

# Frequently Asked Questions

**THE CLERMONT COUNTY SHERIFF'S OFFICE CANNOT PROVIDE LEGAL ADVICE. IF YOU HAVE A QUESTIONS REGARDING YOUR LEGAL RIGHTS OR RESPONSIBILITIES REGARDING A PURCHASED PROPERTY, YOU SHOULD CONSULT WITH AN ATTORNEY.**

## **When Can We See The House?**

**The Sheriff's Office has no keys to the houses for sale.** We have no access to the interior of the houses for sale. The property is not available for tour or inspection prior to the sale. Entering onto private property without the owner's or occupant's consent may constitute trespassing. The purchaser gets the property "as is" or "buyer beware." The Sheriff's Office makes no warranty or guarantee on any property.

## **Do You Take Sealed Bids?**

Unless ordered by the Court, the sale must be a public sale. You or your representative must appear to bid. If any bidder intends to bid for another person, we require that you provide our office with an original agency agreement or other appropriate legal document in advance of sale, but no later than 9:45 a.m. on the date of sale, for review by the Sheriff's legal counsel. We recommend that you contact your own legal counsel for preparation. A sample of an approved document type may be found here, or upon request to our office. There is no prior registration. Make sure you can meet the terms of the sale. This is a court function; if the sale is not completed, you are subject to being held in contempt of court.

Beginning October 11, 2016, judgment creditors/lienholders will be able to remote bid. If a judgment creditor/lienholder has placed a remote bid, the officer conducting the auction will announce the bid before opening the bidding to the public.

## **What about Liens and Taxes?**

The Sheriff's Office does not have information on liens and taxes. It is the responsibility of the prospective purchaser to check into properties for back taxes, delinquent utilities, liens and /or any additional costs. **Third party purchasers will be responsible for those costs, allowances and taxes that the proceeds of the sale are insufficient to cover.** In addition to the balance of the purchase price, third party purchasers will be required to pay the conveyance tax and transfer fee (currently \$4.00 per \$1,000.00 of consideration paid for the real estate in tax plus fifty cents per parcel for the transfer), and the deed recording which is \$28.00 for the first two pages and \$8.00 per page thereafter. You are urged to consult with an attorney if you have questions. **The Sheriff's Office cannot give legal advice.**

## **What If Someone Is Living In The House?**

If someone is living in the house and will not vacate, the Sheriff's Office will remove them upon receiving a "Writ of Possession" from the Common Pleas Clerk of Courts. The purchaser or his/her attorney must file a "Praecipe" with the Common Pleas Clerk of Courts to get the "Writ of Possession" issued. The purchaser must have a copy of the "Journal Entry Confirming Sale" and valid identification. Per Local Court Rule 11.2, the Sheriff shall not execute on the Writ until the purchaser has paid the balance of the purchase price and the deed to the purchaser has been recorded. The purchaser is responsible for providing manpower to set out their belongings. If the occupant is a tenant of the former owner, the purchaser may be required to go through the eviction process in the Clermont County

Municipal Court before changing the locks or forcing the occupant to leave the home. You are urged to consult with an attorney if you have questions. **The Sheriff's Office cannot give legal advice.**

**When Do We Get Keys To The Property?**

The Sheriff's Office does not have keys for the properties. The new owner is encouraged to get a locksmith to enter the house and change the locks after the house has been vacated. It is unknown who may have keys to the house or how many there might be. This is for your protection. A buyer is not entitled to possession until after the sale has been confirmed; the balance due has been paid; and, the Sheriff's deed has been recorded.