PM on the day of the tax sale. Pursuant to S.C. Code Section 12-51-70 should the bid amount not be paid by that time, the defaulting bidder is liable and will be charged up to Five Hundred Dollars (\$500.00) paid to the Delinquent Tax collector per bid default plus court costs. It is possible that you will be barred from any future tax sales. Please do not bid on your own property. If you bid on your own property or have someone else bid on your property on your behalf, we will consider you or your agent's bid to be null and void and the Forfeited Land Commission (FLC) will become the winning bidder on the property. You or your agent will also be barred from future tax sales. If there is no bid put forth from bidders at the tax sale, the property will be considered purchased by the County's Forfeited Land Commission (FLC) for the amount of the taxes, penalties and costs

plus current year's taxes (TY2020). Receipts and tax titles will be issued in the name appearing on the bidder registration form. Bids will be recognized only from registered bidders or their agents who are present at the sale. According to S.C Code Section 12-51-50, in case a defaulting taxpayer has more than one item to be sold, as soon as sufficient funds have been accrued to cover all of the defaulting taxpayer's taxes, assessments, penalties, costs, and current year taxes, no further items will be sold. This is to protect the defaulting taxpayer from excessive redemption penalties. The bidder, however, is only entitled to the property actually sold and not the excess properties. Bids will be recognized from registered bidders only.

**SINCE THE COUNTY IS NOT LIABLE FOR THE QUALITY OR QUANTITY OF THE PROPERTY SOLD, THERE WILL BE NO REFUNDS OF BID MONIES.**

**NO FOOD OR DRINKS ALLOWED IN THE COURTROOM AT ANY TIME**

**REDEMPTION OF PROPERTY SOLD: S.C. Code Section 12-51-90**

The defaulting taxpayer, any grantee from the owner, or any mortgage or judgement creditor has one year from the date of the tax sale in which to redeem the property. When redeeming the property, a redemption penalty is added to the unpaid taxes, assessments, penalties, and costs which must be paid in cash, bank certified check(s), or money order.

- (A) The defaulting taxpayer, any grantee from the owner, or any mortgage or judgment creditor may within twelve months from the date of the delinquent tax sale (Redemption Deadline: December 07, 2022) redeem each item of real estate by paying to the person officially charged with the collection of delinquent taxes, assessments, penalties, and costs, together with interest as provided in subsection (B) of this section. If prior to the expiration of the redemption period, the purchaser assigns his interest in any real property purchased at a delinquent tax sale, the grantee from the successful bidder shall furnish the person officially charged with the collection of delinquent taxes a conveyance, witnessed and notarized according to S.C. Code Section 12-51-90. The person officially charged with the collection of delinquent taxes shall replace the successful bidder's name and address with the grantee's name and address in the delinquent tax sale book.
- (B) The lump sum amount of interest is due on the whole amount of the delinquent tax sale based on the month during the redemption period this property is redeemed and that rate reflects back to the beginning of the redemption period according to the following schedule:

| ➤ Month of Redemption Period   | Amount of Interest Imposed |
|--------------------------------|----------------------------|
| ➤ Property redeemed            |                            |
| ○ In the first three months    | Three Percent (3%)         |
| ○ Months four, five and six    | Six Percent (6%)           |
| ○ Months seven, eight and nine | Nine Percent (9%)          |
| ○ Last three months            | Twelve Percent (12%)       |

However, in every redemption, the amount of interest due must not exceed the amount of the bid (opening bid to the penny) on the property submitted for the Forfeited Land Commission (FLC) pursuant to S.C. Code Section 12-51-55.

- (C) If the defaulting taxpayer, grantee from the owner, or mortgage or judgement creditor fails to redeem the item of real estate sold at the delinquent tax sale within the twelve months provided in subsection (A) and after the passing of an additional twelve months, the tax deed issued is incontestable on procedural of other grounds.

Once property has been redeemed, the bidder will be notified by mail and must return the **original sale receipt** to the Delinquent Tax Collector before a refund check is issued.

(D) If you are the winning bidder on a mobile home and land combined sale you do not earn rent. If you win a bid on a mobile home only bid in the tax sale not only do you earn interest as described above, you also earn rent per month at 1/12th of the TY 2021 original tax amount without costs, fees and penalties although the rent factored per month can be no less than \$10 a month by law pursuant to S.C. Code Section 12-51-96. An additional month is added starting on the 16th day of every month for a maximum of twelve month's rent collected. We will collect this rent for you if the owner redeems the mobile home. On a voided "mobile home only sale" no rent is earned. ***Remember, as stated above in Law, as a bidder, you are not one of the listed entities or persons allowed to redeem property sold at a tax sale and therefore you are not allowed to redeem properties you bid on in the tax sale.***

**RETURN OF ORIGINAL BIDDER RECEIPT FOR REDEMPTIONS OR VOIDS:** Do not call the office wanting to know if a property has been redeemed. According to S.C. Code Section 12-51-100, once a property is redeemed or voided, the bidder will be notified by mail and must return the **original sales receipt(s)** to the Delinquent Tax Collector before a refund check can be issued.

**WHEN VOIDING A TAX SALE:** Prior to a property being deeded or titled in the case of a Mobile Home, the Bamberg County Tax Collector can void the tax sale of the property at any time and for any reason pursuant to S.C. Code Section 12-51-150. Due to a void, the bidder only earns "actual interest" the County earned while holding their bid money. Be aware based on current bank % rates this will be very little money for interest on Voided Tax Sales.

**CONVEYING PROPERTY NOT REDEEMED:** Property not redeemed will be conveyed by tax title to the successful bidder as soon thereafter the twelve-month redemption period has expired. The purchaser will be notified in writing and must pay all applicable fees prior to the deed being recorded by the Clerk of Court. The title must be in your name or business name to be able to sell or mortgage the mobile home according to SC Code Section 56-19-210.

THE PURCHASER OF PROPERTY AT A TAX SALE ACQUIRES THE TITLE WITHOUT WARRANTY AND BUYS AT THEIR OWN RISK. THE COUNTY IS **NOT** LIABLE FOR THE QUALITY OR QUANTITY OF THE PROPERTY SOLD. For the bidder's own protection, it is highly recommended that legal advice be sought if there are any questions pertaining to properties sold or acquired at a delinquent tax sale. **Since Bamberg County is not liable for the quality or quantity of the property sold, there will be no refunds of your bid money in those instances.** Not following the directions of the tax collector or staff or causing unnecessary controversy can bar you from further participation in tax sales. **V. 11/01/2021**