

how to tax sale

• BIDDER EDITION •



from the greene county collector

Disclaimer: The Collector and his staff are not attorneys and are not qualified to provide legal advice. The information and opinions provided in this document are intended to help tax sale bidders to meet the requirements upheld by the Greene County Collector's Office.

This document does not serve as a comprehensive guide to tax sale or real estate law and shall not be considered legal advice or judgment.

The statutes referenced in this packet are sourced from the Revised Statutes of Missouri, as provided by the Secretary of State, and are presented without modification to the contents thereof, though formatting may have been altered for accessibility.

Updated April 2025 by C Mallett

break it down

tax sale ☆

noun

- 1 the sale of real property, as land, usually at auction by a public authority, in order to pay delinquent taxes assessed upon its owner.

Let's start with the basics.

People pay real estate taxes on property they own. When they don't pay taxes, the Collector can hold an auction where they sell a **tax lien on the property**. The winning bidder gets a Purchase Certificate representing that lien, which can eventually become a Collector's Deed - if all requirements are met.

Notice that phrasing: sell a tax *lien* on the property. Not "sell the property." This is lien, not a deed!

At the auction, you're not bidding on the deed to the property, but on the tax debt. The winning bidder pays the over-due taxes (so the county gets the tax money) and in exchange, the purchaser is given first lien position on the title (with a few exceptions).

After the sale, there are two ways things can go down.

#1 Redemption: The owner redeems the property by paying the late taxes and the purchaser receives their payment back with interest.

#2 Deed: If the owner doesn't redeem within one year of the sale, the purchaser can foreclose on their lien and take title to the property through a Collector's Deed.

Release: Nothing happens. The owner doesn't redeem the property and the purchaser doesn't claim the deed. The taxes are paid (by the purchaser) and the property stays in the owner's name. No costs are reimbursed.

VERY IMPORTANT BIG MAJOR WARNING

Everything to do with the Tax Sale is subject to **Legal Stuff**

The Collectors are not lawyers, so we cannot give legal advice. That's why the officially unofficial motto of the Tax Sale is:

Talk to an attorney.

Before You Bid

- 1. The tax sale is a legally complicated process.** The Collector and his staff are not attorneys- we cannot help you make legal decisions. Talk to an attorney!
- 2. If you haven't done the research, don't bid.** People lose money at this sale every year because they didn't do their due diligence before or after the auction.

You will hear the Collector and his staff repeat these two things again and again- and for good reason! Every year, we see people make the same mistakes and cost themselves time and money that could have been avoided if they had done the work beforehand.

If you are not 100% confident that you fully comprehend the statutes and court records necessary to meet the legal requirements, **please seek legal counsel before testing your luck at the auction.**

Warning - Read this before the sale!

As-is Sale: Once you bid, the sale is final. If you find out later that the property is not worth the investment (e.g. it's been demolished or has extensive encumbrances against it), you cannot back out of the sale. You will have two options: do the work to request a Collector's Deed or lose your right to the property and money you paid. **The taxes paid cannot be refunded.**

One-year Redemption Period: After the sale, the successful bidder will receive a Certificate of Purchase. This is not a deed and does not convey title! For most sales, the owner has at least one full year to redeem the property and stop the sale (see page 13 for third/post-third sales).

Not Insurable: A Collector's Deed is not warranted and does not protect the grantee (you) from future challenges to the property's title. For that reason, most **title insurance companies will not insure a property with a Collector's Deed** for up to ten years after the sale.

Since the property owner and other interested parties have a constitutional right to receive notice of the sale and their right to redeem, they could file suit to set aside the Collector's Deed on the grounds that the notice offered was not sufficient. Bidders may file a Quiet Title Suit to clear the title through the courts, seek out Quit Claim Deeds or Lien Releases from all interested parties, or whatever other legal avenues may be available.

Regardless, the **legal requirements of a property don't end when the Collector's Deed is issued**- that's why we highly recommend seeking legal counsel prior to the sale.

def·i·ni·tion

/,defə'niSH(ə)n/

noun

noun: definition; plural noun: definitions

1. a statement of the exact meaning of a word, especially in a dictionary.
"a dictionary definition of the verb"
- an exact statement or description of the nature, scope, or meaning of something.
"our definition of what constitutes poetry"

Tax Sale Specific Stuff

owner the parties named as holding title to a property. In Tax Sale lingo, this is the delinquent taxpayer whose property is going to sale. (aka To Whom Assessed)

purchaser the winning bidder at the sale, who gets the purchase certificate and may become the property owner. Also referred to as "bidder" or "certificate holder"

Purchase Certificate a document issued by the Collector's Office after the tax sale

redemption the property is redeemed when someone pays the total cost of sale and fees (see RSMo § 140.340) This releases the purchase certificate and ends the sale. The bidder is reimbursed for their investment.

Collector's Deed a deed issued by the Collector's Office to transfer ownership after the redemption period, only if all requirements have been met

real estate land and any permanent improvements attached, whether natural or man-made—including water, trees, minerals, buildings, homes, fences, and bridges.

parcel a defined piece of real estate, a quantity of land identified for tax purposes

deed a legal document that transfers title, ownership, or rights to property, or a contract.

title search a search performed by an attorney or title company that describes all publicly recorded ownership or encumbrance documents.

lien a claim against a property that ensures the repayment of a debt or obligation.

interested party an owner, beneficiary, lienholder, or anyone else who may hold a claim against the title or property

Please check out the resources available at www.CountyCollector.com!

Notification of Right to Redeem (fillable letter form)

Deed Request Affidavit

Notification worksheets (optional)

Preparing for the Sale

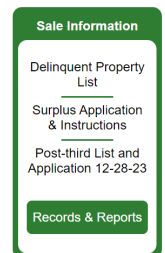
First things first, check out our website if you haven't already-

www.CountyCollector.com/tax_sale

Check out this long list of tools and resources available on our website that you should definitely use to identify which properties (if any) you would be interested in bidding on.

○ Sale Information:

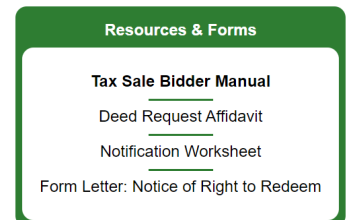
- Delinquent Property List - the advertised list of properties to be sold. This report is not issued until 5-6 weeks prior to the actual sale in August.
- Sale Reports - the full list of properties offered/sold at auction and an updated report of the status for all properties sold at prior sales.



○ Bidder Resources:

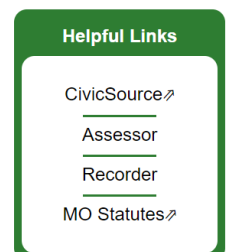
- Registration - links to the registration form which opens in August. This must be completed prior to the sale!
- Resources for Bidders:
 - Bidder Manual - the manual you are reading now
 - Deed Request Affidavit - the form preferred when turning in your deed request
 - Notification Worksheet - helpful tool to keep track of mailings
 - Form Letter - a template letter for notifications
- Helpful links

[Click Here to Register ↗](#)



CivicSource - a third-party resource that we use to facilitate the sale. Here you can find the sale list with maps (updated weekly), as well as access to the Collector's title searches (once available).

- Assessor - the Assessor's search feature will allow you to identify a property by location using the Tax ID (or PIN, as they call it). Simply drop the first two digits (88) and enter the number without dashes to search.
- Recorder - allows you to search the record index for documents.
- Statutes - links to the Missouri Revisor's website where you can look at the actual statutes that guide the sale.



Other pre-sale prep:

Registration: Bidders must register prior to the sale! Registration is open from August 1st through the Thursday before the sale. There will be no registration on the day of sale.

Payment: All bids must be paid via cashier's check for the exact amount bid within two hours of the close of sale. Failure to pay is punishable by law (RSMo §140.280).

After the Sale

If you were the successful bidder, you will receive a **Purchase Certificate** in the mail. You will need to return this document to receive a deed or reimbursement payment.
DO NOT LOSE THE PURCHASE CERTIFICATE!



Redemption:

For one year following the sale, the owner or anyone that holds legal interest in the property has the absolute right to redeem by paying the cost of delinquent taxes, interest, and costs incurred.

If the property is redeemed, you must return the original Purchase Certificate to the Collector's Office. Once received, the Collector will issue a complete refund (or reimbursement) of the following:

- the amount bid at sale
- reasonable costs incurred such as title search and postage costs- provided that the receipts are sent to the Collector's Office prior to redemption!
- interest accrued on the taxes paid. No interest will apply to surplus bid over the tax amount.


Once the one-year absolute redemption period has expired, the bidder may receive a Collector's Deed. The bidder has six months to complete the deed request or risk forfeiting their claim. Release Certificates are recorded in February, eighteen months after the sale.

Title Search:

The bidder must have a title search performed by a licensed title company or attorney detailing the ownership and encumbrances on the property.

Next Steps:

Each party holding a legal interest to the property must be notified of their right to redeem at least 90 days prior to a deed being issued. If you want to get a deed as soon as possible, the latest post-mark would have to be before mid-May.



When to Begin

We recommend that you wait until March 1st to order the title search!

Any costs incurred before 3/1 cannot be repaid if the property is redeemed.

Costs Incurred: !!!

If the property is redeemed, you can be reimbursed for the cost of title search and postage paid. **HOWEVER** - those costs will only be included in the redemption amount **if the collector has the receipts on file**. That means you should turn in your receipts as soon as you have them!

Note: costs that are not required by statute may not be accepted by the Collector. This may include attorney's fees for work done (beyond performing a title search)

Keep copies!

Keep your Purchase Certificate in a safe place! This document will be mailed to you after the sale. You must return the original document to get paid for redemption or to receive a Collectors Deed.

RECEIPTS

Title Search - receipt from licensed title agent showing property affected and the amount paid (invoices will not be accepted). If billing from an attorney, title search cost must be listed separately. Cost may not exceed \$350

Mailing - receipt from postal service (USPS recommended per state guidelines) and copies/pictures of all envelopes mailed, showing addressee information.

BEFORE YOU MAIL ANYTHING

Make copies or take pictures of all:

1. letters for each party
2. front of the first-class and certified envelopes (including stamp or postmark)
3. return receipt on the back of certified envelopes

Notice of Right to Redeem
Pursuant to RSMo §140.405

Date of Notice: May 1, 2023 Purchase Certificate: Z2001

Name of Interested Party: Susy Homeowner
Description of Party's Interest: owner per vesting deed recorded at 2009/0001-06 Mailing Address: 123 S Sesame St Springfield, MO 65801

Date of Sale: August 22, 2022 Tax ID: 88-01-23-456-789
Location/Description: 100 N Sunshine Rd SUNSHINE SUB BLOCK A LOT 1

THIS LETTER SERVES AS LEGAL NOTIFICATION TO ANY PARTY HOLDING A FINANCIAL INTEREST IN THE PROPERTY NAMED ABOVE

On the date indicated above, I purchased the Delinquent Tax Certificate of Purchase # Z2001 which was in the name of Hank Homeowner with the most current address of 123 S Sesame St, Springfield, MO 65801.

A file search dated March 1, 2023, indicated that the party named above may hold a financial interest in the property. This letter serves to inform you that I will be applying for the Collector's Deed.

The purpose of this letter is to "notify any person who holds a publicly recorded deed of trust, mortgage, lease, lien or claim upon that real estate of the persons right to redeem such persons publicly recorded security or claim." (RSMo § 140.405)

YOU ARE HEREBY NOTIFIED THAT YOU HAVE A RIGHT TO REDEEM THE PROPERTY BY PAYING TAXES, INTEREST PENALTY, AND COSTS.

You have the absolute right to redeem this property at any time for one year following the date of sale and shall continue to have a defeasible right to redeem the same until such time as the tax sale purchaser acquires the deed, at which time the right to redeem shall expire. (see RSMo § 140.340)

Signed: *Ben Buyer*
Ben Buyer
ben@benbuyer.com
417-880-0000

Contact the Greene County Collector's Office for information on how to redeem this property.
940 N Boonville, Rm 107, Springfield, MO 65802
Tax Sale Department: (417) 868-4038 taxsale@greencountymo.gov
Collector's Office: (417) 868-4036 collector@greencountymo.gov

Ben Buyer
321 E Buyn St
Springfield, MO 65801

(USPS Postmark Stamp)

Henry Homeowner
123 S Sesame St
Springfield, MO 65801

Ben Buyer
321 E Buyn St
Springfield, MO 65801

Henry Homeowner
123 S Sesame St
Springfield, MO 65801

(USPS Postmark Stamp)

Henry Homeowner
123 S Sesame St
Springfield, MO 65801

Henry Homeowner
123 S Sesame St
Springfield, MO 65801

UNITED STATES POSTAL SERVICE
SPRINGFIELD
100N CHESTNUT AVE
SPRINGFIELD, MO 65801
(800)555-0000

01/13/2022 12:58 PM

Product	Qty	Unit Price	Price
First-Class Mail Letter	1		\$0.88
Certified Mail Tracking #111111111111			\$4.40
Return Receipt Tracking #222222222222			\$3.65
Total			\$8.73
First-Class Mail Letter	1		\$0.88
Certified Mail Tracking #333333333333			\$4.40
Return Receipt Tracking #444444444444			\$3.65
Total			\$8.73
First-Class Mail	2		\$1.36
Grand Total			\$18.82
Cash Required			\$18.82
Change			\$0.00

USPS is experiencing unprecedented volume increases and limited employee availability due to the impacts of COVID-19. We appreciate your patience.

For money-back guarantee and other details, see the terms and conditions on the back of the **USG International Air Mail®** (Label), visit www.usps.com/international/gkg.html, or call 1-800-222-1811.

No money-back deliv'ry guarantee to this country without destination postal code. Text your tracking number to 26777 (2USPS) to get the latest status. Standard Message and Data rates may apply. You may also visit www.usps.com USPS Tracking or call 1-800-222-1811.

You will have either a returned envelope or the signed return receipt for every party notified. These copies must be included in your deed request.

Notification of Right to Redeem

- Identifying Interested Parties •

You must notify each party holding legal interest in the property of their right to redeem.

'Notice' must consist of one **first-class (normal, stamped envelope) mailing** and one **certified first-class mailing with return receipt, signature requested**. Look at the next page for examples of what your mailings should look like!

Identifying Interested Parties

Begin by identifying all owners, lienholders, or potential claimants listed in the title search and their last known mailing addresses.

These will be named on the title search and may include the following special circumstances:

- Owners (people holding legal right to property title)
 - Trust/Corporation/etc.: send notice to the actual entity and/or to any known custodians or trustees.
 - Deceased owners: send notice to the last known address of either the deceased party or to the estate/heirs of the decedent. If possible, send letters 'in care of' any known heirs.
 - Named beneficiaries: If a party is named on a document as a potential or future owner, they should be notified.
 - Married persons or tenants in common: Each individual should receive their own notice.
- Lienholders:
 - lenders, judgment beneficiaries, or other agencies: send notice to a publicly known address or the address given on the recorded document.

Consult an attorney if you have any questions about identifying legal interest!

Mailing Addresses:

- Use reasonable judgment to determine the most likely correct mailing address. Consider what would stand
- Check for:
 - > party's address listed on the documents naming them
 - > personal property or real estate accounts in their name
 - > recent court cases or public information (website, phone book, etc.)

Something to consider:

Could you convince a judge that you have made a reasonable effort to notify the interested parties of their right to redeem?

Helpful Addresses

Please verify mailing addresses yourself before sending notice! These resources may not be right for every case.

State Tax Liens

Source: www.labor.mo.gov/des
Division of Employment Services
attn. Legal Department
421 E Dunklin St
Jefferson City, MO 65101

Federal Tax Liens

Source: (IRM 5.12.4.4) www.irs.gov/irm/part5
US Dept of Treasury
Advisory Office #11 (Missouri)
M/S 5900, 30 E 7th St
St Paul, MN 55101-4940

City Special Tax Bills

Source: www.springfieldmo.gov
City of Springfield
attn. Legal Dept
840 N Boonville Ave
Springfield, MO 65802

Notification of Right to Redeem

- Sending Notice Letters •

The **notification letter is available for download** at countycollector.com/tax_sale. Whether you use the provided version or one of your own, the letter must meet the requirements laid out in RSMo § 140.405! Providing false or misleading information will render the notice invalid.

You must send two letters to each interested party. One by first-class, regular USPS mail. The second should be sent via certified first-class and must include return receipt that requires a signature upon delivery.

To get a deed as soon as possible, complete all mailings by mid-May!

First-class
(normal, stamped envelope)



Certified, return receipt with signature requested



DON'T FORGET You will need to provide copies of these envelopes “as they appeared immediately before mailing” according to RSMo § 140.405, subsection 5 (3). The copy provided to the Collector should show the addressee and postmark date.

Most USPS offices can postmark envelopes at the service counter.

Pictures or photocopies of the envelopes will be accepted, as long as the mailing address and postmark information is clear. Receipts showing postage paid can be supportive evidence and should be retained.

RETURNED NOTICES

Notice is considered ‘received’ if the certified return receipt is returned signed, the first-class envelope is not returned, or if the mailing is refused.

That means that if both notices to a party are returned ‘undeliverable,’ you must **attempt a second notice and provide evidence of that notice** with your deed request!

Second notice may include:

- sending mail to a different possible address
- posting notice to the physical property
- sending letters to known agents, associates, heirs, or relatives.



Deed Request

After everyone has been property notified, it's time to prepare the official *Request for Collector's Deed*

The Deed Request is a bundle of paperwork that includes:

- Affidavit (see website for form or RSMo §140.405.5)
- Copy of the full Title Search
- Proof of notification sent to all interested parties, including proof of postage date (e.g. postmark or tracking info)

To get a deed as soon as possible, complete all mailings by mid-May!



- For each party, provide a copy of the following:
- letter notifying party of right to redeem
 - first-class envelope (with postage/postmark)
 - certified envelope (and receipt)
 - Returned delivery notice
 - Copies or notice of any returned mail
 - Evidence of second notification attempt (if required)

The deed request can only be approved if the following are true:

- It has been at least 90 days since the latest postmark date
- All taxes are paid
- The original Purchase Certificate returned to Collector

Your deed request should be formatted as follows:

#1 Affidavit Requesting Collector's Deed

#2 Copy of full Title Search

#3 Proof of Notice for each Interested Party

*grouped by recipient (see next page for instructions)

Deed Request • Proof of Notice •

You should have three pages for each interested party:

Page 1: Notification Letter

Page 2: Initial Mailing

- First-class envelope with postmark
- Certified first-class envelope with postmark and return receipt with signature required

Page 3: Other Mailing

- Returned Mail
- Signed Return Receipts

Page 1: Letter

Right to Redeem
to RSMo § 140.405

Date of Notice: May 1, 2023 Purchase Certificate: 22001

Name of Interested Party: Suzy Homeowner
Description of Party's Interest: owner per vesting deed recorded at 2006/00001-06 Mailing Address: 123 S Seasame St Springfield, MO 65801

Date of Sale: August 22, 2022 Tax ID: 88-01-23-456-789
Location/Description: 100 N Sunshine Rd SUNSHINE SUB BLOCK A LOT 1

THIS LETTER SERVES AS LEGAL NOTIFICATION TO ANY PARTY HOLDING A FINANCIAL INTEREST IN THE PROPERTY NAMED ABOVE.

On the date indicated above, I purchased the Delinquent Tax Certificate of Purchase # 22001 which was in the name of Hank Homeowner with the most current address of 123 S Seasame St, Springfield, MO 65801.

A title search dated March 1, 2023 indicated that the party named above may hold a financial interest in the property. This letter serves to inform you that I will be applying for the Collector's Deed.

The purpose of this letter is to "notify any person who holds a publicly recorded deed of trust, mortgage, lease, lien or claim upon that real estate of the persons right to redeem such persons publicly recorded security or claim." [RSMo § 140.405]

YOU ARE HEREBY NOTIFIED THAT YOU HAVE A RIGHT TO REDEEM THE PROPERTY BY PAYING TAXES, INTEREST PENALTY, AND COSTS.

You have the absolute right to redeem this property at any time for one year following the date of sale and shall continue to have a defeasible right to redeem the same until such time as the tax sale purchaser acquires the deed, at which time the right to redeem shall expire. [see RSMo § 140.340].

Signed,
Ben Buyer
Ben Buyer
ben@buyrealtly.com
417-555-0000

Contact the Greene County Collector's Office for information on how to redeem this property:

940 N Boonville, Rm 107, Springfield, MO 65802

Tax Sale Department:
(417) 868-4038 taxsale@greenecountymo.gov

Collector's Office:
(417) 868-4036 collectorhelp@greenecountymo.gov

Page 2: Initial Mailing

321 E Buyin St
Springfield, MO 65801

[USPS Postmark Stamp]

Suzy Homeowner
123 S Seasame St
Springfield, MO 65801

1st class

Ben Buyer
321 E Buyin St
Springfield, MO 65801

CERTIFIED MAIL

7014 0150 0001 8385 8951

\$ 000.63⁰⁰

[USPS Postmark Stamp]

Suzy Homeowner
123 S Seasame St
Springfield, MO 65801

certified

SENDER: COMPLETE THIS SECTION

1. Article Addressed to:
Suzy Homeowner
123 S Seasame St
Springfield, MO 65801

2. Article Number
7014 0150 0001 8385 8951

COMPLETE THIS SECTION ON DELIVERY

A. Signature
Suzy Homeowner

B. Received by (Printed Name)
Suzy Homeowner

C. Date of Delivery
5/1/23

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.
 Restricted Delivery? (Extra Fee) Yes

4. Restricted Delivery? (Extra Fee) Yes

certified (back)

Page 3: Returned Mail / Second Attempts

SENDER: COMPLETE THIS SECTION

1. Article Addressed to:
Suzy Homeowner
123 S Seasame St
Springfield, MO 65801

2. Article Number
7014 0150 0001 8385 8951

COMPLETE THIS SECTION ON DELIVERY

A. Signature
Suzy Homeowner

B. Received by (Printed Name)
Suzy Homeowner

C. Date of Delivery
5/1/23

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.
 Restricted Delivery? (Extra Fee) Yes

4. Restricted Delivery? (Extra Fee) Yes

Ben Buyer
321 E Buyin St
Springfield, MO 65801

[USPS Postmark Stamp]

Suzy Homeowner
123 S Seasame St
Springfield, MO

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

(VERY BASIC)

Tax Sale Timeline

Tax Sale: The sale will be held on the fourth Monday in August. Soon after, you will receive a Purchase Certificate. DO NOT LOSE THIS!

Pay Taxes: (See RSMo § 140.405.9.4) The taxes due after the sale will have to be paid before you can get a deed. It's your choice whether to pay them in December without late fees or to wait until later and pay with late fees. If the property is redeemed, those costs will be part of the reimbursement.

Title Search: (See RSMo § 140.405.1 and 140.340.2) After March 1st, have a title search performed by a licensed title company or attorney. This is sometimes referred to as an Owner and Encumbrance Report and should provide all publicly recorded owners, lienholders, judgements, or other interested parties.

Notification: Each interested party reported by the title search must be notified of their right to redeem at least 90 days before the deed request. This notice must be sent via first class (regular) mail and certified mail (with return receipt, signature requested).

See pages 7-8 for more information on mailings. If both the first-class and certified letter sent to an interested party are returned or undeliverable by the USPS for any reason (other than rejection), you must attempt additional notice (see § 140.405.4, and page 7)

Request Deed: Put together a formal Request for Deed showing that you have fulfilled the requirements to acquire a deed. This will include copies of the title search and all mailings/notification attempts made. Return the original Purchase Certificate.

Done: If your deed request is accepted, a Collector's Deed will be issued.

TURN IN RECEIPTS

If a property is redeemed, the bidder can be reimbursed for the cost of postage and title searches, but **only if the Collector's Office has receipts on file prior to the redemption!**

Send receipts for title search, postage, and taxes paid to **taxsale@greencountymo.gov**
(Include Certificate # and Tax ID)

Send things in early!

You can send in copies of notification mailings early as soon as you have them. If you do, our office will check-in and give you a heads up if anything is missing!

Special Sale Types

- Third / Post-Third Offer •

RSMo §140.250

Properties that are offered at several sales in row with no bids may qualify for a special type of sale. These properties will be identified on the published list and during the auction. These sales are strongly recommended for experienced bidders only!

Third Offer

Third offer sales have a 90-day redemption period, instead of a full year. If a 'third offer' property is sold at the regular August auction, the bidder will get a purchase certificate, then be required to perform a title search and notification mailings like normal. However, they'll only have to wait 90 days to get a deed issued!

Post-third Offer

Properties that have been offered at three consecutive tax sales without a bid being offered qualify for 'Post-Third Offer' (of Over-the-Counter) Sales. The Collector may accept bids lower than the amount of taxes due and sell these properties at any time, without public auction. The Collector is obliged to seek payment of the taxes and therefore will favor bids encompassing the full amount of delinquent taxes owed. A deed can be issued following payment of the bid.

Third Offer	VS	Post-Third Offer
regular August auction		offered at will, any time
90 day redemption period		no redemption period
marked on published sale list		list on website year-round

The list of post-third offer properties and bid application form can be found online at www.countycollector.com/tax-sale

Surplus *This matter does not generally affect bidders, but is provided as a reference.*

Any funds bid over the amount of taxes due at sale are called Surplus. Per RSMo §140.230, surplus funds can be distributed by the County Commission to the owners or lienholder who held a legal claim to the property on the date of the tax sale.

Applications submitted to the Commission will be reviewed and a hearing to decide the distribution of funds will be held following the expiration of the application period (18 months + 90 days after tax sale).

Revised Statutes of MO

Everything the Collectors do starts with the Missouri statutes, so two of most relevant sections have been transcribed below with key parts highlighted.

140.340. Redemption, when — manner. —

Redemption & Reimbursement

1. Upon paying the reasonable and customary costs of sale to the county collector for the use of the purchaser, his or her heirs, successors, or assigns; the owner; lienholder; or occupant of any land or lot sold for taxes, or any other persons having an interest therein, shall have the **absolute right to redeem the same at any time during the one year next ensuing** and shall continue to have a defeasible right to redeem the same until such time as the tax sale purchaser acquires the deed, at which time the right to redeem shall expire, provided upon the expiration of the lien evidenced by a certificate of purchase under section [140.410](#) no redemption shall be required.

The deed can be issued after one year but will expire after 18 months (see §140.410)

2. The reasonable and customary costs of sale include all costs incurred in selling and foreclosing tax liens under this chapter, and such reasonable and customary costs shall include the following: the full sum of the purchase money named in the certificate of purchase and all the costs of the sale, including the cost to record the certificate of purchase as required in section [140.290](#), the fee necessary for the collector to record the release of such certificate of purchase, and the **reasonable and customary cost of the title search and postage costs of notification required** in sections [140.150 to 140.405](#), together with interest at the rate specified in such certificate, not to exceed ten percent annually, except on a sum paid by a purchaser in excess of the delinquent

The only fees that can be added to the cost of redemption are title search and postage. (see section 5 on the next page)

(Continued from page 15)

taxes due plus costs of the sale incurred by the collector, no interest shall be owing on the excess amount, with all subsequent taxes which have been paid thereon by the purchaser, his or her heirs or assigns with interest at the rate of eight percent per annum on such taxes subsequently paid, and in addition thereto the person redeeming any land shall pay the costs incident to entry of recital of such redemption; provided, however, that no costs incurred by tax sale purchasers in providing notice of tax sale redemption rights required by law shall be reimbursable as a reasonable and customary cost of sale **unless such costs are incurred after March first** following the date of purchase of the tax sale certificate by said tax sale purchaser at a first or second offering delinquent tax sale.

Title search/postage must be done after March 1st to be reimbursed

3. Upon deposit with the county collector of the amount necessary to redeem as herein provided, it shall be the duty of the county collector to mail to the purchaser, his or her heirs or assigns, at the last post office address if known, and if not known, then to the address of the purchaser as shown in the record of the certificate of purchase, notice of such deposit for redemption.

4. Such notice, given as herein provided, shall stop payment to the purchaser, his or her heirs or assigns of any further interest or penalty.

5. The **reasonable and customary costs of sale needed to redeem** any land or lot sold for taxes under this section shall **be determined by the collector**.

The Collector determines what costs may or may not be reimbursed. In Greene County, we allow postage and title search fees only. Legal or attorney costs will not be accepted.

Collector's Deed

140.405. Purchaser of property at delinquent land tax auction, deed issued to, when — notice of right of redemption — redemption of property first, when — loss of interest, when — notice, authorized manner. —

1. Any person purchasing property at a delinquent land tax auction shall not acquire the deed to the real estate, as provided for in section 140.250 or 140.420, until the person meets the requirements of this section, except that such requirements shall not apply to post-third-year sales, which shall be conducted under subsection 4 of section 140.250. The purchaser shall obtain a title search report from a licensed attorney or licensed title company detailing the ownership and encumbrances on the property.

The bidder must have a title search performed

2. At least ninety days prior to the date when a purchaser is authorized to acquire the deed, the purchaser shall notify the owner of record and any person who holds a publicly recorded unreleased deed of trust, mortgage, lease, lien, judgment, or any other publicly recorded claim upon that real estate of such person's right to redeem the property. Notice shall be sent by both first class mail and certified mail return receipt requested to such person's last known available address. (If the certified mail return receipt is returned signed, the first class mail notice is not returned, the first class mail notice is refused where noted by the United States Postal Service, or any combination thereof, notice shall be presumed received) by the recipient. At the conclusion of the applicable redemption period, the purchaser shall make an affidavit in accordance with subsection 5 of this section.

All interested parties must be notified of their right to redeem at least 90 days before the deed is issued.

Notifications must be sent by both first class and certified mail with delivery notice.

The interested party has 'received notice' if either mailing does not get returned to the sender.

Meaning if both notices are undeliverable, notice is not received and another attempt must be made. (See Section 4)

3. If the owner of record or the holder of any other publicly recorded claim on the property intends to transfer ownership or execute any additional liens or encumbrances on the property, such owner shall first redeem such property under section 140.340. The failure to comply with redeeming the property first before executing any of such actions or agreements on the property shall require the owner of record or any other publicly recorded claim on the property to reimburse the purchaser for the total bid as recorded on the certificate of purchase and all the costs of the sale required in sections 140.150 to 140.405.

The application for deed includes an affidavit. See section 5.

4. In the case that both the certified notice return receipt card is returned unsigned and the first class mail is returned for any reason except refusal, where the notice is returned undeliverable, then the purchaser shall attempt additional notice and certify in the purchaser's affidavit to the collector that such additional notice was attempted and by what means.

5. The purchaser shall notify the county collector by affidavit of the date that every required notice was sent to the owner of record and, if applicable, any other publicly recorded claim on the property. To the affidavit, the purchaser shall attach a copy of a valid title search report as described in subsection 1 of this section as well as completed copies of the following for each recipient:

- (1) Notices of right to redeem sent by first class mail;
- (2) Notices of right to redeem sent by certified mail;
- (3) Addressed envelopes for all notices, as they appeared immediately before mailing;
- (4) Certified mail receipt as it appeared upon its return; and
- (5) Any returned regular mailed envelopes.

As provided in this section, at such time the purchaser notifies the collector by affidavit that all the ninety days' notice requirements of this section have been met, the purchaser is authorized to acquire the deed, provided that a collector's deed shall not be acquired before the expiration date of the redemption period as provided in section 140.340.

6. If any real estate is purchased at a third-offering tax auction and has a publicly recorded unreleased deed of trust, mortgage, lease, lien, judgment, or any other publicly recorded claim upon the real estate under this section, the purchaser of said property shall within forty-five days after the purchase at the sale notify such person of the person's right to redeem the property within ninety days from the postmark date on the notice. Notice shall be sent by both first class mail and certified mail return receipt requested to such person's last known available address. The purchaser shall notify the county collector by affidavit of the date the required notice was sent to the owner of record and, if applicable, the holder of any other publicly recorded claim on the property, that such person shall have ninety days to redeem said property or be forever barred from redeeming said property.

Per the Collector, any additional notices must be made in good faith as a genuine attempt to notify the interested party.

For example, notice resent to the same address that it previously returned from would not qualify, but a notification letter physically posted to the property would be sufficient.

An application for Collector's Deed must include all the things listed here. See Deed section.

7. If the county collector chooses to have the title search done then the county collector may charge the purchaser the cost of the title search before giving the purchaser a deed pursuant to section 140.420.

8. **Failure of the purchaser to comply with this section shall result in such purchaser's loss of all interest in the real estate** except as otherwise provided in sections 140.550 and 140.570.

9. The phrase "authorized to acquire the deed" as used in this chapter shall mean the date chosen by the tax sale purchaser that is more than the minimum redemption period set forth in section 140.340 if the tax sale purchaser has complied with the following requirements entitling the purchaser to the issuance of a collector's deed:

- (1) Compliance with the requirements of this section to the satisfaction of the collector;
- (2) Payment of the recording fee for the collector's deed as required under section 140.410;
- (3) Production of the **original of the certificate of purchase** as required under section 140.420, or production of an original affidavit of lost or destroyed certificate approved by the collector as to form and substance; and
- (4) **Payment of all subsequent taxes** required to be paid under section 140.440.

Other things that must be included with a deed request:

- o original purchase certificate
- o all taxes paid

(The recording fee was already paid as part of the bid payment)

10. Notwithstanding any provision of law to the contrary, any person except a minor or an incapacitated or disabled person may receive notice under this section in a foreign country or outside the United States:

- (1) By any internationally agreed-upon means of service that is reasonably calculated to give notice, such as the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents;
- (2) If there is no internationally agreed-upon means of service, or if an international agreement allows service but does not specify the means, by a method that is reasonably calculated to give notice;
- (3) As set forth for the foreign country's acceptable method of service in actions in courts of general jurisdiction;
- (4) As the foreign country directs in response to a letter of request;
- (5) Unless prohibited by a foreign country's law, by delivering a copy of the notice to the person personally or using a form of mail that requires a signed receipt; or
- (6) By any other means not prohibited by international agreement as approved by the collector.