

### **HOW IS THE MINIMUM BID ON A TAX SALE PROPERTY DETERMINED?**

State law dictates that the minimum bid on a tax-defaulted parcel offered at a tax sale shall not be less than the total amount necessary to redeem, plus costs. The minimum bid may be set at a greater amount at the Treasurer-Tax Collector's discretion. The minimum bid on a parcel previously offered at sale can be set at the Treasurer-Tax Collector's discretion.

### **IS A TAX SALE PUBLICLY ADVERTISED?**

**Yes.** State law dictates that the events of a tax sale must be published three (3) times in successive seven (7) day intervals prior to the tax sale date in a newspaper or newspapers of general circulation within the county.

### **WHEN DOES THE RIGHT OF REDEMPTION ON A TAX-DEFAULTED PARCEL SUBJECT TO THE POWER TO SELL, CEASE?**

The right of redemption on a tax-defaulted parcel subject to the Treasurer-Tax Collector's recorded Notice of Power to Sell ceases at the close of business (5:00 p.m.) on the last business day prior to the sale. There is no extended right of redemption in the State of California. Redemption must be made in cash, money order or cashier's check. Redemption by mail must be received in our office by the last business day prior to the date of the sale. Our mailing address is Tax Collector, P.O. Box 631, Martinez, CA 94553, Attention: Redemption

### **WHERE AND WHEN WILL THE NEXT TAX SALE FOR CONTRA COSTA COUNTY BE HELD?**

At a location and tentative date and time indicated in our Registration Information handout in our office or on our web site, [www.cctax.us](http://www.cctax.us). Typically our sales are held at the end of February at a downtown location.

### **HOW CAN I OBTAIN A LIST OF PROPERTIES TO BE OFFERED AT THE NEXT TAX SALE?**

By contacting the Redemption Department of the Tax Collector's Office: Room 100, 625 Court

Street, Martinez, CA, in person between 8:00 a.m. and 5:00 p.m., or by mail at P.O. Box 631, Martinez, CA 94553, Attn: Redemption, or on our web site [www.cctax.us](http://www.cctax.us) under Gen'l Tax Information/Public Auction Information/PA List.

A final list of properties will be available on the day of the tax sale.

### **WHAT GUARANTEES DO I HAVE THAT THE PROPERTY IS IN GOOD CONDITION AND CAN BE USED FOR MY PURPOSES?**

The sale of these properties should not, in any way, be equated to real estate sales by licensed salespeople, brokers or realtors. The Treasurer-Tax Collector cannot guarantee the condition of the property nor assume any responsibility for conformance to codes, permits or zoning ordinances.

The burden is on the purchaser to thoroughly research, before the sale, any matters relevant to his or her decision to purchase, rather than on the county, whose sole interest is the recovery of back taxes.

It is also recommended that bidders consult with the zoning and planning departments of any city within which a particular parcel lies.

### **HOW DO I ENROLL IN A TAX SALE?**

Please review the Registration Information handout available in our office or on our web site, [www.cctax.us](http://www.cctax.us), for additional information and requirements and application deadlines. A certified check for \$1,000 or cash must be submitted to the Tax Collector's office. A completed Bidder Registration form must also be submitted at the same time. Registration can only be done in person. All unused deposits will be refunded by the Treasurer – Tax Collector's Office by mail *within two to three weeks after the sale.*

### **CAN I MAIL IN, OR SUBMIT, A SEALED BID FOR A PROPERTY IN THE TAX SALE?**

**No.** The tax sale requires your presence, or that of your representative, to verbally bid upon the properties.

### **CAN I OBTAIN A PROPERTY AVAILABLE AT THE TAX SALE BY PAYING THE DELINQUENT TAXES THEREON PRIOR TO THE TAX SALE DATE?**

**No.** Legal title to a tax-defaulted property subject to the Treasurer-Tax Collector's power to sell can be obtained through the Treasurer-Tax Collector only by being the successful bidder at the tax sale.

### **HOW DO I FIND OR "SEE" A PROPERTY I'D LIKE TO BID UPON AT THE TAX SALE?**

Vacant (unimproved) land (which accounts for most property offered at our tax sales) may have no address and therefore its approximate geographic location can only be determined through the use of County Assessor plat maps and perhaps a map book. Exact boundary lines of a property can be determined only by a survey of the property initiated at the purchaser's expense. "Improved" properties frequently (but not always) will bear a street address, making it easier to locate the property.

Any arrangements for entry into the property would have to be made by obtaining the consent of the owner and/or occupant of the property who may, or may not, be willing to show the property.

The County does not own or have possession of any of the parcels scheduled for tax sale.

### **DO ALL PROPERTIES WITH AN ADDRESS HAVE A HOME ON THEM?**

**No!** An address does not mean there is or was a structure on the property. In addition, if there is an improvement, there is no guarantee that the structure is part of the sale. For example, an adjoining lot that is on the sale list may have the same address as a nearby structure. Do your research carefully!

### **CAN I GO TO MY BANK TO GET THE CASH OR CERTIFIED FUNDS AFTER I'M THE SUCCESSFUL BIDDER?**

**NO!** You must already have the required cash or certified funds before you bid on any property at the tax sale.

### **WHAT ARE THE CONDITIONS OF PAYMENT FOR PROPERTY AT THE TAX SALE?**

Property purchased for less than \$50,000 must be PAID FOR IN FULL at the tax sale. The minimum bid must be tendered at time of sale in CASH, CASHIER'S CHECK OR BANK MONEY ORDERS payable to the Contra Costa County Tax Collector. Cash and personal checks will be accepted for amounts over the minimum bid.

If the purchase price is \$50,000.00 or greater, a credit transaction will be accepted. The purchaser must deposit the first \$50,000.00 in cash, cashier's check, or money order, the remainder may be paid with a personal check or put on a credit plan due in 90 days.

The transaction MUST be completed with 90 days. *Failure to complete the transaction in full and on time will result in forfeiture of all deposits.*

Purchasers of property at the tax sale must also pay a **Documentary Transfer Tax** on the amount of the bid. The tax is based on the rate of \$.55 for each \$500.00 or fractional part of each \$500.00 when the bid exceeds \$100.00.

Purchasers of property within the city of Richmond must also pay a City Transfer Tax in addition to the Documentary Transfer Tax. The rate for this city tax is \$7.00 per \$1,000.00 of the purchase price.

### **HOW CAN I DETERMINE WHAT USE I CAN MAKE OF A TAX SALE PROPERTY BEFORE I PURCHASE IT?**

Consult the zoning and planning departments of any city within which a property lies or the County's Building Inspection Department for property in unincorporated areas regarding use of the parcel. The County Recorder's records should be consulted for any recorded easements on a property.

### **HOW DO I OBTAIN INFORMATION ON TAX LIEN CERTIFICATE SALES?**

The Contra Costa County Treasurer-Tax Collector does NOT offer tax lien certificates.

### **HOW SOON CAN I TAKE POSSESSION OF A PROPERTY AFTER MY PURCHASE AT THE TAX SALE?**

Generally, the successful bidder may take possession of a property after making payment in full and after the Tax Deed to Purchaser has been recorded. Tax Deeds are recorded within four weeks of the sale or upon completion (payment in full) of a tax sale.

### **HOW WILL TITLE IN THE DEED TO THE PURCHASER BE VESTED?**

Title is vested in the name of the actual purchaser at the sale. If title is to be vested differently, we require a notarized letter from the individual you are acting as an agent for, stating the manner in which title is to be vested.

### **WHAT HAPPENS TO THE PROPERTIES THAT DO NOT SELL AT THE TAX SALE? CAN TAX SALE PROPERTIES BE PURCHASED DIRECTLY FROM THE COUNTY?**

If no acceptable bids are received for a property, it will be offered again at intervals of no more than six years until the property is sold. The Tax Collector may re-offer the property at any time for a minimum bid that is set at the discretion of the Tax Collector and approved by the County Board of Supervisors.

### **DO LIENS OR ENCUMBRANCES ON TAX SALE PROPERTIES TRANSFER TO THE NEW OWNER THROUGH A TAX SALE PROPERTY PURCHASE?**

Chapter 7, Section 3712 of the California Revenue and Taxation Code states: "The deed conveys title to the purchaser free of all encumbrances of any kind existing before the sale, except:

- (a) Any lien for installments of taxes and special assessments, which installments will become payable upon the secured roll after the time of sale.
- (b) The lien for taxes or assessments or other rights of any taxing agency which does not consent to the sale under this chapter.

(c) Liens for special assessments levied upon the property conveyed which were, at the time of the sale under this chapter, not included in the amount necessary to redeem the tax-defaulted property, and, where a taxing agency which collects its own taxes has consented to the sale under this chapter, not included in the amount required to redeem from sale to the taxing agency.

(d) Easements constituting servitude upon or burdens to the property; water rights, the record title to which is held separately from the title to the property; and restrictions of record.

(e) Unaccepted, recorded, irrevocable offers of dedication of the property to the public or a public entity for a public purpose, and recorded options of any taxing agency to purchase the property or any interest therein for a public purpose.

(f) Unpaid assessments under the Improvement Bond Act of 1915 (Division 10 [commencing with Section 8500] of the Streets and Highways Code) which are not satisfied as a result of the sale proceeds being applied pursuant to Chapter 1.3 (commencing with Section 4671) Part 8.

(g) Any federal Internal Revenue Service liens which, pursuant to provisions of federal law, are not discharged by the sale, even though the tax collector has provided proper notice to the Internal Revenue Service before that date."

(h) Unpaid special taxes under the Mello-Roos Community Facilities Act of 1982 (Chapter 2.5 [commencing with Section 53311] of Part 1 of Division 2 of Title 5 of the Government Code) that are not satisfied as a result of the sale proceeds being applied pursuant to Chapter 1.3 (commencing with Section 4671) of Part 8."

**Note:** A title search initiated at the prospective purchaser(s)' expense should reveal any liens or encumbrances on a property in the tax sale.

### **ARE INTERNAL REVENUE SERVICE LIENS DIFFERENT FROM OTHER LIENS?**

**Yes,** when property is sold at tax sale on which the IRS holds a tax lien the United States has the right

of redemption of one hundred twenty (120) days from the date of such sale (26 USC §7425(d) and Revenue and Taxation Code §3712(g)). The IRS will pay the actual amount paid for the property by the bidder, plus interest at 6 % per annum from date of sale.

### **TAX-DEFAULTED PROPERTY WILL BE SOLD ON AN "AS IS" BASIS.**

Should the successful purchaser desire a survey of the property, it will be at the purchaser's own initiative and expense. No warranty is made by the County, either expressed or implied, relative to the usability, the ground location, or property lines of the properties. The exact location, desirability, and usefulness of the properties must be determined by the prospective purchaser.

The County assumes no liability for any other possible liens, encumbrances or easements, recorded or not recorded. When property is sold at tax sale on which the IRS holds a tax lien, the United States has the right of redemption for 120 days from the date of such sale (26 USC Sec. 3712(g) and 7425(d)). The IRS will pay the actual amount paid for the property by the bidder, plus interest at 6% per annum from the date of sale, plus the expenses of sale that exceed any income received from the property.

### **SALES CANCELLATION RIGHTS OF THE CONTRA COSTA COUNTY TAX COLLECTOR**

As a condition of bidding on a tax-defaulted property in the County of Contra Costa, if the County subsequently determines that a property sold by the Tax Collector should not have been sold because it was County property, not in tax-default, or for any other legal reason, the successful bidder consents to the rescission of the sale as provided in Revenue and Taxation Code Section 3731. To rescind the sale, if a tax deed has been recorded, the registered bidder agrees to sign all required forms to cancel and rescind the erroneous sale and understands that the County will refund only the purchase amount paid and that the Tax Collector and the County of Contra Costa have no further liability in the matter.

**RUSSELL V. WATTS**  
**TREASURER-TAX COLLECTOR**

## **Annual Property Tax Sale**

### **Contra Costa County Tax Collector's Office**



**Russell V. Watts**  
Treasurer-Tax Collector  
625 Court St, Room 100  
County Finance Building  
Martinez, CA 94553

Telephone: (925) 957-5280

For more information, visit our web site at:  
<http://www.cctax.us>