TAX SALE FORECLOSURES Buying at the Auction



by Cathy Crowe

BUYING TAX LIEN CERTIFICATES AND TAX LIENS IN TEXAS

Texas is a Deed state. Tax Liens which are evidence of a tax delinquency are satisfied only by the sale of the property in Texas. Tax Lien Certificates and Tax Liens in general, are not sold in Texas by auction or by any other method. The property itself is sold at auction to satisfy the Tax Lien.

In terms of Tax Lien Certificate public sales or auctions as in the case in many states other than Texas, these do NOT occur in Texas. Do not let any one sell you a Texas Tax Lien Certificate, because they do not exist.

The only way to obtain real estate from tax foreclosures in Texas is by actual purchase of the property at public venue (tax foreclosure sale at the court house step). The deed will be issued conveying title and ownership of the property to you the buyer.



BUYING PROPERTY POSTED FOR TAX FORECLOSURE

When an owner of real estate fails to pay the scheduled tax payments due after the receipt of a tax statement, the taxes become delinquent. When any of the taxing authorities that is due taxes decide to force payment of the tax arrearage, that taxing authority must sue in court to gain permission to foreclosure on the tax lien that is securing payment of the tax arrearage.

Texas is a judicial foreclosure state in the case of tax foreclosures.

If the court allows the foreclosure to precede, a Sheriff's (Constable in some Texas counties), sale notice is posted twenty days in advance of the scheduled foreclosure sale date.

Precinct Number

Sale Date (Sale Nbr) 08/04/20xx(9)

Cause Number TX-xx-30045

Account Number 00000598141000000

Judgment Date 09/10/20xx

Case Style

COUNTY OF DALLAS, ET AL VS JO A. BERRY, ET AL

Legal Description

LOT 2 OUT OF WALNUT HILLS ADDITION, 1ST INSTALLMENT, SITUATED IN CITY BLOCK 7/6458, IN THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, AS SHOWN BY A DEED OF RECORD IN VOLUME 75182 PAGE 1317 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS, AND MORE COMMONLY ADDRESSED AS 10224 BROCKBANK, DALLAS, DALLAS COUNTY, TEXAS. JUDGMENT YEARS: 2002-2016

Adjudged Value \$103,770

Estimated Minimum Bid \$26,840.47

Status

NAVIGATION LINKS

- ⊕ About DCAD
- Search Appraisals
- - By Owner
 - By Account
- By Address
- By Business
- Find Property on Map
- Online BPP Rendition
- Forms
- Data Products
- Exemptions
- Protest Process
- Paying Taxes
- Taxing Unit Rates
- F.A.Q.
- Calendar
- Certified Value Summaries
- Certified Comparisons
- Preliminary Value Summary
- Average House Values
- Reappraisal Plan
- Water & Electricity Usage
- Human Resources
- Links
- Contact Us
- On-line Help

Residential Account #00000598141000000

Location Owner Legal Desc Value Main Improvement Additional Improvements Land Exemptions Estimated Taxes History

Property Location (Current 2010)

Address: 10224 BROCKBANK DR Neighborhood: 5DSJ06 Mapsco: 23-K (DALLAS)

DCAD Property Map



Print Homestead Exemption Form

YAHOO! Maps

Owner (Current 2010)

BERRY JUQUETTA A ESTATE PO BOX 29902 DALLAS, TEXAS 752290902

Multi-Owner (Current 2010)

Not Applicable (N/A)

Legal Desc (Current 2010)

- 1: WALNUT HILLS
- 2: BLK 7/6458 LT 2
- 3:
- 4: VOL75182/1316 DD08291975 CO-DC
- 5: 6458 007 00200 1006458 007

Deed Transfer Date:

Value	
2009 Certified Value	5
Improvement:	\$57,530
Land:	+ \$35,000
Market Value:	=\$92,530
Revaluation Year:	2008
Previous Revaluation Year:	2005

		Main Improven	ient (Current 2010)		
Building Class	13	Construction Type	FRAME	# Baths (Full/Half)	2/ 0
Year Built	1954	Foundation	SLAB	# Kitchens	1
Effective Year Built	1954	Roof Type	GABLE	# Bedrooms	3
Actual Age	56 years	Roof Material	COMP SHINGLES	# Wet Bars	0
CDU (Condition / Desirability / Utility)	FAIR	Fence Type	WOOD	# Fireplaces	1
Living Area	1,398 sqft	Ext. Wall Material	BRICK VENEER, FRAME	Sprinkler (Y/N)	N
Total Area	1,398 sqft	Basement	NONE	Deck (Y/N)	N
% Complete	100%	Heating	CENTRAL FULL	Spa (Y/N)	N
# Stories	ONE STORY	Air Condition	CENTRAL FULL	Pool (Y/N)	N
Depreciation	60%			Sauna (Y/N)	N

Additional Improvements (Current 2010)

No Additional Improvements.

				Land	(Certified 20	09)				
#	State Code	Zoning	Frontage (ft)	Depth (ft)	Area	Pricing Method	Unit Price	Market Adjustment	Adjusted Price	Ag Land
1	SINGLE FAMILY RESIDENCES	SINGLE FAMILY DISTRICT 7,500 S	60	125	7,500.0000 SQUARE FEET	FLAT PRICE	\$35,000.00	0%	\$35,000	N

* All Exemption information reflect Certified 2009. *

Exemptions (Certified 2009)

No Exemptions

Estimated Taxes (Certified 2009)							
	City	School	County	College	Hospital	Special District	
Taxing Jurisdiction	DALLAS	DALLAS ISD	DALLAS COUNTY	DALLAS CO COMMUNITY COLLEGE	PARKLAND HOSPITAL	UNASSIGNED	
Tax Rate per \$100	\$0.7479	\$1.183402	\$0.233028	\$0.0894	\$0.254	N/A	
Taxable Value	\$92,530	\$92,530	\$92,530	\$92,530	\$92,530	\$0	
Estimated Taxes	\$692.03	\$1,095.00	\$215.62	\$82.72	\$235.03	N/A	
Tax Ceiling					N/A	N/A	
				Tot	al Estimated Taxes:	\$2,320,40	

DO NOT PAY TAXES BASED ON THESE ESTIMATED TAXES. You will receive an official tax bill from the appropriate agency when they are prepared. Taxes are collected by the agency sending you the official tax bill. To see a listing of agencies that collect taxes for your property. Click Here

The estimated taxes are provided as a courtesy and should not be relied upon in making financial or other decisions. The Dallas Central Appraisal District (DCAD) does not control the tax rate nor the amount of the taxes, as that is the responsibility of each Taxing Jurisdiction. Questions about your taxes should be directed to the appropriate taxing jurisdiction. We cannot assist you in these matters. These tax estimates are calculated by using the most current certified taxable value multiplied by the most current tax rate. It does not take into account other special or unique tax scenarios. If you wish to calculate taxes yourself, you may use the TaxEstimator to assist you.





THE SHERIFF SALE NOTICE

The Sheriff Sale Notice can announce three (3) different types of foreclosures.

- TAX FORECLOSURES: The property is being auctioned to satisfy real estate tax delinquencies not paid by the property owner.
- MAINTENANCE FEE FORECLOSURES: The property is being auctioned to satisfy
 maintenance fee assessments not paid by the home owner. Home Owner Association dues
 are the most common type seen here.
- **JUDGEMENT FORECLOSURES:** Property is being auctioned to satisfy a judgment against one party on behalf o fan other party, neither of those parties being taxing authorities.

The Sheriff Sale Notice will provide minimal legal information regarding the property scheduled for foreclosure.

A typical notice will include:

- The Cause Number (the lawsuit identification number)
- The court that rendered the decision
- The Plaintiff (the taxing authority)
- The Defendant (the owner of the property)
- The tax arrearage amount
- Court cost and attorney fees
- A legal description of the property (lot, block and subdivision)
- The common address
- The Constable Precinct number
- The name of the Sheriff conducting the sale proceedings
- · Scheduled time of the sale

THE SHERIFF SALE NOTICE

NOTICE OF SHERIFF'S SALE

(REAL ESTATE)

BY VIRTUE OF AN Order of Sale issued out of the Honorable 162nd Judicial District Court on the 3rd Day of April, A.D. 2009 in the case of plaintiff COUNTY OF DALLAS,ET AL, Plaintiff, VERSUS CHARLES EARL DODSON, ET AL, Defendant(s), Cause No. TX-06-31058, To me, as sheriff, directed and delivered, I have levied upon this 17th day of June, A.D. 2019, and will between the hours of 10 o'clock A.M. and 4 o'clock P.M., on the 1ST Tuesday in August, In George Allen Courts Building, 600 Commerce St., Dallas, TX, (Basement Level)Rm G-119

A.D. 2009, it being the 4th Day of said month, at the George Allen Court Building @ the corner of Commerce and Houston Street, 600 Commerce St. Dallas, TX 75202, Basement Level, Rm #G-119, beginning at 10:00 AM, Dallas, TX., proceed to sell at public auction to the highest bidder, for cash in hand, all right, title and interest which the aforementioned defendant had on the 30th Day of June, A.D. 2018 or at any time thereafter, of, in and to the following described property, to-wit:

PROPERTY ADDRESS: 215 MASTERS, DALLAS, DALLAS COUNTY, TEXAS. ACCT. NO. 00000774751000000; LOT 8, OUT OF OAKWOOD PARK ADDITION, SITUATED IN CITY BLOCK 7885, IN THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, AS SHOWN BY A PROBATED WILL IN CAUSE NO 01-02131-P (ATTACHED AS EXHIBIT ÔA' AND INCORPORATED HEREIN FOR ALL PURPOSES) AND RECORDED IN THE PROBATE RECORDS OF DALLAS COUNTY, TEXAS, AND AS SHOWN BY A DEED OF RECORD IN VOLUME 72203 PAGE 0805 (ATTACHED AS EXHIBIT ÔB' AND INCORPORATED HEREIN FOR ALL PURPOSES) OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS, AND MORE COMMONLY ADDRESSED AS 215 MASTERS, DALLAS, DALLAS COUNTY, TEXAS. DALLAS COUNTY: 2012-2017=\$664.46, CITY OF DALLAS: 2012-2017=\$2,295.71, DALLAS I.S.D: 2012-2017=\$4,984.54, PHD: 2012-2017=\$807.23, DCCCD: 2012-2017=\$244.28, DCSEF: 2012-2017=\$16.76, CITY OF DALLAS LIENS: PAVING CERTF. LIEN #C-970005005=\$239.21. Said property being levied on as the property of aforesaid defendant and will be sold to satisfy a judgment amounting to \$9,252.19 and 12% interest thereon from 06-30-12 in favor of COUNTY OF DALLAS,ET AL and all cost of court amounting to \$2,594.08 and further costs of executing this writ.

GIVEN UNDER MY HAND This 17th day of June, A.D., 2018 LUPE VALDEZ

Sheriff Dallas County, Texas

By: Tim Davis #276 & J. T. Wilson #329

Phone: (214) 653-3506 or 653-3505

By Account

By Address

By Business

Find Property on Map

Online BPP Rendition

- Forms

- Data Products

- Exemptions

- Protest Process

- Paying Taxes

- Taxing Unit Rates

-F.A.Q.

- Calendar

- Certified Value Summaries

- Certified Comparisons

- Preliminary Value Summary

Average House Values

Reappraisal Plan

Water & Electricity Usage

- Human Resources

- Links

Contact Us

On-line Help

Property Location (Current 2010)

Address: 215 S MASTERS DR Neighborhood: 4DSD18 Mapsco: 59-Y (DALLAS)

DCAD Property Map



Print Homestead Exemption Form

YAHOO! Maps

Owner (Current 2010)

WATTS RUBY FAYE &

ETAL

PO BOX 850787

MESQUITE, TEXAS 751850787

Multi-Owner (Current 2010)

Not Applicable (N/A)

Legal Desc (Current 2010)

l:

2: BL 7885 PT LOT 8

3:

4: PROB01-2131-P CO-DC

5: 7885 000 00800 3007885 000 Deed Transfer Date: 10/17/1972

Value	i i
2009 Certified Values	
Improvement: Land: Market Value:	
Revaluation Year:	2007
Previous Revaluation Year:	2004

		Main Improvemen	t (Current 2010)		
Building Class	02	Construction Type	FRAME	# Baths (Full/Half)	1/ 0
Year Built	1951	Foundation	POST	# Kitchens	1
Effective Year Built	1951	Roof Type	GABLE	# Bedrooms	0
Actual Age	59 years	Roof Material	COMP SHINGLES	# Wet Bars	0

^{*} All Exemption information reflect Certified 2009. *

Exemptions (Certified 2009)

No Exemptions

Estimated Taxes (Certified 2009)								
	City	School	County	College	Hospital	Special District		
Taxing Jurisdiction	DALLAS	DALLAS ISD	DALLAS COUNTY	DALLAS CO COMMUNITY COLLEGE	PARKLAND HOSPITAL	UNASSIGNED		
Tax Rate per \$100	\$0.7479	\$1.183402	\$0.233028	\$0.0894	\$0.254	N/A		
Taxable Value	\$34,740	\$34,740	\$34,740	\$34,740	\$34,740	\$0		
Estimated Taxes	\$259.82	\$411.11	\$80.95	\$31.06	\$88.24	N/A		
Tax Ceiling					N/A	N/A		
				Tol	al Estimated Taxes:	\$871.19		

DO NOT PAY TAXES BASED ON THESE ESTIMATED TAXES. You will receive an **official tax bill** from the appropriate agency when they are prepared. Taxes are collected by the agency sending you the **official** tax bill. To see a listing of agencies that collect taxes for your property. **Click Here**

The estimated taxes are provided as a courtesy and should not be relied upon in making financial or other decisions. The Dallas Central Appraisal District (DCAD) does not control the tax rate nor the amount of the taxes, as that is the responsibility of each Taxing Jurisdiction. Questions about your taxes should be directed to the appropriate taxing jurisdiction. We cannot assist you in these matters. These tax estimates are calculated by using the most current certified taxable value multiplied by the most current tax rate. It does not take into account other special or unique tax scenarios. If you wish to calculate taxes yourself, you may use the TaxEstimator to assist you.

History

History

SHERIFF SALE POSTING LIST

Sheriff sale posting list are public documents that are posted at designated sites in every county for review by the public. You can go to the court house and review these notices yourself. You can write down manually all the information that you need on any particular piece of property.

Unfortunately, the type of information on the property that an investor needs about the particulars of a property are not listed anywhere on the sheriff sale posting.

You will have to do your own research on the property if you want to know any of the following:

- Type of property (house, vacant land, condo, commercial structure)
- Tax roll account number
- Tax valuations
- Property particulars (square footage, # of beds, baths etc,)
- Homestead exemptions

You can purchase these lists from many reliable sources that will give you varying amounts of information.

PURCHASING PROPERTY SCHEDULED FOR TAX FORECLOSURE

Property scheduled for tax foreclosure can be purchased in one of two ways.

- 1. At the Tax Foreclosure Auction
- 2. Directly from the owner before the schedule Foreclosure sale

THE PROCESS OF PURCHASING PROPERTY AT THE FORECLOSURE SALE

Under Texas law, foreclosure sales must occur on the first Tuesday of each month and only on the first Tuesday. In most counties in Texas, if the sale falls on a holiday (New Years Day or Independence Day) the sale is deferred to the next month. Note this is not the same with Mortgage Foreclosures that proceed no matter what holiday it may be.

The legal hours of sale are between 10:00 a.m. and 4:00 p.m.

The sale occurs at the county courthouse.

Please note that the tax foreclosure sale takes place at the same location and the same time as the trustee sales for mortgage delinquencies. Many more mortgage foreclosures occur than do tax foreclosures so there might be some confusion over where the exact place the tax sale is happening.

In order to buy a property scheduled for foreclosure at the auction, you must know who is going to conduct the sale and at what time. In some counties there may be different sheriffs or constables representing different types of foreclosures doing the sale. You will find this information on the posting of the sale.

It might prove to be challenging to find the person who will do the auction, but there will be many people there that will point you in the right direction if you just ask.

When you find the sheriff or constable that will conduct the sale for the property that interest you he may only have one property to sell or he many have many. All you have to do to offer a bid is to stand in close proximity to the person conducting the sale so they you can easily be recognized if you decide to call out a bid. There is not registration or qualifying of the bidders. The sale is an open, public auction and your only necessary qualification is simply showing up and having money to complete the sale.

If the taxes against the property of your interest are still delinquent as of the scheduled sale date, the sheriff will offer it for auction. Reading from the copy of the Sheriff Sale Notice, the Deputy will announce the Cause Number of the property being foreclosed along with the defendant's name and legal description of the property. The first bid will be on behalf of the taxing authority which represents the tax arrearage along with other costs such as interest, penalty fees, administrative charges, attorney fees and court cost. Then the bids will be asked from the public, which will need to exceed the initial bid. You would make your bid verbally and speak loudly so you can be heard.

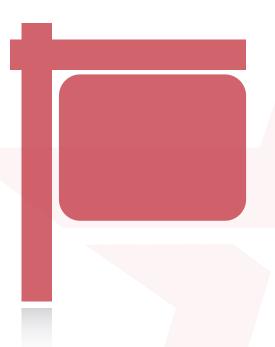
THE PROCESS OF PURCHASING PROPERTY AT THE FORECLOSURE SALE (CONT.)

Under the requirements of the Texas Property Tax Code, properties are sold for CASH only. The sheriff will not accept a letter of credit or any means of financing the bid amount. Your payment must be either in the form of cash or cashiers check.

If your bid is the accepted, final bid, you must have your funds with you in the form of cashiers checks or cash. Rarely, will they allow you time to go and get the money and bring it back, this would only happen if they know you are a seasoned buyer that have purchased before at the sale. It is a good idea to have cashiers checks in varying denominations and make up the difference with cash if there is an odd amount.

Once the sheriff declares you have won the bid, you are immediately become the owner of the property. You will not receive your sheriff's deed for several weeks conveying formal title of the property to you.

You also must have a certificate issued by the county that the auction is held stating that you do not owe any outstanding taxes. This certificate must be issued for the current year and include all taxes that are due to date. You can get this certificate signed at the county clerks office.



TAX SALE REGISTRATION

Anyone wishing to bid must register preceding the Dallas County tax deed sale. Contact the Dallas County Tax Assessor-Collector for registration instructions and requirements. Generally, there is no charge for registration.

Important: Bidder's Certificates are required to purchase property at the Dallas County tax deed sale. At least 24 hours prior to the sale, all certificates must be purchased.

To obtain a Bidder's Certificate, you may come in person or mail a \$10.00 check/money order to the Dallas County Tax Office:

Dallas County Tax Office

Attn: Special Inventory Department

500 Elm Street Dallas, Texas 75202

Phone: (214) 653-7811

http://www.dallascounty.org/

Make checks payable to: Dallas County Tax Assessor Collector. Please include your name, phone number, and address. For additional information email property tax [at] dallascounty.org; or call (214) 653-7811.

Important: In counties with a population of 250,000 or more and in less populated counties that have adopted the provisions of Chapter 34 Section 34.015.

In such counties, purchasers at tax sales must present to the sheriff or constable conducting the sale a written statement issued to the purchaser by the county tax assessor-collector stating that the purchaser owes no delinquent property taxes to the county and that there are no known or reported delinquent taxes owed by the purchaser to any school district or city with territory in the county. State law further prohibits the sheriff or constable in such counties from delivering a tax deed to any purchaser who fails to present to the officer the required written statement issued by the county tax assessor-collector.

TAX SALE REGISTRATION (CONT.)

Contact the Dallas County Tax Assessor-Collector's Office to obtain a printable request form that you must complete, have notarized, and present to the Dallas County Tax Assessor-Collector, along with a payment of the statutory fee of \$10.00.

Contact the Dallas County Tax Assessor-Collector's Office for instructions on obtaining a permanent bidder's registration card with bidder number prior to the Dallas County tax deed sale. You can also obtain temporary bidder cards valid only for the day of Dallas County tax deed sale auction the morning of the tax deed sale.

Upon successfully meeting the registration requirements the Dallas County Texas Tax Assessor-Collector's Office will assign a bidders number to identify each bidder when purchasing tax deed properties from Dallas County.

WHAT HAPPENS TO THE PROPERTY IF NO ONE MAKES A CASH BID?

If no one bids on a property at the amount that the sheriff started the sale at to cover the arrearages, the sheriff will foreclose the property in favor of the taxing authority as a credit against the tax arrearage. Ownership of the property would transfer to the taxing authority. The property would then become a "struck off" property. "Struck off" properties can be re-sold by taxing authorities.

"Struck off" is property that has been previously foreclosed in favor of the taxing authorities. No member of the public was willing to purchase the property for cash. The taxing authority became the owner of the property as a result of the foreclosure auction.

Other states call this "over the counter" as the term for this type of property.

HOW TO PURCHASE "STRUCK OFF PROPERTY".

Some taxing authorities have lists or a portfolio of "struck off" properties. Some taxing authorities have the attorneys that represent them keep the list of properties and handle all the inquires.

There is no county official or single taxing authority that publishes a comprehensive county-wide Tax Foreclosure "Struck Off" list.

Re-sales of "struck off" property is governed by the Texas Property Tax Code and allows the various taxing units throughout Texas to re-sell "struck-off" property in on e of two ways. They can either re-sell the property directly to any member of the public or can exercise a more cumbersome process that requires the re-posting and re-selling of the "struck off" property by use of aforementioned public foreclosure auction sale.

May counties in Texas, especially the smaller ones, us the direct re-sell method. If you express interest in a property they will sell the property to you.

If the county chooses to use the more cumbersome re=posting and public foreclosure auction method, under those particular provisions, in order for you to buy a "struck off" property, you must have reviewed a "struck off" report to determine what is available. You must then designate the property of your interest to the taxing authority or to their attorneys as the on you intend to purchase.

Then the taxing authority would have to cause the Sheriff to re-post the property of your interest for a new foreclosure sale as a Sheriff Sale posting, with the previously alluded to twenty day posting period to offering the property for sale at the public auction the first Tuesday of the following month.

You will also be asked to pay a handling fee to the law firm to initiate this re-sale action. (This fee varies from \$100 upward).

You might think that you are the only one interested in this property, as you are the one that has pushed for this process to happen. Under the provisions of the Texas Property Tax Code, the property has to be re-posted for foreclosure at public auction affording any other member of the public an opportunity to bid for the property. The property will appear in the reports that are published and purchased as a "re-sale".

Bidding procedures at the foreclosure sale are essentially the same as previously described.

If you have requested the re-sale of a certain property, you are obligated to offer the minimum bid to "open" the bidding. Should others raise the bid, you can decide whether you want to continue to bid or not.

MORTGAGES, OTHER LIENS AND ENCUMBRANCES

When you purchase a property at a tax foreclosure sale, the tax lien is a superior lien.

Texas is a judicial foreclosure sale state regarding tax foreclosures. Taxing authorities hire law firms to sue in court to gain permission to foreclose. These law firms are specialist in tax foreclosure law. Their main duty when filing a law suit is to discover liens of record against the properties. They do so to make those recorded lien holders party to the law suit giving them the opportunity to protect their interest in the property.

As long as the law firm has made all the recorded lien holder party to the lawsuit to gain permission to foreclose and the record lien holders were mentioned in the lawsuit then your title and ownership based upon your purchase at the tax foreclosure sale is unencumbered with the exception of any other tax liens or IRS liens.



CAN YOU BE SURE ALL RECORD LIEN HOLDERS WERE MADE PARTY TO THE SUIT?

The law firms filing suits on behalf of the taxing authorities specialize in this type of law and the chances of their failure to discover record lien holders and make them part to the suits is very minimal.

It is recommended to make absolutely sure that nothing was missed by these law firms, you should do a lien search of the property of your interest to determine if any mortgages or liens are on record in the county clerk's office.

You should also review the lawsuit on file on behalf of the taxing authority to verify that the record lien holders have been made party to the lawsuit. Do your due diligence before the sale and perform these cumbersome time-consuming tasks.

If you cannot do the due diligence yourself, you can hire a title company or and abstractor to do so. They can complete a lien search at a reasonable cost and they will complete the work very quickly. If you are not familiar with the filing system at the county clerk's office, completing the lien check yourself can be risky. It is suggested that you hire a profession to do this search for you until you can become competent with the system.

If your lien check reveals recorded liens or mortgages, you must also review the law suit on file in the county records. Use the cause number from the Sheriff Sale Posting Notice to locate the lawsuit. Verify in the filed lawsuit that the discovered recorded lien holders have been made part to the suit.

If the lien holders were made party to the law suit, it is highly unlikely that the sale will occur. The lien holder will probably pay the taxed to protect their interest in the property.



OTHER TAXING AUTHORITIES TAX LIENS AND IRS LIENS

A real estate tax lien is a superior lien regarding other record lien holders or mortgage holders, a tax foreclosure does not eliminate other tax liens or IRS liens. You will want to conduct a lien search of the records for IRS liens that are attached to the property. The Texas County that the sale was conducted in must give the IRS at least 25 days advanced notice of the foreclosure sale. After the auction, the IRS will have 120 days from the date of the foreclosure to redeem the property from the purchaser at the auction by tendering the price that was paid at the auction.

You will also want to check with the other governing tax authorities to verify if there are outstanding taxes due to them.

If such liens do exist, evaluate the amounts outstanding. You may still want to purchase the property if by paying the taxes that are being foreclosed on and the other tax liens, there still may be enough equity for you to be in a good position with the property. You would want to pay off those taxes that are owed in order to remove them as later encumbrances against the property.

One important note to remember is that the current year taxes may be due when you purchase the property at auction which you would also become subject to paying. On the notice of sale, the first 2 numbers of the cause number is the year of the filing of the law suit. Any taxes after the years that were sued for will be due by the buyer of the property.

There are other liens that could survive foreclosure such as hospital liens, funeral home liens, HAO's (Home Owners Associations), MUD (Municipal Utility Districts) or PUD (Planned Urban Districts).



THE REDEMPTION PERIOD

Under Texas tax foreclosure law, the previous owner of a property foreclosed for tax delinquency has a right to redeem. The previous owner can have his property returned to him from you if he pays the bid amount you paid at the auction.

Section 11.13 of the Texas Tax Code defines the residence homestead as a structure (including a mobile home) that:

- 1. Is owned by one or more individuals, either directly or through a beneficial interest in a qualifying trust.
- 2. Is designed or adapted for human residence.
- 3. Is used as a residence.
- 4. Is occupied as a (his) principal residence by an owner.

If the owner had homesteaded the property (this should be shown on the Sheriff's Sale Posting or you can check the county records), the previous owner has a 2 year redemption period.

If the previous owner redeems the homesteaded property, you are entitled to:

- All of your money that you have paid for the property when you purchased it at the sale.
- Plus 25% of that bid amount if the redemption is during the first year.
- Plus 50% of that bid amount if the redemption is during the second year.

If the property is non-homesteaded, the previous owner has a 6 month period to redeem the property.

If the previous owner redeems the non-homesteaded property, you are entitled to:

- All of your money that you have paid for the property when you purchase it at the sale.
- Plus 25% of that bid amount.

The redemption period begins when the Sheriff's Deed is filed in the County Clerk's office, so keep after the Sheriff's office or the Deputy that conducted the sale to get the deed recorded. If you do not stay on top of the filing of the deed, there may be many unusual delays that can occur.

Keep of certified copy of the deed in your file just in case the previous owner contacts you to redeem the property. You will then be sure of the dates.

THE REDEMPTION PERIOD (CONT.)

You do have substantial economic protection during the redemption period.

You cannot borrow money on the property during this time period.

Any improvements that you make on the property during this period are at your own risk. If the owner redeems the property the improvements would be a benefit to them.

All property taxes that are accessed during this time period are to be paid by you.

Once the redemption period expires, your deed becomes whole. You now have good equitable title. Any tile company will now issue a title policy on this property as long as there are no other liens on the property.

POSSESSION OF THE PROPERTY

When you purchase a property at a tax foreclosure auction, you have the right of possession of the property despite the previous owner's redemptive rights.

If the property is still occupied after your purchase of the property, inform the previous owner that you now own the property and give him a reasonable amount of time to vacate the premises. (3-5 days)

Most of the time the previous owners will leave. If they refuse to leave, you must appeal to the local justice of the peace for the area that the property is located in for an eviction. This process can take from 4-6 weeks.

If there is a tenant in the property, introduce yourself to them as the new owner. You can prove you are the new owner by the receipt from the sale when you paid for the property. You can tell them that you will be providing them with a certified copy of your deed to insure them that you are the owner once you get a copy. You must by Texas Property Code honor the lease that is currently in place until the expiration date. Inform them in writing of where to pay the rent. You will have to get a copy of the current lease from them. In is in your best interest to keep the tenant happy during the transition period.

The new law requires you to obtain possession of the property you must commence and prosecute a forcible entry and detainer action through the courts.

Writ of Possession

A writ of possession is a legal move that is done at the JP court (Justice of the Peace) The action that needs to be taken is called an FED (forcible entry and detainer). You must file this write after you have filed the Sherriff's deed. Check with the JP for filing procedures as each court has different preferences. The execution of the writ will take about 10 days. To gain possession of the property, regardless of the redemption rights an FED must be obtained and filed. You have the right to possess the property up to and until the owner redeems. If the owner does not redeem you have the legal stance. Even if the property is vacant, I would obtain an FED as a safe guard.

WHAT YOU ARE ENTITLED TO DURING THE REDEMPTION PERIOD

The previous owner is not entitled to rents, income or other benefits during the redemption period.

Remember you are not entitled to repair and improvement cost if the owner redeems the property.

You will not be entitled to a title policy during the redemption period.

You may sell the property at any time to any willing buyer. You must disclose to the buyer of the redemptive rights that are in effect.

You can rent the property and collect rents during the redemption period.

You can lease option the property for the buyer to purchase when the redemption rights expire.

MAINTENANCE FEE FORECLOSURE/HOMEOWNERS DUES FORECLOSURES

Many condominiums, townhouses, and homes with an association, pay a monthly maintenance fee assessment to the association for the upkeep of the grounds and certain utilities. Failure to pay those monthly maintenance fees can result in foreclosure.

You can buy these types of foreclosures at the monthly tax foreclosure auction and in many cases, for very little money. Maintenance fee arrearages can sometimes total as little as several hundred dollars and in most cases certainly not more than few thousand dollars.

If you buy the property for this small maintenance fee arrearage, you do become the owner of the property.

Effective January 1, 2002, homeowners who lose a home due to maintenance fee delinquencies will be allowed 180 days to redeem the property. If you purchase a home at the foreclosure auction due to maintenance fee delinquencies, be prepared to surrender the property back to the homeowner for a period of 180 days subsequent to your purchase and the recording of the Sheriff's deed.

You also cannot sell the property to another individual, other than the original owner, until the redemption period expires.

Unlike tax foreclosure, a maintenance fee foreclosure will not wipe out a mortgage or previous liens in place. You would immediately be taking the property subject to the existing mortgage and or liens. You would be responsible to make the mortgage payments and if you did not pay them, the mortgage company would have the right to foreclose against you.

You also become responsible for any outstanding taxes that are due on the property once you have purchased the property at the sale.



NOTICE OF CONSTABLE'S SALE REAL ESTATE

BY VIRTUE OF AN ORDER OF SALE issued out of the Honorable 296TH DISTRICT COURT of Collin County Texas, on the 12th day of June, A.D. 2009, in the case of THE LEGENDS OF McKinney HOMEOWNERS ASSOCIATION, INC. VS. RICKY W. HOUSE, SR. AND BETTY L. HOUSE in Cause No. 296-00512-2009 and directed and delivered to me as Constable of Collin County Texas, I have levied upon this 10th day of July A.D. 2009, and will, as near as possible to 10:45 o'clock A.M. on the first Tuesday in AUGUST A.D. 2009, it being the 4th day of said month, at the southwest Courthouse door of 2100 Bloomdale Road, McKinney, Collin County, Texas, proceed to sell at public auction to the highest bidder, for cash in hand, unless otherwise exempted, all the right, title, and interest which the said RICKY W. HOUSE, SR. AND BETTY L. HOUSE had on the 10th day of July A.D. 2009, or at any time thereafter, of, in and to, the following described real property, to-wit:

LOT 68, BLOCK 3, OF THE LEGENDS OF McKinney, PHASE III, AN ADDITION TO THE CITY OF McKinney, COLLIN COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN CABINET K, SLIDE 686 OF THE PLAT RECORDS OF COLLIN COUNTY, TEXAS, AND HAVING THE STREET ADDRESS OF 3320 WESTVIEW DRIVE, McKinney, TEXAS.

Said property is levied upon as the property of RICKY W. HOUSE, SR. AND BETTY L. HOUSE and will be sold to satisfy a judgment rendered in the said Court of Collin County, Texas, on the 1st day of May, A.D. 2009 in favor of THE LEGENDS OF McKinney HOMEOWNERS ASSOCIATION, INC. and against the said RICKY W. HOUSE, SR. AND BETTY L. HOUSE for the sum of \$1,045.19 Dollars principal, and the further sum of \$725.24 Dollars costs, and further cost of executing this writ.

NOTICE: This property may have other liens or encumbrances which may become the responsibility of the successful bidder.

WITNESS MY HAND THIS 10th day of July A.D. 2009.

PAUL ELKINS, CONSTABLE

COLLIN COUNTY, TEXAS

BY: CHRIS FILLINE, Deputy

Owner's Name and Mailing Address	3320 W	HOUSE RICKY W SR & BETTY L 3320 WESTVIEW DR MC KINNEY, TX 75070					
Location	1	3320 WESTVIEW MCKINNEY, 75070					
Legal Description	LEGEN	LEGENDS OF MCKINNEY #03, THE, BLOCK 3, LOT 68					
Taxing Entities	Code	Name	2008 Tax Rate				
	CMC	MCKINNEY CITY	0.585500000				
	GCN	COLLIN COUNTY	0.242500000				
	JCN	COLLIN CO COM COLLEGE	0.086493000				
	SMC	MCKINNEY ISD	1.517000000				

EXEMPTION INFORMATION

Exemption Code	Exemption Description
HS	HOMESTEAD

Data up to date as of 2009-07-19.

PROPER	TY	VALUE INFORMATION 2009 Preliminary	
Exemptions	(See Below)	Improvement Value Subject To Homestead Other Improvement Value	\$134,794 \$0
Land Acres	0		=======
		Total Improvement Value	\$134,794
Last Deed Date	04131999	,	
Last Deed Volume	99-0048583	Land Market Value	\$33,000
Last Deed Page	4398-1627	Land Ag. Productivity Value	\$0
Last Deed Inst. Num.		,	
Agent Code	0	Total Market Value	\$167,794
" 'New' means that this prop	perty was added after	er the values were prepared.	

MAPS and FORMS

○ Plat Map Image (TIFF format)	New! Plat Map (PDF format)	GIS Digital Map
 Homestead Exemption Application 	Over 65 Exemption Application	 Disabled Person Exemption Application
General Questions Request Form	Notice of Appraised Value	 Appraisal Review Request

IMPROVEMENT INFORMATION

Imp. ID	State Category	Descr	
168308	A1 RESIDENTIAL	RESIDENTIAL SINGLE FAMILY	

168308	A1 RESIDENTIAL	RESIDENTIAL SINGLE FAMILY	

SEGMENT INFORMATION

Imp ID	Seg ID	Description	Area	Actual Year Bit
168308	500287	MA MAIN AREA	1,635	1999
168308	500288	MA2 MAIN AREA 2ND FLOOR	1,256	1999
168308 500289		AG ATTACHED GARAGE	400	1999
168308	500290	CP COVRD PORCH/PATIO	35	1999
168308	1236257	CP COVRD PORCH/PATIO	390	2005
		Total Living Area	2,891	

LAND INFORMATION

Land ID	State Category	Size-Acres	Size-Sqft
128319	RESIDENTIAL SINGLE FAMILY	0.000000	

DEED HISTORY

Deed ID	Seller Name	Buyer Name	Deed Date	Instrument	Deed Vol	Deed Page
573039	CENTEX HOMES	HOUSE RICKY W SR & BETTY L	Apr 13 1999	0	99-0048583	4398-1627
549171	TDHP MCKINNEY LTD	CENTEX HOMES	Jan 14 1997	0	97-	0003721

CERTIFIED VALUE HISTORY

Tax Year	2008	2007	2006	2005
Improvements	\$138,849	\$136,780	\$134,200	\$133,186
Land Market	\$33,000	\$33,000	\$33,000	\$30,000
Ag. Land Market				
TOTAL MARKET	\$171,849	\$169,780	\$167,200	\$163,186
Land Ag. Use				
10% Limited Adjustment				
APPRAISED	\$171,849	\$169,780	\$167,200	\$163,186
Exemptions	HS	HS	HS	HS
Taxing Entities	CMC, GCN, JCN, SMC	CMC, GCN, JCN, SMC	CMC, GCN, JCN, SMC	CMC, GCN, JCN, SMC

For prior years' history, please click here

JUDGMENT FORECLOSURES

In tort actions, one party injured by another party can have judgments rendered against them in a court of law entitling the damaged party to certain monetary compensation.

If the party causing the injury owns non-homesteaded real estate, a court will allow a foreclosure of the non-homestead property to satisfy the judgment in favor of the inured party.

You can buy such property for the Sheriff at the tax foreclosure sale for the judgment amount.

All senior liens that are filed on the property would have to be assumed by you the buyer.

All junior liens that are filed on the property would drop off.

All taxes due on the property would become the responsibility of the new owner.

Lien position, senior or junior, is dependent upon the date of filing in the county court records.

NOTICE OF CONSTABLE SALE

BY VIRTUE OF A EXECUTION issued out of the District Court of Dallas County, Texas, in a certain cause numbered DC-04-10381-B. On the 22 day of October A.D. 2007, styled: Hazel Roberts vs. Mercedes-Benz USA, LLC Park Place Motor Cars Of Houston, to me, as Deputy Constable of Dallas County, Texas, directed and delivered, I have levied upon this 10th day of June A.D. 2009 and will between the hours of 10:00 A.M. and 4:00 P.M. on the first Tuesday in August A.D. 2009, it being the 04TH day of said month, at George L. Allen Courts Building, 600 Commerce Street City of Dallas, Texas On The Commerce Street Side of said Dallas County, proceed to sell at public auction to the highest bidder, for cash in hand, all right, title and interest, if any, which the defendant had on the 04th day of August A.D. 2009, or at any time thereafter, of in and to the following described property:

Being Lot 3 in Block B/6346 of Elam Cox Memorial Subdivision, an Addition to the City of Dallas, Texas, according to the Map recorded in Volume 48, Page 61 of the Map Records of Dallas County, Texas.

Property Address: 754 Pleasant DR City of Dallas, Dallas County, State of Texas, 75217

Said property is levied on as the property of Hazel Roberts and will be sold to satisfy the judgment for \$5566.92 and the further costs of executing this writ.

GIVEN UNDER MY HAND on this 10 day of June A.D. 2009.

Constable Michael Gothard, Pct. 2

Dallas County, Texas

By Sgt. Griffin Deputy

214-643-4738

By Account By Address

By Business

Find Property on Map

Online BPP Rendition

Forms

Data Products

Exemptions

Protest Process

Paying Taxes

Taxing Unit Rates

F.A.Q.

Calendar

Certified Value Summaries

Certified Comparisons

Preliminary Value Summary

Average House Values

Reappraisal Plan

Water & Electricity Usage

Human Resources

Links

Contact Us

On-line Help

Property Location (Current 2010)

Address: 754 PLEASANT DR Neighborhood: 4DSH08 Mapsco: 58-R (DALLAS)

DCAD Property Map



Print Homestead Exemption Form

YAHOO! Maps

Owner (Current 2010)

ROBERTS HAZEL R 805 ELM FALLS PL MESQUITE, TEXAS 751812664

Multi-Owner (Current 2010)

Not Applicable (N/A)

Legal Desc (Current 2010)

1: COX ELMA MEMORIAL

2: BLK B/6346 LOT 3

4: VOL92232/0389 EX112092 CO-DALLAS

5: 6346 00B 00300 3006346 00B Deed Transfer Date: 11/25/1992

Value	
2009 Certified Value	s
Improvement: Land: Market Value:	
Revaluation Year:	2008
Previous Revaluation Year:	2005

Building Class	12	Construction Type	FRAME	# Baths (Full/Half)	2/ 0
Year Built	1962	Foundation	PIER AND BEAM	# Kitchens	1
Effective Year Built	1962	Roof Type	GABLE	# Bedrooms	3
Actual Age	48 years	Roof Material	COMP SHINGLES	# Wet Bars	0
CDU (Condition / Desirability / Utility)	GOOD	Fence Type	CHAIN	# Fireplaces	1
Living Area	1,312 sqft	Ext. Wall Material	BRICK VENEER	Sprinkler (Y/N)	N
Total Area	1,312 sqft	Basement	NONE	Deck (Y/N)	N
% Complete	100%	Heating	CENTRAL FULL	Spa (Y/N)	N
# Stories	ONE STORY	Air Condition	CENTRAL FULL	Pool (Y/N)	N
Depreciation	40%			Sauna (Y/N)	N

	Additional Improvements (Current 2010)							
#	Improvement Type	Construction	Floor	Exterior Wall	Area (sqft)			
1	STORAGE BUILDING	UNASSIGNED	UNASSIGNED	FRAME	80			
2	ATTACHED GARAGE	BK-BRICK	CONCRETE	UNASSIGNED	420			

	Land (Certified 2009)									
#	State Code	Zoning	Frontage (ft)	Depth (ft)	Area	Pricing Method	Unit Price	Market Adjustment	Adjusted Price	Ag Land
1	SINGLE FAMILY RESIDENCES	SINGLE FAMILY DISTRICT 7,500 S	60	125	7,554.0000 SQUARE FEET	FLAT PRICE	\$12,500.00	0%	\$12,500	N

^{*} All Exemption information reflect Certified 2009. *

Exemptions (Certified 2009)

No Exemptions

	Estimated Taxes (Certified 2009)								
	City	School	County	College	Hospital	Special District			
Taxing Jurisdiction	DALLAS	DALLAS ISD	DALLAS COUNTY	DALLAS CO COMMUNITY COLLEGE	PARKLAND HOSPITAL	UNASSIGNED			
Tax Rate per \$100	\$0.7479	\$1.183402	\$0.233028	\$0.0894	\$0.254	N/A			
Taxable Value	\$89,380	\$89,380	\$89,380	\$89,380	\$89,380	\$0			
Estimated Taxes	\$668.47	\$1,057.72	\$208.28	\$79.91	\$227.03	N/A			
Tax Ceiling					N/A	N/A			
	Total Estimated Taxes:								

DO NOT PAY TAXES BASED ON THESE ESTIMATED TAXES. You will receive an official tax bill from the appropriate agency when they are prepared. Taxes are collected by the agency sending you the official tax bill. To see a listing of agencies that collect taxes for your property. Click Here

The estimated taxes are provided as a courtesy and should not be relied upon in making financial or other decisions. The Dallas Central Appraisal District (DCAD) does not control the tax rate nor the amount of the taxes, as that is the responsibility of each Taxing Jurisdiction. Questions about your taxes should be directed to the appropriate taxing jurisdiction. We cannot assist you in these matters. These tax estimates are calculated by using the most current certified taxable value multiplied by the most current tax rate. It does not take into account other special or unique tax scenarios. If you wish to calculate taxes yourself, you may use the TaxEstimator to assist you.

TITLE INSURANCE

Title insurance is issued by a title company that is an insurance company for the purchaser of a property. Title insurance covers past actions that might affect the integrity of the title. A title search goes through the courthouse records and produces an abstract or a title of record report. This is what shows the state of any current liens or encumbrances on the property.

Title insurance in not legally required for a complete real estate transaction to occur. If you or your intended buyer wants to borrow money from a lender (bank), a title policy is required.

Most title companies will not issue title insurance to a property that had a right of redemption for at least 2-4 years after the redemption period has expired. The main reason is that the title company wants to make sure that any heirs, claimants or creditors will not make any claims against the property. There is also a concern that the sheriff or constable has not property carried out the due process requirements.

So what are you options if you cannot obtain a title policy?

- You can owner finance the property.
- You can rent out the property.
- You can sell the property for cash.

The key here is that you must disclose that a title policy cannot be obtained at the present time.

You also should disclose that you bought the property at a tax sale and explain the rights of redemption.

Document all of your disclosure and make sure you get signatures.

When you can obtain a title policy you can sell the property to anyone that need to obtain 3rd party financing.



TAX SALE WARNINGS AND PITFALLS

While it is possible to obtain an attractive profit rate of 25% to 50% or real estate for a fraction of its market value with tax sale properties it is important to keep in mind it is also possible to incur a substantial loss.

Buyer beware, counties auction all types of properties at the county tax sale auction including residential, retail, agricultural, condemned, waste, vacant, industrial and the like.

As with all investments, there is always an element of risk. Even though the tax sale process is written into Texas law, and is regulated by Texas law, there is a chance of losing part or all of your investment. You must always try to get the best education and practice safe investing, no matter which investment vehicle you choose.

The City Planning and Zoning Department (for properties within a city boundary) where the property is located and the County Department of Planning and Community Development (for properties not within a city boundary) can help you determine what use you can make of a tax sale property before you purchase it.

Examine the County Recorder's records for any recorded easements on a property. The County Recorder can help you determine what liens (if any) may be associated with the property.

You can determine the general geographic location of tax sale properties by using the County Assessor plat maps which are available from the County Assessor's Office.

Property purchased at the County tax sale may be subject to liens for demolition, mowing, or maintenance fees due to the City or Property Owners Association where the property is located.



DISCLAIMER

This book and seminar if you attended can help jump start your career in foreclosure investing and help you understand the foreclosure process. But in no way is this book or seminar will be able to guarantee that any of its contents will get you a contract or purchase a property in the foreclosure process. Having success at buying property in foreclosure requires that you continuously attempt to contact defaulting homeowners and or bid at the auction. You must be willing to do the legwork, research and other preparation due diligence activities to be successful.



Over 35 Years of **Experience in Real Estate**



Investor Deals Is A Wholesaling Company That Focuses On Multi-family, Single Family, & Land Deals. Investor Deals Is Part Of The Family of Cathy Crowe Companies That Offer Full Service Real Estate Services.

At Investor Deals Our Goal Is To Provide Our Clients With Opportunities For Acquiring Properties, Education, Networking, And The Motivation To Succeed In Their Real Estate Investment Ventures.

We Strive To Support Our Real Estate Investors And Propel Them In A Positive Direction For Growth.

Visit Us At Investordeals.com To Find Out More...

CONFIDENTIALITY & DISCLAIMER

All materials and information received or derived from All Star Commercial Realty its directors, officers, agents, advisors, affiliates and/or any third party sources are provided without representation or warranty as to completeness, veracity, or accuracy, condition of the property, compliance or lack of compliance with applicable governmental requirements, deliverability or suitability, financial performance of the property, projected financial performance of the property for any party's intended use or any and all other matters. Neither All Star Commercial Realty its directors, officers, agents, advisors, or affiliates makes any representation or warranty, express or implied, as to accuracy or completeness of any materials or information provided, derived, or received. Materials and information from any source, whether written or verbal, that may be furnished for review are not a substitute for a party's active conduct of its own due diligence to determine these and other matters of significance to such party. All Star Commercial Realty will not investigate or verify any such matters or conduct due diligence for a party unless otherwise agreed in writing.

EACH PARTY SHALL CONDUCT ITS OWN INDEPENDENT INVESTIGATION AND DUE DILIGENCE.

Any party contemplating or under contract or in escrow for a transaction is urged to verify all information and to conduct their own inspections and investigations including through appropriate third-party independent professionals selected by such party. All financial data should be verified by the party including by obtaining and reading applicable documents and reports and consulting appropriate independent professionals. All Star Commercial Realty makes no warranties and/or representations regarding the veracity, completeness, or relevance of any financial data or assumptions. All Star Commercial Realty does not serve as a financial advisor to any party regarding any proposed transaction. All data and assumptions regarding financial performance, including that used for financial modeling purposes, may differ from actual data or performance. Any estimates of market rents and/or projected rents that may be provided to a party do not necessarily mean that rents can be established at or increased to that level. Parties must evaluate any applicable contractual and governmental limitations as well as market conditions, vacancy factors and other issues in order to determine rents from or for the property. Legal questions should be discussed by the party with an attorney. Tax questions should be discussed by the party with a certified public accountant or tax attorney. Title questions should be discussed by the party with a title officer or attorney. Questions regarding the condition of the property and whether the property complies with applicable governmental requirements should be discussed by the party with appropriate engineers, architects, contractors, other consultants and governmental agencies. All properties and services are marketed by All Star Commercial Realty in compliance with all applicable fair housing and equal opportunity laws.

IMPORTANT INFORMATION

Real Estate investing has large potential for rewards and profits. But Real Estate investing has large potential for risk and loss. You must be aware of these risks and be willing to accept these risks to invest in real estate. Do not trade with money you can't afford to lose. No representation is being made by ALL STAR COMMERCIAL REALTY, CATHY CROWE, AND ANY OF THEIR AFFILIATES OR REPRESENTATIVES that properties, resources, or opinions mentioned in this eBook or their public websites, will or is likely to achieve profits or losses similar to those shown or evaluations generated by this eBook or websites.



214-850-4527
CATHY@INVESTORDEALS.COM
WWW.INVESTORDEALS.COM