

**MCLEAN COUNTY CLERK
PO BOX 57
CALHOUN KY 42327**

CERTIFICATE OF DELINQUENCY SALE REGISTRATION FORM

1. Name of Third Party Purchaser: _____
2. Street Address: _____
3. Mailing Address: _____
4. Telephone number: _____
5. Facsimile number: _____
6. Please attach a list of each priority certificate of delinquency you intend to purchase at the sale. For each certificate, please provide the following information:
 - a. Current year's tax bill number: _____
 - b. Taxpayers name: _____
 - c. Amount due on current certificate of delinquency: _____
 - d. Tax bill number and tax year of the prior year certificate of delinquency you already hold: _____
 - e. Book and page number of the prior year certificate of delinquency you already hold: _____
 - f. County account/parcel number (if applicable) _____
7. Please attach a list of each current certificate of delinquency you intend to purchase at sale. For each certificate, please provide the following information
 - a. Tax bill number: _____
 - b. Taxpayer name: _____
 - c. Amount due on the certificate of delinquency: _____
8. Deposit: Calculate your required deposit:
Total amount due on all priority certificated listed in Item 6 _____
9. Registration Fee: Total number of certificated listed in Item 6 and Item 7, times \$10.00. The maximum registration fee is \$250.00. Please include a separate payment for this amount with your registration.

Acceptable forms of payment include: Cash, Business firm, Cashier's/Certified Check or (Credit/Debit Card) see clerk for details. All payments are to be made payable to McLean County Clerk.

10. Additional monies due after sale include a \$28.00 filing fee for each certificate of delinquency purchased.

11. Please read and confirm the following sworn statement. Be advised that filing a false sworn statement with the intent to mislead a County Clerk is a violation of KRS 253.030 and is a Class A Misdemeanor.

Commonwealth of Kentucky
County of McLean

Subscribed, sworn to and acknowledged before me this the _____ day of _____, _____, by _____.

Notary Public, State at Large
My Commission Expires: _____

NOTICE ***DISCLAIMER**

The McLean County Attorney and the McLean County Clerk do not certify whether any owner or property is in bankruptcy, foreclosure, or encumbered in any other way.

Third Party Purchaser Information

Purchase Process for Third Parties Holding Prior Year Certificates:

- 1) At least ten (10) business days (no later than August 5) before the day of sale (August 14), any individual or entity holding a certificate of delinquency from a prior year shall submit to the McLean County Clerk a separate list of certificates of delinquency they wish to purchase relating to the property for which they hold the prior year certificate of delinquency. This list shall be clearly marked as a prior year certificate of delinquency list. The prior year certificate of delinquency list shall include for each certificate of delinquency:
 - a. **The current year's tax bill number;**
 - b. **The prior year claim's tax bill number;**
 - c. **The prior year claim's tax year;**
 - d. **The book and page numbers where the prior year claim is filed, if applicable; and**
 - e. **The account or parcel identification number**
- 2) The prior year certificate holder seeking to purchase the current year certificate on the same property shall provide the County Clerk with a copy of the prior year certificate of delinquency.
- 3) At the time the prior year certificate of delinquency list is submitted, full payment by certified funds shall be tendered to the County Clerk.
- 4) During the period between the submission of the lists and the Clerk's sale, the County Clerk shall review the submitted lists to identify multiple purchasers interested in the certificate of delinquency on the same property and, based upon the information submitted, shall determine the individual or entity that holds the prior year claim for the most recent tax year.
- 5) As an example, if company A purchased a 2009 tax bill on April 15, 2010 and company B purchased a 2000 tax bill on August 20, 2010 and both companies wish to purchase the 2011 tax bill, Company a would be awarded the 2011 tax bill because they own the most recent tax year.

- 6) On the morning of the County Clerk's sale, prior to beginning the sale process the Clerk shall sell all certificates of delinquency for which prior year certificate information was presented and verified to the third party with the most recent tax year claim seeking to purchase the certificate of delinquency. The payment tendered at the time the list was submitted shall be used to satisfy the amount due, and any refunds shall be made for certificates of delinquency not sold in accordance with the list and payment presented.
- 7) All remaining tax bills will be placed in the pool of liens to be sold by the clerk as described in the next section.
- 8) Failure of a third party purchaser to properly and timely submit a purchase list or to make a payment in full shall result in the loss of purchase priority, and all prior year claims shall be included in the pool of certificates of delinquency that will be sold by the County Clerk.

Sale Process for Certificates of Delinquency Not Purchased by Prior Year Certificate Holders

- 1) Registration Prior to the Sale: At least five (10) business days (no later than August 5), before the date of the sale, each individual or entity seeking to participate in the sale shall register with the McLean County Clerk. Each potential purchaser shall complete and sign a Certificate of Delinquency Sale Registration Form (see attached form). The County Clerk may require additional information as necessary.
- 2) Submission of List of Certificates – At the same time the Registration Form is submitted, the purchaser shall submit a list of certificates of delinquency they are interested in purchasing. The list shall include the certificates of delinquency in the following order,
 - a. **The tax bill number;**
 - b. **The taxpayer name;**
 - c. **The amount due on the certificate of delinquency; and**
 - d. **A total amount for all certificates of delinquency included on the list.**
- 3) The County Clerk shall require a non-refundable registration fee (per KRS 134.010, sec 10(h), which will be paid at a rate of \$10 per bill up to \$250. (25 bills or more).
- 4) Sale Process – The sale shall be conducted similar to a professional sports draft, with each purchaser having an opportunity to purchase certificates of delinquency in turn through several rounds.
 - a) The order of selection by purchaser shall be determined by a random drawing conducted on the day of the sale. All purchasers seeking to participate in the sale shall be present for the random drawing, and any purchaser who is not present when random drawing is held may be prohibited from participating in the sale. The County Clerk may, in her discretion, permit a purchaser who was not present for the random drawing, but shows up after the random drawing has been conducted to participate in the sale, provided the purchaser has registered and submitted a list as required by subsections 1 & 2 of this section, and provided that the late arriving purchaser is placed at the bottom of the selection list behind all purchasers who were present for the random drawing.
 - b) The purchaser who draws the lowest number during the random drawing shall have the first turn to purchase certificates of delinquency. Therefore, purchasers will select certificates of delinquency to purchase in order based on the random drawing order from lowest to highest. Purchase rounds shall continue until all certificates of delinquency are sold, or all purchasers have withdrawn

from the sale. When a purchaser withdraws from the sale, no other purchaser may take the place of the withdrawing purchaser.

- c) Purchasers shall be permitted to purchase only those certificates of delinquency included on the previously submitted list during the sale, unless and until all other purchasers have withdrawn, in which case any remaining certificates may be sold to any purchaser able and willing to buy them.
 - d) The County Clerk may impose a time limit on each purchaser during each round, and the county Clerk may allow a purchaser to select another bill if the bill selected by the purchaser has been paid or already purchased, so long as the alternative selection can be made within any allotted time limit.
 - e) Up to Five (5) certificates of delinquency may be purchase by each purchaser during each round.
- 5) To the extent possible, the county Clerk shall try to prevent unfairness in the sale process by prohibiting participation by multiple related entities. The goal is to have one and only one sale participant for each group of related entities:
- a) Members of a family: and
 - b) Entities:
 - i) With common ownership of management
 - ii) Having been formed by one or more of the same entities
 - iii) Having one or more of the same investors
 - iv) Having one or more of the same directors, members, partners, or officers: or
 - v) Having more than one (1) client registered for the sale in that county
- 6) A purchaser may opt out of the purchase process at any time prior to completion of the sale.
- 7) Payment shall be made at the time of the sale, and shall be submitted in the form of cash, business firm , cashiers, certified check or credit/debit card (if card is used, the card vendor does charge fees). Ask for details.
- 8) The Clerk shall address any questions or controversies regarding the sale.
- 9) Additional monies due after the sale is a \$28.00 free for each certificate of delinquency purchase. A separate payment for these fees is required on the date of sale. All certified funds shall be payable to the MCLEAN COUNTY CLERK.