

Real Estate Sale Information

Below you will find answers to the most asked frequently questions, about the Sheriff's Real Estate Sale. If you have other questions you can contact our office at (614) 525-4231.

THE SHERIFF DOES NOT GUARANTEE CLEAR TITLE. A TITLE SEARCH IS RECOMMENDED. SHERIFF SALE INFORMATION IS AVAILABLE IN OUR OFFICE AT 373 SOUTH HIGH STREET, SECOND FLOOR, OUR WEBSITE WWW.SHERIFF.FRANKLINCOUNTYOHIIO.GOV OR IN THE TUESDAY EDITION OF THE DAILY REPORTER NEWSPAPER. THE SHERIFF'S OFFICE MAKES EVERY EFFORT TO PROVIDE INFORMATION TO THE PUBLIC, BUT DUE TO THE CURRENT VOLUME, LIMITED INFORMATION IS AVAILABLE OVER THE PHONE. FOR QUESTIONS OF A LEGAL NATURE, CONTACT A LEGAL ADVISOR.

Understand that the Sheriff's Office acts in the capacity as an agent for the sale of real estate (properties) in compliance with a court order. Properties are appraised by independent appraisers, advertised, and sold at public auction. Properties are advertised in the Tuesday Edition of the Daily Reporter Newspaper (614) 224-4835 which is available at most newsstands. Public libraries with a newspaper file may also carry this publication for your review. Information is also provided on both the Sheriff's website and on the counter in the Sheriff's Real Estate Office, 2nd floor 373 South High Street. The ad from the Daily Reporter will provide you with the same information that the Sheriff's Office has on any given property.

A Foreclosure action that results in the actual sale of the property by the Sheriff is a lengthy process. Key steps in the Process are as follows:

Complaint Filed: The matter is brought before the court

Judgment Entry Filed: Judgment/judgments are granted and the property may be sold to recover judgment amounts. (Typically filed 3-9 months after the complaint)

Praecipe Filed: This order directs the Sheriff to advertise and sell the property. The terms of the sale (deposit amount and time allotted to pay the balance) are specified in this paperwork. The terms of sale are established at the discretion of the Plaintiff's Attorney. The Sheriff cannot authorize an extension of these terms. The property is auctioned at Sheriff Sale. Purchasers must be prepared to deliver the deposit at the time of the final bid or the property will be immediately resold.

Confirmation Filed: This order names the purchaser, orders the deed, the distribution of proceeds, orders lien cancellations, etc. and awards the purchaser the right to file for a writ of possession should anyone be occupying the property.

The Common Pleas Clerk of Courts Civil Division is located at 345 South High Street 1ST floor. They are the keeper of records and have the entire case file for each foreclosure case. Their phone number is (614) 525-3621. Responses to questions posed to the Clerk of Courts office will be limited to the type of paperwork filed. You can access the same information they can provide over the telephone or through their website www.franklincountyclerk.com . To learn the specific content of any case document, you would have to review the actual case file by visiting their office.

What if I am interested in a property that has been vacant for a long period of time and want to find out if its' status in the foreclosure process?

Since search options with the Clerk of Courts is by defendant name or case number, you will have to get the name of the current owner of that property. Call the map room at (614) 525-4663 give them the address of the property and they will be able to give you a name. Also, you can access this information yourself by visiting the auditor's website at www.franklincountyauditor.com. Keep in mind until a praecipe is filed, the property will not proceed to sale. Properties are set for Sheriff Sale after the date of praecipe.

My property is set for Sheriff Sale, when must I vacate?

As defendant, you have redemption rights up until the confirmation is filed. The average time for a confirmation to be filed is 30-60 days from the sale date. Once the confirmation is filed, you no longer have a right to redeem and the purchaser is awarded a writ of possession. (Some confirmations contain language to award the writ immediately upon filing of the confirmation, others may require that the property be paid for and the deed recorded before the writ can be filed.) This gives the purchaser the right to file paperwork to have the Sheriff notify you to vacate. The Sheriff will notify you, when you need to vacate.

I am leasing a property that is in foreclosure, when must I vacate?

The purchaser may allow you to continue to live in the property or may file for the Sheriff to give you notice to vacate. Legal questions arising from your relationship as a renter/lessee with the defendant in the case must be addressed by your legal advisor.

Who should the cashier's check (for deposit) be made payable to?

The Sheriff's Office recommends that the cashier's check be made payable to yourself. If you are not the successful bidder, you can deposit the check back into your account.

The ad for a property I am interested in was in last week's Daily Reporter, but not this week's. What happened?

The property was probably withdrawn or a bankruptcy filed which puts an immediate hold on sale proceedings. You can verify this by checking the clerk's website.

If no one is living in a property I purchased, can I start renovations right after the sale?

The confirmation (see above) awards the purchaser possession of the property. Until it is filed, any investment in the property is risky for two reasons 1.) You do not own the property and have not been awarded a right to possession 2.) The defendant can still redeem the property.

Where do I pick up the keys to the property I purchased at Sheriff Sale?

There are no keys for these properties.

When will my closing be scheduled?

The Sheriff has nothing to do with closing. Financing and closing must be arranged by the purchaser. Since the Sheriff is not involved in the closing, the Sheriff's Office will not sign any settlement statements or closing documents.

I am a defendant in a foreclosure action and am entitled to a portion of the proceeds. How do I acquire these funds?

If there is no distribution in your name in the confirmation filed, check the confirmation for funds to be held by either the clerk or the Sheriff's Office. In order to have the excess funds paid, you must obtain an order from the court, signed by the judge assigned to your case, directing the clerk or sheriff to disburse the excess funds to you.

Why does the auditor's appraisal of a particular property differ from the Sheriff Sale appraisal?

The Auditor's appraisal is done by law and is completed by a contract mass appraiser who appraises all property in Franklin County for tax purposes. Appraisers appointed by the court only appraise the specific property being sold. Since an appraisal is an opinion of value, it may vary.

Can my title company pay my balance?

A TITLE company can pay your balance as long as they present a TITLE company check payable to the Sheriff of Franklin County.

If I want to pay off the balance of a purchase price, can I bring a check to the Sheriff's Office?

A CASHIER'S check payable to the Franklin County Sheriff is required to pay the balance for a property purchased at Sheriff Sale. The Sheriff's Office will also accept a TITLE Company checks as long as it is made payable to the Franklin County Sheriff.

Will I get my deposit back, if redemption is filed on a property that I purchased at Sheriff Sale?

Deposit refunds are set up for payment immediately upon receipt of the court order to set aside the sale and refund the purchaser's deposit. Checks payable to more than one payee must be signed for by all payees, before the check will be released.

Can I use my refund check from the Sheriff's Office to make a deposit at a future Sheriff's Sale?

No. A CASHIER'S CHECK is required for all deposits at Sheriff's Sale.

If I do not complete the purchase of a property that I put a deposit on at Sheriff Sale, will I get my money back?

Failure to follow through with the purchase of a Sheriff Sale property may result in all or part of your deposit being forfeited.

Do I need a real estate agent to bid for me at a Sheriff Sale?

No. It is a public auction.

Do I need to register for the sale?

No. There is no registration required.

Can I see the inside of the properties set for Sheriff Sale?

No. Properties purchased at Sheriff Sale are not available for inspection.

Can I have someone bid on a particular property in my absence?

Yes as long as the bidding requirements are met.

If I give the wrong deed information on the purchaser information form at the sale, can I change it after the sale?

Since the only way deed information can be changed after the sale is by court order, making sure how you want the property deeded before the sale is very important. The delivery of the deed may be delayed for failure to provide accurate information.

Do you prepare survivorship deeds?

No. A standard Sheriff's Deed will be issued.

How can I find out what happened to a property that went to Sheriff Sale?

Sale results are published in the Thursday edition of the Daily Reporter Newspaper.

TAX SALES

Tax sales are foreclosures filed by the Treasurer's Office for delinquent taxes. They are intermingled with the regular weekly foreclosure sales. The amount of delinquent taxes is the amount where bidding begins and is also the deposit amount required. Properties sold for taxes are not appraised. Franklin County does not have so called "Over the Counter" Tax Sales. Consideration is given to defendants in these cases and a much higher percentage of these properties are redeemed. A title search is recommended. On Tax Sales you may be required to pay more than the purchase price at the time of sale since the purchaser is responsible for all taxes due and owed on a particular parcel, up to the point of confirmation. Tax sales are advertised for three consecutive weeks prior to sale. If they are not sold the first time offered, they are set for sale again three weeks later, but are not re-advertised. Properties unsold after two attempts fall into one of two categories. 1.) Properties requested by the City of Columbus under ORC 5722 are deeded to the City of Columbus for the land bank 2.) Properties not sold under ORC 5722 are forfeited to the State of Ohio and are sold by the County Auditor at an Auditor's Sale. For further information on Auditor Sales, contact the Auditor's Office.