



# DELINQUENT TAX SALE

## NOTICE TO BIDDERS OF TERMS AND CONDITIONS

**Lorine Watkins**  
**Fairfield County Tax Collector**  
101 South Congress Street  
PO Drawer 60, Winnsboro, SC 29180  
803-815-4021

**ALL BIDS MUST BE PAID WITH CASH, CASHIER'S CHECK,  
CERTIFIED CHECK OR MONEY ORDER**

### **BIDDER REGISTRATION:**

- Read Notice to Bidder of Terms and Conditions.
- Complete Bidder Registration Form and IRS Form W-9 and submit to Tax Collector's office.
- Obtain a Bidder Number.
- A valid driver's license or a copy of a valid government issued photo ID will be required to register with the completed registration form.
- Bidder number will be assigned upon completion of the Registration process. Bidder number will be issued at Bidder check-in immediately before the tax sale begins. Bidders must have a number to participate in the Tax Sale.

### **TAX SALE LISTING:**

- A listing of properties will be available on the Tax Collector's web page (Fairfieldsc.gov) and in the local newspaper.
- The list will be posted on the tax Collector's web page and advertised in the local newspaper for three consecutive weeks.
- The final listing will be provided to registered bidders on the day of the tax sale.

### **TERMS AND CONDITIONS:**

- **PROPERTY VALUE:** The Tax Collector makes no representation as to title or value of property. The bidder may wish to review the State law or seek advice of an attorney regarding a bid.
- **KNOW WHAT YOU ARE BUYING:** All property is "as is where is". No claim are made as to the value, condition, size, usage, etc. All sales are final. There will be NO refunds.
- **LOTS:** If you have questions about lots that will be sold (question about the size or location), please resolve them before you purchase a property.
- **BIDDING:** An opening bid will be submitted on behalf of the Forfeited Land Commission. The bid will consist of all delinquent taxes, penalties, cost and current year's taxes. Bidding will continue until a high bid is ultimately reached. The successful bidder will show his or her bid number. The amount of the winning bid, along with the winning bid number will be noted on a form retained by the Tax Collector's staff. This form will constitute the official record for bid amount purposes.
- **BID PAYMENT:** Bidders shall tender payment to the Tax Collector's office. All bids must be paid by cash, cashier's check, certified check or money order by the end of the sale date or by 12 noon the day after the Tax Sale. Failure to remit timely payment will result in a \$ 300.00 charge for each bid. The Tax Collector's office assumes no responsibility for notifying a bidder if there are any outstanding bids.
- **BID ASSIGNMENT:** If, prior to the expiration of the redemption period, you wish to assign your bid, you must complete an "Assignment of Bid" form. This form may be obtained from the Tax Collector's office and must be witnessed and notarized.
- **BIDDER RECEIPT:** You will be issued a separate receipt for your payment on each bid; it is very important that you retain these receipts as you will be required to present your receipts if and /or when the property is

redeemed in order to receive a refund of your bid amount plus interest. Please examine the receipt for accurate information (Name, address, etc...) and notify staff of any corrections to be made before leaving the Delinquent Tax Office. **These receipts MUST be returned to Delinquent Tax Office before any refunds are issued.**

- **HIGH BIDDER:** If you are a high bidder, the amount of interest due **must not** exceed the amount of the bid on the property submitted on behalf of the Forfeited Land Commission pursuant to S.C. Code of Law section 12-51-55. Bidder you cannot take possession of the property until the redemption period is up and you have received your tax deed (or tax bill of sale/right of possession in the case of a mobile home) from Fairfield County.
- **LAND:** Purchase of land that has a mobile home located on it does not include the mobile home. The mobile home is taxed separately.
- **LIFE ESTATE:** On Life Estate Bids, you are buying **ONLY** the life estate interest of the defaulting taxpayer. Life Estate property that is not redeemed conveys only the life estate interest in the property by tax deed. Should you gain a Tax Title for a Life Estate property, your "ownership" dies upon the defaulting taxpayer's death and the property is transferred to the remainderman of record.
- **MULTIPLE PROPERTIES:** If the defaulting taxpayer have more than one property that goes up for sale, then those properties will be group together for the purpose of the tax sale only. As a bidder, the only property subject to conveyance will be the property in which the bid was placed. **ONLY ONE PROPERTY WILL BE CONSIDERED SOLD.** Bidder do not have claim to interest or deed on the other properties. **ONLY** enough property will be sold to satisfy the total amount of delinquent taxes, penalties, and fees due.
- **REDEMPTION PERIOD:** The Defaulting taxpayer, any grantee from the owner or any mortgage or judgement creditor will have twelve months from the day of the tax sale to redeem the property from the tax sale. The Redemption amount is taxes plus interest. Interest is due on the whole amount of the successful bid at the tax sale based on the month during which the property is redeemed according to the following schedule: property redeemed in the first three months 3%; months four, five and six 6%; months seven, eight and nine 9% and months ten, eleven and twelve 12%. **The amount of the interest due must not exceed the opening bid on the property submitted by the Forfeited Land Commission.** Bidder may not redeem property in which they have placed a bid. Mobile home sales will receive rent base on the month in which the property is redeemed. Rent is calculated at 1/12<sup>th</sup> of the original tax amount without costs, fees and penalties, but cannot be less than \$10 a month.
- **REPORTING INTEREST EARNINGS:** At the end of the calendar year, if the property you bid upon is redeemed, the Tax Collector will issue a 1099-INT to you and the Internal Revenue Service if the cumulative interest paid to you during the calendar year is equal to or exceeds \$600.00. This information is required when filing your Federal and State Income Tax.
- **OWNERSHIP RIGHTS:** During the redemption period, successful bidders have **NO OWNERSHIP RIGHTS** to the property and have no right to enter the premises or contact the owner. Redemption is handled through the Fairfield County Tax Collector's office, and ownership rights are transferred only if the property is not redeemed and a tax title is recorded.
- **VOID SALES:** S.C. law provides that tax sale may be voided if the Tax Collector determines that there has been an error in preparing a particular property for sale. The successful bidder will be returned the full bid amount plus the amount of interest actually earned by the county at the time the sale is voided.
- **DEED:** Property not redeemed will be conveyed by virtue of a deed transferring whatever interest Fairfield County has to the successful bidder as soon thereafter, the twelve-month redemption period has expired. **This tax title is not a warranty deed.** The purchaser will be notified in writing that the deed is being prepared and will be notified again when the deed is ready to be picked up from the Tax Collector's office. Tax deeds are quit claim deeds that do not guarantee clear title. We encourage all grantees to contact their attorney to have an Action to Quiet Title performed. Mortgage companies and other lien holders are notified (by law) before the end of the redemption period and have the right to redeem the property in order to protect their collateral. If they fail to redeem the property, they lose their collateral, and the new owner (successful bidder) is not responsible for the mortgage.

**THE PURCHASER OF PROPERTY AT A DELINQUENT TAX SALE ACQUIRES THE TITLE WITHOUT WARRANTY AND BUYS AT THEIR OWN RISK. FAIRFIELD COUNTY IS NOT LIABLE FOR THE QUALITY OR QUANTITY OF THE PROPERTY SOLD.**