

Armstrong County Sheriff's Office



Frank B. Pitzer
Sheriff

Terry A. Bish
Chief Deputy

REAL ESTATE DIVISION – CONDITIONS OF SHERIFF'S SALE

ALL properties are sold "AS IS", with NO expressed or implied warranties OR guarantees whatsoever. The Sheriff and Bid4Assets shall not be liable for any loss or damage to the premises sold resulting from any cause whatsoever. In anticipation of participating in this auction and purchasing a property the bidder assumes ALL responsibility for "due diligence."

Prospective bidder must complete the Bid4Assets on-line registration process to participate in the auction. All bidders must submit a \$1,000.00 deposit (plus a \$35.00 processing fee) to Bid4Assets before the start of the auction. The single deposit will be associated with a particular auction date and allows a bidder to bid on all of the auctions that close on that particular date.

The starting bid or minimum bid for the auction will be set at, "Taxes and Costs" This is the costs that Sheriff's Office has occurred up to the date of the sale and any delinquent taxes owed on the property. The plaintiff's attorney shall submit the plaintiff's "Upset Price" to Bid4Assets, at least (1) hour prior to the start of the Auction. The upset price is the least amount that the plaintiff will accept for the property. The sheriff's costs will be added to the Upset Price to determine the reserve price for the auction. The reserve price is the minimum dollar amount the sheriff will accept for the sale to go to a third-party bidder. Bidders will not know what the reserve price is, but they will see when the reserve place has been met.

If the reserve price is met, the highest bidder shall be the purchaser. The successful bidder shall pay the exact amount of the remaining balance within **10 calendar days** of the sale. If the payment deadline falls on a deferral holiday, payment deadline shall be close of business day after the date. Payment shall be made to Bid4Assets. **Failure to pay the balance by the due date, without having arrangements of working with a financial institution, will result in a default and the forfeiture of the deposit.** In the event of default, the highest bidder may be notified by Bid4Assest. The Sheriff may at their discretion settle with the second bidder who has complied with all of the conditions of sale. The defaulting party shall be liable to the plaintiff and/or the sheriff for any and all costs incurred for the resale of the property.

Winning bidder shall comply with all post-sale instructions required by the Sheriff's Sale and Bid4Assets. Buyer shall be responsible for the costs of preparing the deed and such other costs that are imposed by law. Payment extensions are uncommon. If one is necessary, the decision will be made by the plaintiff's attorney once the Sheriff's Office is notified and provides consent.

In the event an overpayment is received of the balance, the Armstrong County Sheriff's Office will refund the money upon payment received from Bid4Assets.

The Plaintiff, at the discretion of the Sheriff's Office, can at any time cancel the sale after the auction closes for reasons of bankruptcy and any other reason that may arise. It is the responsibility of the bidder to investigate any and all liens, encumbrances and/or additional mortgages that may be held against the property and may not be satisfied by the post-sale Schedule of Distribution under **Pa.R.C.P.3136 Distribution of Proceeds**. The bidder assumes all responsibility for "due diligence" in anticipation of participating in this auction and purchasing a property.

The Schedule of Distribution will be completed, within approximately 30 days after the sale by the Sheriff's Office, for all properties sold to third party bidders.

The Schedule of Distribution directs how the purchase price of the property will be disbursed and which liens will be satisfied. Disbursement payments are listed in priority order. Our office follows the Pennsylvania Rules of Civil Procedure when determining these payments.

Once we receive and review the distribution, we will email a copy to the third party bidder and all parties involved.

The Schedule of Distribution is available to the public for review for 10 days at the Sheriff's Office and is made part of the case history at the Prothonotary's Office.

Distribution payments will be made in accordance with the proposed Schedule of Distribution unless exceptions are filed on or before the tenth (10th) day of the distribution date. Pending litigations will delay the distribution and deed.

There will be 2% Sheriff's Poundage taken out of the distribution of the winning bid.

The sheriff's deed is the last step in the distribution process.

Deed Processing will begin approximately 20 days after the distribution date, provided no legal actions are pending against the purchase.

Winning bidder MUST comply with all post-sale instructions required by Bid4Assets and the Sheriff's Office. The Sheriff's Office must receive your vesting instructions and two completed and signed, Pennsylvania Realty Transfer Tax Statement of Value Forms, with original signatures on both, to process the sheriff's deed. Once recorded, the deed cannot be emailed to you. The deed will be mailed to you by certified mail.

IMPORTANT POINTS TO REMEMBER

- The Sheriff's Office highly recommends that you seek the advice of an attorney to review the pros and cons of a Sheriff's sale purchase.
- The Sheriff's Office does not guarantee a clear title to any property being sold.
- The winning bidder may be responsible for additional liens; your due diligence is required.
- The winning bidder may be responsible for competing an eviction or ejectment. Seek legal advice for all matters related to the eviction/ejectment process.
- The Sheriff's Office and Bid4Assets do not have keys to any properties.
- Prospective bidders cannot inspect the interior of any property listed for sale.
- The Sheriff's Office complies with the Pennsylvania Rules of Civil Procedure.
- Properties are advertised for 3 consecutive weeks one month prior to sale in the Legal Journal and Leader Times.
- Handbills are posted on each property and also posted inside of the Sheriff's Office.
- The full listing of properties is available on the Sheriff's website under Sheriff Sales Listing [Sheriff's Sales Listing \(armstrong.pa.us\)](http://armstrong.pa.us)
- Sales are scheduled on the fourth Thursdays of the months of January, April, July & October and begin at 11:00 am.
- The sales are open to the public via an on-line form at: [Sheriff's Sales Listing \(armstrong.pa.us\)](http://armstrong.pa.us)
- Deeding instruction packet for properties Sold for Costs to the Plaintiff must include;
 - The law firm's cover letter stating plaintiff's vesting instructions.
 - Two completed Pennsylvania Realty Transfer tax Statement of Value forms with original signatures on both.
 - One copy of the complete mortgage and assignment of mortgage.
 - Open invoices must be paid prior to the recording of the deed.
 - Case refunds will be mailed with the case docket and deed

If you wish to participate in the auction and do not have access to a computer, the bid4assets website can be accessed on mobile devices and tablets. An "offline" packet can be obtained by contacting Bid4Assets.

Terms and conditions are subject to change by the Sheriff and Bid4Assets.