

Tax Sale Auction Package



Agenda for Tax Sale Auction

1. Registration of Auction bidders (if time permits)
2. Introductions by Collector (advise of any municipal purchasers)
3. Call to Order at 10:00 a.m.
4. Confirmation and discussion of rules as outlined in the package. If any person in the room states that they are not aware of the rules as included in the package then they will be read out in their entirety.
5. List of properties for sale and order of bidding.
6. Commencement of Auction for each individual property
 - a. After each property is sold a brief break will be taken to confirm that eligible payment of a minimum of the upset price has been made and all other conditions have been met.
 - b. If any conditions have not been met then the property will be put back for immediate auction.
7. Subsequent properties will be sold
8. Recess or Adjournment of Tax Sale Auction
 - a. If the full price for any property has not yet been made and all conditions have not been met then the meeting will **recess** until the following day at 10:00 a.m.
 - b. If the full price for all properties has been made and all conditions have been met then the meeting will **adjourn**.

General Information and Rules for the Conduct of the Auction

PLEASE NOTE: This is for general information purposes only and is not all-inclusive. Please refer to the Local Government Act, the Community Charter, and other applicable regulations and legislation for specific details.

The sale of properties will be conducted in accordance with the following terms and conditions:

- The announced upset price is the minimum price acceptable and will be the starting point of the bidding on each property. A bid by any registered bidder will be deemed to be conclusive proof that the registered bidder has made themselves acquainted with these terms and conditions of sale and has agreed to be bound by them.
- The upset price is calculated by adding the following amounts:
 - Current taxes, tax arrears, delinquent taxes,
 - Penalties, interest,
 - 5% of the foregoing for an administrative fee,
 - And land title fees
- The highest bid above the upset price will be accepted.
- Title searches have not been done yet. After they are done, we will be notifying charge holders that the property has been sold for taxes and to preserve their charge, they may have to redeem the property from tax sale.
- The auction will be conducted with three calls on the final bid. The final determination as to the successful bidder will be made by the Collector who will keep a sales record which shall be conclusive in all respects as to each sale.
- If no bid is received at or above the upset price, the municipality is deemed to be the Purchaser under the Local Government Act.
- Any person upon being declared the successful bidder must pay in cash, money order, bank draft or certified cheque immediately, before leaving this the municipal hall, a minimum amount of no less than the upset price. Failure to pay this amount will result in the property promptly being offered for sale again. Any payments made not with cash must be drawn on a Canadian branch of a financial institution. Any balance must be paid in cash, money order, bank draft or certified cheque by 3:00 p.m. of the same day.
- Failure to pay the balance will result in the property being offered for sale again at 10:00 a.m. on the following day.
- The municipality may have an interest in one or more of the properties and the municipality may be bidding on these properties. This will be identified for each property before bidding begins for that property.
- The Village of Tahsis makes no representation expressly or implicitly as to the condition or quality of the property(ies) being offered for sale. Prospective purchases are urged to inspect the properties and to make all necessary inquiries to municipal and other government departments, and in the case of strata lots to the strata corporations, to determine the

existence of any bylaws, restrictions, charges or other conditions which may affect the value or suitability of the property(ies).

- The current registered owner(s) may redeem the property within one year and still has/have the right of possession during the one year redemption period.
- If the property is redeemed, the Purchaser is entitled to all amounts paid plus interest as set by the Province of BC. The interest rate changes every quarter and is calculated by adding 3% to the Prime Lending Rate (of the principle banker to the Province) as of the 15th of the month preceding the effective date. Refund interest is calculated on the purchase price of the property, not the upset price.
- Refund interest paid to a tax sale Purchaser due to the redemption of a tax sale property is considered to be taxable income pursuant to the Income Tax Act and therefore the tax sale Purchaser may accordingly receive a T-5 slip. As such, no monies will be accepted without a valid Social Insurance Number (SIN) or Canada Revenue Agency Business Number (BN). If no monies are deemed accepted by the Collector due to lack of SIN or BN then the property will immediate go back to auction.
- If the property is not redeemed after one year, the property will be transferred to the tax sale purchase free and clear of all mortgages, charges, liens, etc. except those imposed by a senior government (ie: Province of British Columbia or Government of Canada). It is the responsibility of the Purchaser to determine if any monies are owed prior to bidding. It is the responsibility of the Purchaser to take on or otherwise pay off any liens imposed by a senior government.
- At the end of the redemption period, which is **one year** from the tax sale date, if the property has not been redeemed, the Village will notify the Registrar of Titles to transfer the title to the Purchaser and the Village will also notify the Administrator of the Property Tax Act who will Invoice the Purchaser for the Tax.
- If the current owner or a charge holder does not redeem the property, the Municipality will apply on behalf of the successful bidder for a title transfer to the name of the successful bidder.
- **Properties deemed to have been purchased by the Municipality will be offered for sale again before the close of this tax sale.**
- Purchasers will be given a Certificate of Sale stating that a certificate of indefeasible title will be applied for on behalf of the Purchaser at the expiration of one year if the property has not been redeemed, and Purchasers will be required to sign a certificate authorizing the Village to make an application on his/her behalf at the appropriate time for registration of title in fee simple.
- A successful bidder has the right to spend money to maintain the real property and in the prevention of waste. To be refunded for these additional costs, you must notify the Collector of such expenditures in writing with copies of the invoices.
- In the case of a property subject to the Strata Property Act, or any of its successor legislation, the purchase is responsible for the payment of any outstanding strata fees and charges which must be paid to the strata corporation prior to conveyance of the property. It is the responsibility of the Purchaser to determine if any monies are owed prior to bidding.

- The purchase of a tax sale property that is not redeemed is subject to tax under the Property Transfer Tax Act on the fair market value of the property at the end of the one year redemption period.
- If there are any questions regarding the tax sale process then these can be directed to the Collector for the Village of Tahsis.
- **Any rulings on procedural issues will be made by the Collector. Any person who is disruptive to the auction (verbally, making bids on multiple properties when it has been demonstrated that the person does not have funds to pay the upset price, or any other reason that is detrimental to the lawful proceedings of the auction) will be removed from the room.**
- Valid identification consists of two of the following, at least one of which must include a valid photo. Identification must not be tampered with or otherwise altered and must not be expired:
 - Driver's License issued by a Canadian Province with current address
 - Canadian passport or foreign passport
 - Valid Firearms card issued by Government of Canada
 - Provincial health card with current address (except Ontario, Manitoba and PEI)
 - Social Insurance Number card issued by Government of Canada
 - Birth certificate if it includes a unique identifying number
 - Canadian bank issued credit card
 - Canadian bank issued access card only if the cardholder's name is embossed on the card
 - First Nations identification card issued by Government of Canada
 - Permanent Canadian resident card
 - ICBC documentation
 - Canadian immigration landing papers
 - Other id is listed at: <http://www.fintrac.gc.ca/publications/guide/guide11/11-eng.asp#s2.1>

Tax Sale Auction Registration Form for Bidders

Name	
Mailing Address	
Street Address (if different from mailing address)	
Phone number	
E-mail address (optional)	
SIN or BN#	I affirm that I will present a valid Social Insurance Number or Canada Revenue Agency Business Number upon my bid being accepted. My failure to do so immediately upon payment will result in the bid being rejected and the property being immediately put back to auction. Initial: _____
Identification	In order to comply with FINTRAC regulations, I will provide two pieces of valid (not expired) and up to date identification (with your current address) to identify myself. Initial: _____
Source of Funds Declaration	In order to comply with FINTRAC regulations, any payments in cash equaling or exceeding \$10,000 will also include a declaration of the source of the cash. My failure to do so immediately upon payment will result in the bid being rejected and the property being immediately put back to auction. Initial: _____
Date of Auction:	
Auction number of property:	
Village of Tahsis Folio #:	
Street Address:	
Legal Description:	
PID number, if any:	
Final auction price:	

I certify that the information given above is true and accurate and that I will abide by the rules of the Tax Sale Auction as outlined by the Collector of the Village of Tahsis.

Signature: _____

Date: _____



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