

DELINQUENT TAX CERTIFICATE SALE

- **Prior to bidding, you should have already made yourself aware of Missouri laws which govern your rights and responsibilities as a purchaser.**
 - **We recommend consulting with an attorney to help you understand and interpret the laws.**
 - **Do your research on the properties prior to bidding.**
 - **Failure to follow the laws regarding your responsibility as a purchaser may result in the loss of your interest in the property.**
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- RSMo. 140.150.1 - All lands, lots, mineral rights, and royalty interests on which taxes or neighborhood improvement district special assessments are delinquent and unpaid are subject to a tax certificate sale at public auction.
 - The tax sale is held annually on the fourth Monday in August commencing at 10:00 a.m. in the County Commission Courtroom on the second floor in the Platte County Administration Building in Platte City, MO.
 - Delinquent taxes with penalty, interest, and costs may be paid to the county collector at any time before 10:00 a.m. on the sale date.
 - The list of properties subject to sale is published in a Platte County newspaper of general circulation for three consecutive weeks prior to the tax sale, and may be found online at www.plattecountycollector.com.
 - The sale is conducted by the Platte County Collector proceeding through the list in the same order as listed in the newspaper publication. Bidding begins for the amount of taxes, penalties and sales costs. Buyers must be present to bid.
 - Each parcel offered for sale is individually identified by owner name, parcel number, and a brief legal description as it appears on the tax rolls.
 - Buyer must provide Missouri resident identification and sign an affidavit stating that he/she is not currently delinquent on any tax payments on any property. Failure to sign such affidavit, as well as signing a false affidavit, may invalidate the property purchase.
 - The successful bidder receives a Certificate of Purchase. ***The total purchase price must be paid to the collector's office immediately at the close of the sale. Cashier's Check, Personal Check, Cash, and Credit Cards are accepted.***
 - The purchaser is essentially purchasing a tax lien on the property. You **DO NOT** have ownership rights, nor can you gain immediate possession of the property.

- If the bid amount is not paid immediately following the sale, a penalty of 25% of the bid amount plus a prosecuting attorney's fee may be assessed against the bidder.
- Any tax sale bid amount which resulted in a surplus amount above the delinquent taxes and sale costs paid by the certificate of purchase holder is available for the publicly recorded owner or owners of record at the time of sale. The surplus amount is deposited in a separate fund in the Platte County Treasurer's Office.
- The collector issues, records, and mails a certificate of purchase to the purchaser. The certificate of purchase must be retained to be surrendered if the property is redeemed or if a collector's deed is issued.
- The original property owner or party having an interest, may redeem a first or second offering property any time within one year from the sale date. The original owner or party having an interest, may redeem a third offering property at any time until a collector's deed has been issued.
- The purchaser may assign ownership of the certificate of purchase by completing the assignment portion on the certificate. The assignee must be a resident of Missouri, and must not be delinquent on any taxes. Such assignment must be notarized and presented to the collector's office for recording. A recording fee will be incurred.
- Property liens against the property are not extinguished at the time of sale or during any period of the redemption.
- The purchaser will receive current tax statements each year on the property until it is redeemed or collector's deed has been issued; failure to keep the taxes current may result in the property being sold again at another tax certificate sale, resulting in the original certificate of purchase holder losing their interest in the property.
- Notify the collector's office of any address changes.

This is provided as general information only. Contact a legal professional for any legal advice.

BUYER BEWARE!!

Be sure to research very carefully the properties you wish to bid on. There may be some properties in Platte County with federal or state tax liens, hazardous conditions or that are considered common area. It is up to the buyer to research the property fully and understand how those conditions may impact your purchase.

Non tax sale liens or other obligations on the property may not be extinguished at the time of the auction, or during any redemption period. We advise you to consult your attorney about liens and/or deeds of trusts, etc. (140.420).

PROPERTY REDEMPTION

RSMo. 140.340 - Property sold at tax sale for delinquent taxes may be redeemed within one year from the date of the tax sale or until such time the purchaser acquires the deed, or upon eighteen months, when the lien evidenced by the certificate of purchase expires.

1. Property may be redeemed by owner of record, or any person holding a publicly recorded deed of trust, mortgage, lease, lien or claim upon the property;
2. Please advise the collector's office at least twenty-four hours prior to the date you will be redeeming. We recommend scheduling an appointment and allowing twenty minutes to process.
3. Pay the collector the bid amount on the certificate of purchase plus 10% annual interest on the amount of sale less any surplus;
4. Pay the collector the amount of any subsequent years' taxes paid, if applicable, plus 8% annual interest;
5. Pay the collector a recording fee (check made payable to Platte County Recorder of Deeds).
6. Pay the reasonable and customary cost of title search and any required mailings that have been provided to the collector by the purchaser; only reimbursable if costs are incurred after March 1st following the date of purchase of the tax sale certificate
7. Pay the collector a redemption charge of fifty cents;
8. Payments must be made by cashier's check. **Personal checks or credit/debit cards are not accepted.**

Any tax sale bid amount which resulted in a surplus amount above the delinquent taxes and sales costs paid by the certificate of purchase holder is available for the lienholder(s) or the owner(s) of record on the date of the sale. The surplus amount is deposited in a separate fund with the Platte County Treasurer and held for a term of three years for the publicly recorded owner or owners of the property sold at the time of the delinquent land tax auction, or their legal representatives.

The collector's office notifies the certificate of purchase holder when the property has been redeemed. At that time the certificate of purchase, along with any paid tax receipts must be surrendered to the collector before the holder will be reimbursed the bid amount plus interest. The collector will provide a check to the certificate of purchase holder for the redeemed amount.

COLLECTOR'S DEED

If the property sold at tax sale has not been redeemed during the one year redemption period, or by the end of the eighteen month expiration date, the holder of the certificate of purchase may apply for and receive a collector's deed to the property. A collector's deed can be issued to the certificate of purchase holder when all RSMo statutes have been met. RSMo 140.405 and 140.340.

1. All current taxes that have accrued on the property have been paid;
2. The legal holder of the certificate of purchase is named as the original tax sale purchaser or the assignee on the original certificate of purchase;
3. The purchaser shall obtain a title search report from a licensed attorney or licensed title company detailing the ownership and encumbrances of the property. A paid receipt along with a copy of title search must be furnished to the collector's office;
4. The purchaser has provided an affidavit to the collector, that at least 90 days prior to requesting a collector's deed, the purchaser has notified the owner of record at the last known address and anyone with publicly recorded claim upon the property, by first class mail and certified mail return receipt requested, that they have 90 days to redeem said property or forever be barred from redeeming said property. **The affidavit must include:** name of purchaser, date of sale, legal description of property purchased, date and to whom every required noticed was sent,
5. The purchaser has provided a copy of the title search report to the collector;

6. The purchaser has provided a copy of the following for each recipient to the collector:
 - * 1st class mail & certified mail notices;
 - * Copies of addressed envelopes as they appeared immediately before mailing;
 - * Certified mail receipt as it appeared upon its return;
 - * Any returned regular mail envelopes;
 - * Certification of any other attempted notices;
7. The certificate of purchase has been **surrendered** to the collector; and,
8. Appropriate fees have been paid to the collector including recording and collection fees.
9. To ensure a refund of title search and postage fees, receipts must be turned into the collector's office.

Fees will not be reimbursed if all receipts have not been turned into the office prior to redemption. The collector's office is **NOT** responsible for calling the certificate of purchase holder to obtain this information. **FAILURE TO PROVIDE THIS INFORMATION WILL RESULT IN FEES NOT BEING COLLECTED!**

Failure of purchaser to obtain a collector's deed within eighteen months from the date of the sale results in the loss of the purchaser's lien on the property. The property will then revert back to the original title holder.

*If the property goes to the tax sale again, the first holder of certificate of purchase must surrender the certificate of purchase and may be entitled to any unclaimed surplus from the first sale without interest.

*Properties sold will be subject to corded covenants and easements that run with the land or are in use.

NON-MISSOURI RESIDENT INFORMATION

RSMo 140.190.2 - No bid shall be received from any person not a resident of the state of Missouri or a foreign corporation or entity all deemed non-residents. A non-resident shall file with said collector an agreement in writing consenting to the jurisdiction of the circuit court of the county in which such sale shall be made, and also filing with such collector an appointment of some citizen of said county as agent of said non-resident, and consenting that service of process of such agent shall give such court jurisdiction to try to determine any suit growing out of or connected with such sale for taxes. After the sale, any certificate of purchase shall be issued to the agent.

Certificates of purchase cannot be assigned to non-residents or delinquent taxpayers.

The collector's office makes every effort to notify interested parties; however, failure to receive notice(s) does not affect the legal time constraints for redeeming property or obtaining a collector's deed.

The collector makes no warranty on the title generated by issuance of a collector's deed. Failure to lawfully follow all tax sale guidelines and procedures found in Chapter 140, in the Missouri State Statutes, may eventually result in the purchaser's loss of all interest in the purchased property and may leave said purchaser liable for civil damages or criminal charges.

Questions? Contact the Collector's Office for information.

**Sheila L. Palmer, Collector of Revenue
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Website:
www.plattecountycollector.com
Office Hours 8am-5pm
Monday through Friday