

Fayette County Tax Sale - 2019 Certificates of Delinquency

Third Party Purchasers may research delinquent bills at www.fayettecountyclerk.com. Any bill with a 'Contact the Fayette County Attorney' notation at the bottom of the inquiry screen is not eligible for purchase. Payment status of bills is updated in real time on our website. Third party purchasers may also obtain delinquent tax information during normal business hours, Monday - Friday, 8:00 am - 4:30 pm.

Taxpayers may continue to pay their tax bill any time prior to the tax sale. Any payments received on Certificates of Delinquency that have been sold by the Fayette County Clerk's Office after the sale will be returned to the remitter.

May 15, 2020

Sheriff is to transfer unpaid 2019 tax bills to county clerk at the close of business.

May 26, 2020

County Attorney fee (20%) is waived for first 5 business days of collection.

June 22, 2020

Last day to file an application with the Dept. of Revenue, if applicable, and participate in our sale on August 21, 2020. All persons who purchase or intend to purchase any certificate of delinquency that result in the person

- owning more than five (5) certificates of delinquency statewide;
- owning more than three (3) certificates of delinquency in any county; or
- investing or planning to invest more than \$10,000 in the payment of certificates of delinquency statewide in a calendar year

shall file an application with the Department of Revenue at least sixty (60) days **prior** to the purchase of any certificate of delinquency. The application and instructions for the Dept. of Revenue may be obtained by visiting <http://www.revenue.ky.gov/Property+Tax>

July 1, 2020

Advertisement cost added to delinquent bills, cost to be determined. The cost will be dependent upon how many bills must be advertised. Based on last year's advertisement cost, a minimum amount of \$47.00 will be added on July 1, 2020 to the certificates of delinquency, the date the cost of the advertisement is incurred.

July 15, 2020

Published notice appears in Lexington Herald-Leader that certificates of delinquency will be advertised on July 22, 2020.

July 22, 2020

Published notice of all current year certificates of delinquency available for sale will appear in the Lexington Herald-Leader. After publication, a listing of these certificates will also be available online in Excel format at www.fayettecountyclerk.com, and updated each Monday through August 17, 2020.

August 11, 2020

A: **REGISTRATION:** Last day to register, by close of business, with the county clerk in order to participate in the tax sale. **Postmarks will not be accepted.**

Registration shall include:

- A copy of the Certificate of Registration from the Department of Revenue, if applicable
- County Clerk Registration Form (found at www.fayettecountyclerk.com) including:
 - Purchaser's name (as it will appear on the certificate of delinquency)
 - Physical Street address
 - Mailing address (as it will appear on the certificate of delinquency)
 - Telephone number for purchaser and for payoff information
 - If the purchaser is an entity, the name of a contact person shall also be provided
- Affidavit (found at www.fayettecountyclerk.com) affirming that the purchaser is not related to any other individual or entity that will be participating in the sale. **Multiple related entities or individuals, as determined by the Department of Revenue, will be prohibited from participating in the annual sale.**
- Registration fees shall be \$5.00 for each certificate of delinquency on a purchaser's priority list and \$10.00 for each certificate of delinquency on a purchaser's list of current certificates of delinquency, not to exceed \$250.00. A purchaser shall not be required to pay an additional deposit if the certificate(s) of delinquency is included on both lists, and if both lists clearly indicate that the certificate(s) is included on both lists.
- The purchaser should indicate on the registration form whether they choose to designate a spending cap for the sale by selecting 'yes' or 'no', and the amount up to which they choose to spend. The purchaser will be out of the sale once the program determines the next bill they have selected for purchase on their list would exceed the designated amount.

B: **PRIORITY LIST:** Last day to submit list and the 100% deposit payment for priority certificates of delinquency the purchaser intends to purchase at the sale. Any third party purchaser holding the most recent year certificate of delinquency for a parcel may request to purchase the current year certificate of delinquency by submitting a priority list of those certificates and deposit. **Reminder: Each purchaser is responsible for researching to insure they have priority on the bill(s). Any priority rights not exercised during this phase of the sale will result in the certificate(s) of delinquency being placed in the annual sale.**

- List must be prepared in the order you wish to purchase by the account number, and must include the following fields, in order (Excel template available at www.fayettecountyclerk.com) :
 - Account No.
 - Current Year Tax Bill No.
 - Prior Tax Year
 - Prior Tax Bill No.
 - Taxpayer Name
 - Property Address
 - Amount Due for August, 2020
- For entities with multiple variations of their business name, you must provide the specific name used to purchase the prior bill.
- List must be submitted by email to: fcinquiry@fayettecountyclerk.com
- **Payment must be made with certified funds, and shall be tendered at the time the third party purchaser submits the list.** Company checks will not be accepted. This amount shall include the total due for each certificate and the \$30.00 per certificate lien assignment recording fee.
- The county clerk shall apply the deposit to the payment of any certificates of delinquency purchased at the sale. The county clerk shall refund any unused portion of the deposit to the purchaser no later than ten (10) business days after the completion of the sale.

- If additional funds are due, the purchaser will be contacted at the phone number provided on the registration form following the sale. If full payment for the certificates of delinquency is not received by the deadline, the county clerk shall not assign any certificate of delinquency for which full payment has not been received and those certificates of delinquency shall be available for purchase or payment pursuant to KRS 134.127(1)(b). The county clerk shall have the final say on any question regarding the sale process.

C:

CURRENT LIST: Last day to submit list of current certificates of delinquency and the 25% deposit for the certificates the purchaser intends to purchase at the sale. The deposit shall be calculated based upon the value of the certificate of delinquency included as of the date of the sale. A purchaser may deposit more than the minimum amount required by the county clerk.

- List must be prepared **IN THE ORDER YOU WISH TO PURCHASE** by the account number, and must include the following fields, in order (Excel template available at www.fayettecountyclerk.com) :
 - Account No.
 - Taxpayer Name
 - Property Address
 - Amount Due for August, 2020
 - Bill No. (optional)
- List must be submitted by email to: fccinquiry@fayettecountyclerk.com
- **Payment must be made with certified funds, and shall be tendered at the time the third party purchaser submits the list.** Company checks will not be accepted. This amount shall include the amount due for each certificate and the \$30.00 per certificate lien assignment recording fee.
- The county clerk shall apply the deposit to the payment of any certificates of delinquency purchased at the sale. The county clerk shall refund any unused portion of the deposit to the purchaser no later than ten (10) business days after the completion of the sale.
- If additional funds are due, the purchaser will be contacted at the phone number provided on the registration form following the sale. If full payment for the certificates of delinquency is not received by the deadline, the county clerk shall not assign any certificate of delinquency for which full payment has not been received and those certificates of delinquency shall be available for purchase or payment pursuant to KRS 134.127(1)(b). The county clerk shall have the final say on any question regarding the sale process.

August 19, 2020

3:00 pm: Lottery drawing for position for the annual tax sale. The order of selection for purchasers shall be determined by a random drawing with the purchaser who draws the lowest number going first. County Clerk staff will draw on behalf of the purchasers. A list of the positions will be posted on our website as soon as possible after the drawing.

August 21, 2020

9:00 am: Annual sale of current year certificates of delinquency held in the Fayette County Clerk's office located at 162 E. Main, Lexington, KY 40507. The sale will be conducted electronically, based on position from lowest to highest number. There will be multiple rounds for selections of certificates of delinquency. Certificates of delinquency will be sold in a lot of 1. Purchasers will receive their next available bill on their list until all bills are sold or all lists are exhausted. It is not necessary for third party purchasers to be present for the sale. A list of bills purchased in the sale will be posted on our website as soon as is feasible following the sale.

****If you wish to withdraw from the sale and have already registered, YOU MUST CONTACT OUR OFFICE BY 4PM ON THURSDAY, AUGUST 20, 2020.** Otherwise, your list will be included in the electronic sale. Registration fees will not be refunded for purchasers who do not purchase certificates.**

General Information

All certificates of delinquency purchased will be assigned in the delinquent tax bill system and lodged for record in the encumbrance book. All third party purchasers will receive the recorded certificate of delinquency, register receipts and any applicable refund no later than ten (10) business days after the completion of the sale.

Bankruptcy Issues

KRS 134.128 provides that any certificate of delinquency involved in bankruptcy litigation in which the county attorney has filed a claim shall be prohibited from being sold by the county clerk. However, since local officials are often not informed timely of these filings, third party purchasers should be encouraged to do their own research before purchasing certificates of delinquency at a tax sale. A subscription service known as "PACER" can be utilized by third party purchasers to get up to date information about bankruptcy filings. Third party purchasers can obtain more information about this service by visiting: www.pacer.psc.uscourts.gov.

Releases and Assignments

Releases and/or assignments are to be executed in accordance with KRS 382.365. The fee to record a release or an assignment of a tax bill lien is \$46.00, per lien, for a five (5) page document. Each additional page is an additional \$3.00 per page. **Releases or assignments that list more than one tax bill number will be returned for correction.**

County Clerk Contact Information

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| Address: | 162 E. Main Street Room 132 Lexington, KY 40507 |
| Phone: | (859) 253-3344 |
| Contact: | Land Records Department |
| Website: | www.fayettecountyclerk.com |