

**OFFICE OF  
MARSHALL COUNTY  
TREASURER  
PO BOX 834**

**COURTHOUSE, MARSHALLTOWN, IOWA 50158-4977**

Treasurer:		Tax Department
Jarret P Heil	<a href="mailto:jheil@co.marshall.ia.us">jheil@co.marshall.ia.us</a>	641-754-6366
Assistants:		Fax 641-754-6321
Cheri Lockhart	<a href="mailto:clockhart@co.marshall.ia.us">clockhart@co.marshall.ia.us</a>	Motor Vehicle Department
Deb Akins	<a href="mailto:dakins@co.marshall.ia.us">dakins@co.marshall.ia.us</a>	641-754-6360
Shirley Rector		Fax 641-754-6361

**NOTICE TO TAX SALE PURCHASERS OF THE TERMS AND CONDITIONS  
GOVERNING TAX SALES AND ASSIGNMENTS FOR THE  
TAX SALE HELD ON JUNE 18, 2012**

The Marshall County Treasurer holds the annual tax sale on the third Monday in June at 8:00 a.m. sharp for as long as purchasers are present. The annual sale is then adjourned to 10:00 a.m. to the third Monday of every month starting in August. If the third Monday falls on a legal holiday observed by the county, the sale for that month will be held on the fourth Monday.

The following information is provided to assist you in purchasing delinquent taxes at tax sale or in obtaining an assignment of a tax sale certificate:

1. **All participants of the tax sale must pre-register by JUNE 13, 2012.** The first 10 to 15 minutes of the tax sale are given to verbal instructions on how the tax sale will be administered and the procedure to follow on making payment on your purchases.

A. A W-9 form must be completed and signed as part of the preregistration process. This information is needed so that we can issue an accurate 1099-INT form with the appropriate Social Security Number or Taxpayer Identification Number.

At the end of the calendar year the treasurer will issue a 1099INT to you and to the internal revenue service if the accumulative interest paid to you during the calendar year is equal to or exceeds \$600.00. You will use this information when filing your federal and state income tax claims.

B. A "register of bidders or assignees" form must be completed and signed as part of the pre-registration process. There will be a Non-Refundable \$25.00 charge per bidder. This form will be used to determine how the tax sale certificates and/or tax sale deeds shall be typed.

C. One person may act as agent for up to 10 bidders. Each bidder must pay the non-refundable registration fee of \$25.00.

**D. NEW RULE- Meet the requirements of Iowa Code chapter 547**

**Contact the Iowa Secretary of State for information on how to register as a legal entity in the State of Iowa or obtain a 'Certificate of Existence.' The Iowa Secretary of State-Business Services contact information is as follows:**

**First Floor, Lucas Building  
321 E 12<sup>th</sup> St, Des Moines, IA 50319  
Phone: 515-281-5204  
Fax: 515-242-5953  
URL: [www.sos@sos.state.ia.us](mailto:www.sos@sos.state.ia.us)**

**Contact the Marshall County Recorder's Office for information on how to file a 'Trade Name Verified Statement' prior to purchasing tax sale certificates in Marshall County. The Marshall County Recorder's Office contact information is as follows:**

**Marshall County Recorder, Courthouse  
PO Box 573, Marshalltown, IA 50158  
Phone: 641-754-6355  
Fax: 641-754-6349**

**URL: [www.co.marshall.ia.us](http://www.co.marshall.ia.us) Go to Departments, then the Recorder.**

2. You may submit a written bid if you cannot attend; however, if other bids on the same parcel are received, the tax sale certificate will be issued to a bidder who is present.

You or the party for which you represent may not be entitled to bid at tax sale and become a tax sale purchaser by reason of having a vested interest in the parcel. 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 tax sale. The general rule is that 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.

3. Parcels with delinquent taxes are offered for sale by receipt number. It is imperative that you be prepared for the sale. **You need to know the receipt number(s) upon which you intend to bid. All tax sale purchases are final. There will be no changes after the sale.**

4. Payment is required at the time of purchase or at the conclusion of the sale. The amount collected will include all delinquent taxes, special assessments, interest, special assessment collection fees, publishing costs, and a certificate fee for each certificate issued to you.

Payment must be in the form of a personal check, money order, any form of guaranteed funds, and cash for the exact amount of the purchase. Two-party checks **will not** be accepted for payment.

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

6. 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 certificate remains unredeemed after this period has expired, the purchaser may begin proceedings to obtain a tax deed to the parcel.

**Regular Tax Sale:**

Parcels sold on or after April 1, 1992, the 90-day notice of right of redemption may be issued after one year and nine months from the date of sale.

**Public Bidder Sale:**

Parcels sold on or after April 1, 1992, the 90-day notice of right of redemption may be issued nine months from the date of sale.

**Failure to obtain deed -Cancellation of sale  
Certificates issued on or after April 1, 1992**

After three years have elapsed from the time of the sale, if action has not been completed which qualifies the holder of the certificate to obtain a deed, the Treasurer will cancel the tax sale certificate.

7. A tax sale purchaser may pay subsequent taxes and special assessments on the same parcel on which he/she holds the tax sale certificate. Taxes for a subsequent year may be paid beginning fourteen days following the date from which an installment becomes delinquent. You must call; fax or e-mail (clockhart@co.marshall.ia.us) for current taxes, and notify us that you are paying subsequent taxes as the certificate holder. Only items due in the current fiscal year or prior year may be paid on as subsequent tax. Special assessments due in future years cannot be paid until the fiscal year in, which they become due. Failure to report subsequent tax payments will result in their omission from the redemption calculation.

Recorded subsequent payments for sales held on or after April 1, 1992, will accrue interest at the rate of 2% per month from the month of payment to the month of redemption. The only exception to this calculation is when subsequent tax payments are made after 12:00 p.m. of the last business day of the month. These payments will be posted on the first business day of the next month and will accrue interest from the month the payment is posted.

8. Except for certificates held by a county, redemption is not valid unless received by the Treasurer prior to the close of business on the ninetieth day from the date of completed service. 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 of 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. Valid costs incurred and recorded on the tax sale register for action taken toward obtaining a tax deed. The Treasurer shall not collect costs not filed with the Treasurer before redemption, but the certificate holder may pursue collection through a court action against the parcel owner.
- E. A \$10.00 redemption certificate fee to be retained by the county on tax sale certificates issued prior to June 1st, 2006.
- F. If the original certificate of purchase has been lost or destroyed, a duplicate can be

obtained from the Marshall County Treasurer's office at a cost of \$20.00. For taxes bought June 2006 and after. For taxes bought prior to June 2006 the cost is \$10.00, per certificate.

9. The purchaser will be notified of redemption either by written notice, e-mail or phone call.

Upon surrender of the tax sale certificate of a redeemed parcel, either in person or by mail, the Treasurer's office will issue a check for the redemption amount, less the amount collected for the redemption certificate fee, prior to June 2006. The earliest a reimbursement could occur would be on the first business day following the cashier-validated date of redemption, as shown on the county system. The purchaser will receive a check directly or by mail and a copy of the redemption certificate, with a breakdown of the total amount of redemption, to be retained for income tax purposes.

In the event you have been reimbursed for redemption and the taxpayer's check does not clear the taxpayer's bank account for any reason, you will be required to return the funds to the Treasurer's office upon notification. We will return the tax sale certificate to you and cancel the redemption. 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.

10. The tax sale certificate of purchase is assignable by endorsement of the certificate and entry in the treasurer's register of tax sales. A certificate cannot be assigned to a person, other than a municipality, who is entitled to redeem. Please contact the office for further information should you desire to assign a certificate.

To obtain an assignment of a Marshall County held tax sale certificate you contact the Marshall County Treasurer's office in person. The terms and conditions set forth in this document applies both to certificates obtained through assignment from Marshall County and for certificates obtained directly through the tax sale.

To obtain an assignment of a tax sale certificate held by an individual the certificate holder must contact the Marshall County Treasurer's office in person. The terms and conditions set forth in this document applies both to certificates obtained through assignment from Marshall County and for certificates obtained directly through the tax sale.

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

12. The fee for the issuance of a Treasurer's tax sale deed is \$25.00 per parcel, and a recording fee. Call our office for more info.

13. If it is determined that any parcel was erroneously sold, the certificate of purchase will be cancelled. The certificate holder is required to return the certificate of purchase and will be reimbursed the principal amount of the investment. Interest will not be paid.

14. Iowa law permits a county or city to purchase or require an assignment to a tax sale certificate for abandoned property or vacant lot. The county or city is required to file a verified statement with the county treasurer that the property is abandoned or a vacant lot. This is in regards to Code of Iowa Section 446.19A as amended.

15. If the Board of Supervisors or a City Council has adopted an ordinance under the provisions of 446.19B, allowing a public nuisance tax sale of abandoned property, The Treasurer may offer separately at tax sale, those items certified to the County Treasurer by the county or city as abandoned property. The verified list of parcels and a declaration of abandonment shall be published at the same time and in the same manner as the regular delinquent tax list under the

provisions of 446.9. On the day of the regular tax sale, or any adjournment thereof, the Treasurer shall separately offer these parcels. Notwithstanding any provision of the code to the contrary, the purchase shall not be for less than 100% interest in each parcel.

A. In order to be eligible to bid at the Public Nuisance Sale, the bidder shall enter into a rehabilitation agreement with the county or city as appropriate, to demonstrate the intent to rehabilitate the property for use as housing if the property is not redeemed. If after receiving deed, the purchaser finds that the building is not suitable for rehabilitation, the deed holder may request from the city or county as appropriate, permission to remove or demolish the building or structure. When a parcel is offered at the Public Nuisance Sale, and no bid is received, the County shall, through its' county treasurer, bid for the parcel, the total amount due as outlined in 446.19B7.

B. The certificate holder may start the notice of expiration proceedings three months from the date of the tax sale under the provisions of 446.19B, as set forth in 447.9. If no affidavit of service of notice of expiration proceedings has been served on the county treasurer within one year, the certificate shall be canceled. The provisions of Sec. 446.31 regarding cancellation shall apply. Public nuisance certificates may be assigned with the same rules as any regular tax sale certificate. [Sec.446.19B-Public Nuisance Tax Sale-Rehabilitation for use as housing.] "Abandoned property" is defined in 446.19A, and "public nuisance" is defined in 657A.1.

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.

To protect your interest as a tax sale buyer and to determine your legal rights and remedies, we recommend that you consult with your legal counsel. You may call our office at (641) 754-6366 to obtain additional information.