

OFFICE OF THE
MONONA COUNTY TREASURER
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**Notice to Tax Sale Purchasers
Of the Terms and Conditions Governing the
Annual Tax Sale of June 20, 2016
And Adjournments or Assignments Thereof**

The 2016 annual online Tax Sale will be held by the Monona County Treasurer on Monday, June 20, 2016. The Tax Sale will be conducted at the Monona County Courthouse and bidders will place their bids online. **This will not be a live onsite, in-house auction, but will be held live online.** Bidders need not be present at the courthouse. The auction site can be accessed by going to www.iowataxauction.com to register and login.

An adjourned tax sale will be held any business day following the annual tax sale in which there are bidders present and there are parcels still available for sale.

Please be prepared for the sale, and know the parcels in which you are interested. Bidders are advised this is a “buyers beware” sale. Information can be obtained from the Treasurer’s office or by visiting the Monona County Assessor’s website at <http://monona.iowaassessors.com> any time prior to the Sale.

The following information is provided to assist in the purchase of delinquent taxes during the tax sale.

I. REGISTRATION

In order to be eligible to bid at the Monona County Tax Sale, all tax sale bidders must be 18 years of age by 6/20/16 and must complete the following steps:

- Register online at www.iowataxauction.com
- No mailed or emailed registrations will be accepted. Registration will begin at 8:00 a.m. on Monday, May 16, 2016 and ends at 11:59 p.m. on Thursday, June 16, 2016. All steps in the registration process must be completed by 11:59 p.m. on June 16, 2016.
- Pay a non-refundable \$50.00 registration fee via E-check.
- Complete the online W-9 form.
- Complete the Authorization Agreement for Automatic Deposits (ACH Credits) and Fax to: Monona County Treasurer at 712-433-2225 by 11:59 on Thursday, June 16, 2016 in anticipation of becoming a tax sale certificate holder.
- Assistance with registration and the auction site is available at (877)243-9997 or support@iowataxauction.com

AUTHORIZATION AGREEMENT
FOR AUTOMATIC DEPOSITS (ACH CREDITS)

I (WE) HEREBY AUTHORIZE MONONA COUNTY TO INITIATE CREDIT ENTRIES AND TO INITIATE, IF NECESSARY, DEBIT ENTRIES AND ADJUSTMENTS FOR ANY CREDIT ENTRIES IN ERROR TO THIS:

Check one:

_____ CHECKING ACCOUNT

_____ SAVINGS ACCOUNT

INDICATED BELOW AND THE DEPOSITORY NAMED BELOW, HEREINAFTER CALLED DEPOSITORY.

DEPOSITORY BANK NAME

BRANCH IF APPLICABLE

CITY

STATE

ZIP

TRANSIT/ABA NO.

ACCOUNT NO.

PERSONAL PHONE #

THIS AUTHORITY IS TO REMAIN IN FULL FORCE AND EFFECT UNTIL MONONA COUNTY ACH RECEIVED WRITTEN NOTIFICATION FROM AN AUTHORIZED REPRESENTATIVE OF ITS TERMINATION IN SUCH TIME AND IN SUCH MANNER AS TO AFFORD MONONA COUNTY AND DEPOSITORY A REASONABLE OPPORTUNITY TO ACT ON IT IN A TIMELY MANNER.

REPRESENTATIVE'S PRINTED NAME

REPRESENTATIVE'S PRINTED NAME

SIGNATURE

SIGNATURE

DATE

*****PLEASE ATTACH A "VOIDED" CHECK OR DEPOSIT SLIP*****

FAX FORM(S) TO: Monona County Treasurer at 712-433-2225

A Tax Sale Certificate of Purchase and/or a Treasurer's Deed can be set aside by the courts if it is determined that the tax sale purchaser was ineligible to bid at the tax sale. The general rule is a tax sale purchaser should never have an interest or lien in the parcel offered for sale. You should consult with your legal counsel to determine your right to bid and become a tax sale purchaser.

If the bidder is an entity, not an individual, the entity must have a federal tax identification number and either a designation of agent for service of process on file with the Iowa Secretary of State or a verified statement of trade name on file with the Monona County Recorder. Contact the Iowa Secretary of State by phone at (515) 281-5204 or the Monona County Recorder by phone at (712) 433-2575.

A W-9 form must be completed electronically by the registration deadline. This information is required to issue an accurate 1099-INT form to each certificate holder earning cumulative interest equal to or in excess of \$600.00 during the calendar year. This information will also be submitted to the Internal Revenue Service and may be needed when filing your Federal and State Income Tax returns.

II. SALE OF DELINQUENT TAXES – BIDDING AT THE TAX SALE

All parcels shown in the publication are offered for sale except those that (1) have been paid subsequent to the publication; (2) those withheld due to bankruptcy laws prohibiting the sale.

Bids can be uploaded prior to the start of the sale, but will not be applied until the sale opens at 9:00 a.m. on Monday, June 20, 2016. The auction site can be accessed by going to www.iowataxauction.com. All parcels will be listed in the order they were published. The delinquent taxes on each parcel will be offered for sale to all bidders beginning with a 100% undivided interest. "Bid downs" will range in whole percentage points from 99% to 1%. **Monona County will not be utilizing batches at this year's sale.**

When the sale closes at 11:30 a.m., a tax sale certificate for each parcel will be awarded to the bidder that designates the smallest percentage for the total amount due. If two or more bidders have placed an equal bid and the bids are the smallest percentage offered, the successful bidder will be selected by using a random selection process.

All bids must be in good faith. All bids placed, whether intentional or not, are the responsibility of the bidder and may not be withdrawn.

III. PURCHASING TAX SALE CERTIFICATES

Successful bidders will receive an invoice at the end of the sale and this invoice will contain a link to the payment website. Payment by E-check, for the total amount due, shall be submitted by 2:00 p.m. the day of the sale. The total amount due will include all delinquent taxes, special assessments, interest, special assessment collection fees, publishing costs, and a certificate fee in the amount of \$20.00 for each certificate purchased.

Should a bidder not make full payment by the payment deadline, they will not be awarded any certificates and may be prohibited from participating in future tax sales in the State of Iowa. If a tax sale bidder's payment is not honored, the bidder will have three business days following notification from the Treasurer to repay with guaranteed funds or the tax sale certificate(s) purchased will be canceled. A \$30.00 service fee will be assessed on any payments returned due to insufficient funds. The County Treasurer reserves the right to require guaranteed funds for any future payments from the tax sale bidder.

Please allow 7 to 15 days to receive a copy of your certificate(s). This allows the Treasurer's staff time to complete posting of records, editing of certificates, and balancing of the proceeds received from the tax

sale. **The actual Tax Sale Certificate(s) will not be mailed to the certificate holder; they will be kept at the Monona County Treasurer's office.** Tax Sale certificate holders are required to fax the Authorization Agreement for Automatic Deposits (ACH Credits) for ACH Direct Deposit to Monona County Treasurer at 712-433-2225.

It is the purchaser's responsibility to verify that the tax sale certificates and redemption copies received are correct for the parcels purchased.

The tax sale certificate is assignable by endorsement and entry in the county system in the office of the County Treasurer from which the certificate was issued. For each assignment transaction, the Treasurer shall charge the assignee an assignment transaction fee of \$100.00 to be deposited to the county general fund. The assignment transaction fee shall not be added to the amount necessary to redeem.

The tax sale certificate of purchase does not convey title to the purchaser. The titleholder of record or other interested party retains the right to redeem within a specified period of time, depending on the type of tax sale. If the tax sale remains unredeemed after this period has expired, the purchaser may begin proceedings to obtain a Tax Deed to the parcel. (Refer to '90 Day Notice of Right of Redemption' Affidavit)

For each parcel sold, the Treasurer is required to notify the titleholder of record within 15 days from the date of the sale that the parcel was sold at tax sale.

IV. REGULAR TAX SALE

The 90 day Notice of Right of Redemption may be issued after one year and nine months from the date of the tax sale. (Parcels eligible for regular tax sale have been advertised only once.)

V. PUBLIC BIDDER TAX SALE

The 90 day Notice or Right of Redemption may be issued nine months from the date of the tax sale. (Parcels eligible for public bidder tax sale have been advertised for two years and are indicated with an asterisk (*) on the tax sale list.)

VI. FAILURE TO OBTAIN DEED – CANCELLATION OF SALE

After three years have elapsed from the time of the tax sale, and the holder of a certificate has not filed an affidavit of service under Iowa Code Section 447.12, the Treasurer will cancel the tax sale certificate.

VII. PAYMENT OF SUBSEQUENT TAXES

A tax sale purchaser may pay subsequent taxes and special assessments on the same parcel on which s/he holds the tax sale certificate. **Please note, the Monona County Treasurer's Office now requires all subsequent payments be made online at www.iowatreasurers.org.** To access the subsequent tax payment module, select "Login" from the Tax Sale menu at www.iowatreasurers.org. After logging in, you will be able to access a list of parcels on which you hold a tax sale certificate. It is the investor's responsibility to review the list and confirm all applicable parcels are included in the online portfolio.

You can select the items you want to pay and submit payment by ACH debit. A non-refundable fee of \$0.25 per parcel applies. Please contact our office if you need additional assistance.

Taxes for a subsequent year may be paid beginning one month and fourteen days following the date from which an installment becomes delinquent. **Payment must be posted online one day prior to the last business day of the month in order for interest for that month to accrue.** Only items delinquent in the current fiscal year or prior may be paid as a “subsequent payment”. Special assessments due in future years cannot be paid until the fiscal year in which they become due. Failure to report subsequent payments will result in their omission from the redemption calculation.

VIII. REIMBURSEMENT OF TAX SALE REDEMPTION

A redemption is not valid unless received by the Treasurer prior to the close of business on the 90th day from the date of completed service (except County held certificates). A redeemed tax sale will include the following:

- A. The original tax sale amount, including the certificate fee paid by the purchaser at the time of the sale.
- B. Interest in the amount of 2% per month calculated against the amount, for which the parcel was sold, including the amount paid for the certificate or purchase. Each fraction of a month is counted as a whole month.
- C. Subsequent tax payments paid by the purchaser and added to the amount of the sale, with interest in the amount of 2% per month. Each fraction of a month is counted as a whole month.
- D. For certificates sold on or after June 1, 2005, the cost of serving the notice, including the cost of sending certified mail notices, and the cost of publication under section 447.10, if publication is required, shall be added to the amount necessary to redeem. The cost of a record search, not to exceed \$300.00, shall also be added to the amount necessary to redeem if the search is performed by an abstractor who is an active participant in the title guaranty program under section 16.91 or by an attorney licensed to practice law in the State of Iowa. Costs filed with the Treasurer after redemption has been made shall not be collected by the Treasurer. However, the certificate holder may pursue collection through a court action against the parcel owner.
- E. Costs incurred by the tax sale certificate holder may not be filed prior to the filing of the affidavit of service with the Treasurer.

The purchaser is responsible for checking parcels on which s/he holds the certificate of purchase for redemption.

Once a tax sale certificate is redeemed, the Treasurer’s Office will issue an ACH transfer of funds for the redemption amount. The purchaser will receive an ACH credit/deposit to their bank account as well as a copy of the redemption certificate including a breakdown of the total amount of the redemption. The redemption certificate copy should be retained for income tax purposes.

In the event you have been reimbursed for a redemption and the tax sale redeemer’s check is not honored, you will be required to return the funds to the Treasurer’s Office. The tax sale certificate copy will be returned to you and the redemption will be canceled. The tax sale will be reinstated as of the original sale date. A subsequent redemption will be calculated from the date of the sale to date of repayment.

The fee for the issuance of a Treasurer's Tax Sale Deed is \$25.00 per parcel.

The certificate of purchase, the \$25.00 Treasurer's Tax Sale Deed issuance fee, and recording fees shall be submitted to the Monona County Treasurer within 90 calendar days after the redemption period expires. The Treasurer shall cancel the certificate for any tax sale certificate holder who fails to comply.

If it is determined that any item was erroneously sold, the certificate of purchase will be canceled. The certificate holder shall return the certificate of purchase and shall be reimbursed the principal amount of the investment. Interest will not be paid.

If it is determined that a county held certificate was erroneously assigned, the assignment will be canceled. The certificate holder shall return the certificate of purchase and shall be reimbursed the total amount paid for the assignment. Interest from the assignment date to the date of cancellation of the certificate will not be paid.

This document has been prepared to provide general information and guidelines relative to tax sales, assignments, and tax sale redemptions. It is not an all-inclusive listing of statutory requirements, procedures or policy, nor is it to be construed as a legal opinion of the statutes governing tax sales. The provisions of this document are severable. If any provision of this document is determined to be contrary to law, the remaining provisions shall remain in full force and effect. This document is effective for taxes sold between June 20, 2016 and June 16, 2017, and all their assignments.

Iowa Code Chapters 446, 447, and 448 as amended are pertinent chapters to Tax Sales, Tax Redemption, and Tax Deeds. The Iowa Code is available on-line at www.legis.state.ia.us. Prospective buyers should consult with legal counsel to determine their legal rights and remedies and to protect their interest as a tax sale buyer.

IX. TAX SALE PUBLICATION

The Delinquent Tax List for Monona County will be published the week of June 8th in the one of the county's official newspapers: The Onawa Sentinel, The Onawa Democrat or the Mapleton Press. (This is done on a rotating cycle between the three official county newspapers.) This year's publication will be in the:

Onawa Democrat
720 Iowa Avenue
Onawa, IA 51040
Phone: 712-423-2411
E-mail: democrat@longlines.com

Parcels on the published list will also be available for review on the auction site beginning Wednesday, June 8th. The auction site can be accessed by going to www.iowataxauction.com. You must complete the registration process in order to access the data.

Thank you for participating in our annual tax sale.

Laura Oliver
Monona County Treasurer