

**DICKINSON COUNTY IOWA'S
NOTICE TO TAX SALE PURCHASERS
OF THE TERMS AND CONDITIONS GOVERNING THE ANNUAL TAX
SALE OF JUNE 19, 2023 AND ADJOURNMENTS OR ASSIGNMENTS
THEREOF**

The Dickinson County Treasurer will hold the 2023 Annual Tax Sale on **Monday, June 19, 2023**, in the Community Room located on the first floor of the Dickinson County Courthouse, Suite 1510 at 1802 Hill Avenue, Spirit Lake, Iowa, beginning at 9:00 a.m. for as long as purchasers are present or until every parcel has been offered for sale. The Tax Sale will then be adjourned to 9:00 a.m. on the third Monday of each month following the Annual Tax Sale held at the office of the Dickinson County Treasurer. If the third Monday falls on a legal holiday observed by the county, the sale for that month will be held on the following business day.

**The Tax Sale will be limited to 140 Registered Buyers.
Investor Groups are limited to no more than 20 Registered Buyers.
Registration will begin on Tuesday, May 23, 2023 at 9:00 AM.
Registration must be completed online at www.iataxsale.com.**

Registration will be open from Tuesday, May 23, 2023 at 9 AM until Thursday, May 25, 2023 at 9 AM and must be done online at www.iataxsale.com. Registration will close sooner if the maximum number of 140 Registered Buyers is reached before the end date/time.

An Investor Group may have one person represent between 1 and 20 individually Registered Buyers – each Registered Buyer must have a unique tax ID number.

All registration steps must be completed, including the payment step of \$35.00/Registered Buyer, before registration is confirmed. Up to 140 Registered Buyers are eligible to participate in the Tax Sale.

Pre-Registration will be available at www.iataxsale.com, starting on Thursday, May 4, 2023 at 9:00 AM. This is strongly recommended prior to Registration Day.

- New Registered Buyers to the Dickinson County Tax Sale can create a Pre-Registration profile.
- Returning Registered Buyers can log-in and update their existing Registered Buyer profiles.
- Registration forms can be downloaded, completed and uploaded at www.iataxsale.com ahead of the actual May 23, 2023 Registration Date.
- The following documents are **required** to be uploaded to your profile before your registration is considered complete. If you are a potential first-time Registered Buyer in the Dickinson County Tax Sale or if there have been changes to forms since the 2022 Dickinson County Tax Sale, upload a new form:

1. **W-9 Form (Request for Taxpayer Identification Number Certification)** – can use existing form if there are no changes.

2. **Dickinson County Iowa Proof of Eligibility Statement** – new form required each year.
3. **Trade Name or Certificate of Existence or a copy of a verified statement meeting the requirements of chapter 547 filed with the County Recorder, if applicable.** This is needed for all Investor Groups. If this is already in your registration profile and there have been no changes, it does not need to be uploaded again.

If you are registering using your own Social Security number, use the Dickinson County Iowa Statement of No Trade Name or Certificate of Existence document. You can use existing form if there are no changes.

4. **Dickinson County Iowa Authorization for Person to Represent Registered Buyer** must be uploaded **if** you are an Investment Group/company using TIN #'s or if you are sending a proxy to the tax sale in place of yourself - ie: one person is representing 20 Registered Buyers in an investment group or someone is representing a Registered Buyer who is not able to attend the tax sale. You can use existing form if there are no changes.

A list of the Registered Buyers in a group that one Authorized Person will be representing can be uploaded along with the form each year.

On June 19, 2023, all Registered Buyers and Persons Authorized to represent Registered Buyers must provide a **valid driver's license or non-driver identification card** as proof of identity and age at check-in. You must be 18 or older on June 19, 2023, to participate. Check-in will be from 8 AM – 8:50 AM at the County Treasurer's Office, Suite 1101 in the Dickinson County Courthouse.

Explanation of Required Forms:

The W-9 form is required to issue an accurate 1099-INT form each January to each certificate holder earning cumulative interest equal to or in excess of \$600.00 during the calendar year. This information will be submitted to the Internal Revenue Service and may be needed by the certificate holder when filing Federal and State Income Tax returns. Each January, the county treasurer will issue a 1099-INT form to the certificate buyer and to the Internal Revenue Service if the accumulative interest paid to the certificate buyer during the previous calendar year is equal to or exceeds \$600.00. The certificate buyer should use this information when filing Federal and State Income Tax claims. It is critical that the information provided on the W-9 form is accurate or an IRS inquiry may result. This must be uploaded to the registration profile initially and each year following if there are changes.

Dickinson County Iowa Proof of Eligibility Statement lists the age requirements as well as factors that make someone ineligible to participate in a tax sale. It requires a signature and date from the Registered Tax Sale Buyer that the statements are true and then uploaded into the registration profile each year. Upload a new one each year.

If the Registered Buyer is unable to attend the tax sale, s/he may designate an appointee to bid for the Registered Buyer by completing the **Dickinson County Iowa Authorization for Person to Represent Registered Buyer form** and uploading it into the registration profile.

For the 2023 tax sale, an investor group may send **one Authorized Person** to represent up to **20 Registered Buyers** for their group. Each Registered Buyer must have a unique tax ID number. A list of the Registered Buyers in a group that one Authorized Person will be representing can be uploaded along with the form each year. If there are no changes from prior year, you can use existing documents.

Legislation requires that anyone other than an individual, such as corporations, LLC's or partnerships, have a federal identification number and either a Designation of Agent for Service on Process on file with the Secretary of State or a verified statement meeting the requirements of Chapter 547 on file with the County Recorder of the county in which the person wishes to register to bid or to bid at tax sale. Copies of these documents must be uploaded to the registration profile under "Trade Name or Certificate of Existence." These documents will be saved in your profile for future tax sales and will not need to be uploaded again unless there are changes.

Bidding at the Tax Sale

All electronic devices such as cell phones are to be turned off during the sale. A violation of this rule may result in the disqualification of the buyer using such devices.

All parcels will be offered or sold in the manner in which they were published, **alphabetical by taxing district**. All parcels shown in the publication will be offered for sale except those that (1) have been paid subsequent to the publication; (2) those withheld due to bankruptcy and suspension laws prohibiting the sale.

A representative must be present at the tax sale for each Registered Buyer, but a representative can now represent up to 20 Registered Buyers per Investor Group.

Each delinquent tax parcel will be offered for sale to all Registered Buyers beginning with a 100% undivided interest. The county treasurer will pause to allow Registered Buyers to bid downward a percentage of undivided interest. If bid downs occur, the bid downs are required to range in whole percentage points from 99% to 1%, and if more than one person offers to pay the total amount due, the person that designates the smallest percentage of the parcel for the total amount due will obtain the tax sale certificate. If two or more persons have placed an equal bid and the bids are the smallest percentage offered, the county treasurer will use a random selection process to select the successful Registered Buyer.

Purchasing Tax Sale Certificates

Payment is required from each tax sale purchaser at the conclusion of the sale. Payment must be in the form of a personal check, money order, cash or by eCheck, Visa, MasterCard, American Express or Discover Card, credit or debit. A service delivery fee will be added to each eCheck, credit card or debit card transaction. Two-party checks will not be accepted. The amount collected will include all delinquent taxes, special assessments, interest, special assessment collection fees, publishing costs and a certificate fee in the amount of \$20.00 for each certificate purchased.

An Investor Group may use one check or credit/debit transaction to pay for all their buyer numbers' tax sale purchases.

Tax Sale Certificate of Purchase Information

The county treasurer is required to notify the titleholder of record of the tax sale acquisition within two weeks of the date of the tax sale.

On the day of the tax sale, a Registered Buyer may sign up to have the treasurer keep the tax sale certificate(s) on file at the treasurer's office. If this is done, a redemption check will be immediately mailed to the Registered Buyer upon redemption since the tax sale certificate is already on file in the treasurer's office.

Otherwise, tax sale certificates will be sent to certificate purchasers within 7 to 15 days. This allows the treasurer's staff time to complete posting of records, editing of certificates, and balancing of the proceeds received from the tax sale. Tax sale purchasers are cautioned to keep their tax sale certificates in a safe place as tax sale certificates must be returned to the county treasurer's office **prior** to any redemption check being sent to an investor following the redemption of a tax sale.

If the original certificate of purchase has been lost or destroyed, a duplicate can be obtained from the county treasurer's office for a cost of \$20.00.

Tax Sale Certificates are Assignable

The tax sale certificate is assignable by endorsement and entry into the county system in the office of the county treasurer from which the certificate was issued. For each assignment transaction, the county treasurer will require the assignee to pay an assignment transaction fee of \$100.00 to be deposited to the county's general fund. The assignment transaction fee shall not be added to the amount necessary to redeem. It is the purchaser's responsibility to verify that the tax sale certificate and redemption copies received are correct for the parcel purchased.

Right of Redemption

The tax sale certificate of purchase does not convey property title to the purchaser. The titleholder of record or other interested party retains the right to redeem within a specified period of time, depending on the type of tax sale. If the tax sale remains unredeemed after this period has expired, the purchaser may begin proceedings to obtain a tax deed to the parcel. Refer to the Iowa Code, Chapters 447 (Redemptions) and 448 (Tax Deeds).

<http://search.legis.state.ia.us/nxt/gateway.dll/acts?f=templates&fn=default.htm>.

(Click on the arrow to the left of "Iowa Laws and Rules," then the arrow to the left of "Code of Iowa," then select "2023" dropdown, then click on the arrow next to "Title X Financial Resources" and then click on the arrow by "Subtitle 2 Property Taxes," and scroll down and select "Chapters 447 and/or 448").

REGULAR TAX SALE: The 90-day Notice of Right of Redemption may be issued no sooner than one year and nine months from the date of the tax sale up until three years after the tax sale. Parcels eligible for the regular tax sale will have been advertised only once, occurring in June 2023.

PUBLIC BIDDER TAX SALE: The 90-day Notice of Right of Redemption may be issued nine months from the date of the tax sale up until three years after the tax sale. Parcels eligible for the public bidder tax sale have been advertised for two years, occurring in June 2023 and a prior year, and are indicated with an asterisk (*) on the tax sale list.

FAILURE TO OBTAIN DEED results in CANCELLATION OF SALE:

After three years have elapsed from the time of any tax sale or after one year has elapsed from the time of any public nuisance tax sale under Iowa Code, Section 446.19B, and the holder of a certificate has not filed an **Affidavit of Service of the Notice of Expiration of Right of Redemption** under Iowa Code, Section 447.12, the **county treasurer will cancel the tax sale certificate** per Iowa Code, Section 446.37.

Payment of Subsequent Taxes

A tax sale purchaser may pay subsequent taxes, drainage assessments and special assessments on the same parcel on which s/he holds the tax sale certificate. Currently, subsequent taxes may be paid one month plus fourteen days following the date in which an installment is due, usually **November 15th and May 15th**. Our office will email you a list of what is available to pay.

Subsequent taxes can be paid online at <https://myaccount.iowataxandtags.org>. Create your account also using this link.

If a Subsequent payment is mailed to the Treasurer's Office, the payment must be marked that it is for **Subsequent Taxes** so that the Dickinson County Treasurer's Office applies it as a subsequent payment, and the payment is properly recorded as an addition to the tax sale certificate. Failure to do this may result in the payment's omission from the redemption certificate calculation.

Subsequent taxes cannot be paid on the citizen payment Iowa Tax and Tags website (<http://www.iowataxandtags.org>/ click on Dickinson and property taxes) as the website software does not apply the payment to the tax sale certificate. This online website can be used as a resource for investors to identify which subsequent taxes are available to be paid.

Only items due in the current fiscal year or prior may be paid as a subsequent tax. Special assessments due in future years cannot be paid until the fiscal year arrives in which they become due.

Reimbursement for Tax Sale Redemption

Redemption is valid when money is **received** by the county treasurer after the tax sale by either the parcel owner or a party with a vested interest in the parcel up until any time **prior** to the close of business on the 90th day from the date of completed service by a tax sale certificate holder (except county held certificates). **Note that service is completed when the certificate holder files the 90-Day Affidavit with the treasurer's office.** At that point, the treasurer's office records the filing and the 90-day count begins. A redeemed tax sale will include the following:

1. The original tax sale amount, including the certificate fee paid by the purchaser at the time of the sale.
2. Interest in the amount of 2% per month calculated against the amount for which the parcel was sold, including the amount paid for the certificate of purchase. Each fraction of a month is counted as a whole month.
3. Subsequent tax payments paid by the purchaser and added to the amount of the tax sale certificate with interest in the amount of 2% per month. Each fraction of a month is counted as a whole month.
4. The cost of serving the notice, including the cost of sending certified mail notices and first-class notices, and the cost of publication under section 447.10, if publication is required, shall be added to the amount necessary to redeem provided this information is given to the county treasurer at the time the affidavit of service is filed.
5. Notice of Expiration of Right of Redemption – the service of the notice of expiration of the right of redemption (90-Day Notice) must be made by regular mail and certified mail to any mortgagee having a lien upon the parcel, a vendor . . . and any other person who has an interest at record . . . (447.9(2)).
6. The cost of a record search, not to exceed \$300.00, shall also be added to the amount necessary to redeem if the search is performed by an abstractor who is an active participant in the title guaranty program under section 16.91 or by an attorney licensed to practice law in the state of Iowa provided this information is given to the county treasurer at the time the affidavit of service is filed. Costs filed with the county treasurer after the affidavit of service is filed will result in the 90 days being extended an additional 90 days from the date of the filing of the costs. Costs filed with the county treasurer **after** redemption has been made shall **not** be collected by the treasurer. However, the certificate holder may pursue collection through a court action against the parcel owner.
7. The county treasurer **cannot** accept costs incurred by the tax sale certificate holder **prior** to the filing of an eligible affidavit of service with the county treasurer.

Upon surrender of the tax sale certificate of a redeemed parcel, either in person or by mail, the treasurer's office will issue a check for the redemption amount. If the tax sale certificate is kept at the treasurer's office, a redemption check will be processed immediately following redemption. The purchaser will receive a check directly or by mail and a copy of the redemption certificate, with a breakdown of the total amount of the redemption. The redemption certificate should be retained for income tax purpose. Interest on any tax sale certificate being redeemed will be figured to the date of redemption only.

If an investor elected to keep the original certificate of purchase on the day of the tax sale and the original certificate of purchase has been lost or destroyed, a duplicate can be obtained from the Dickinson County Treasurer's Office at a cost of \$20.00.

In the event the certificate purchaser has been reimbursed through a tax sale redemption and the taxpayer's check does not clear the taxpayer's bank account for any reason, the tax sale certificate purchaser will be required to return the funds to the county treasurer's office. The tax sale certificate will be returned to certificate purchaser or held in the treasurer's office

(depending on the investor's election), and the redemption will be canceled. The tax sale will be reinstated back to the original sale date. A subsequent redemption will be calculated from the date of the sale to date of repayment.

Tax Sale Deed

The fee for the issuance of a treasurer's tax sale deed is **\$25.00 per parcel** written to: Dickinson County Treasurer.

There are additional fees needed to record the deed of **\$7.00 for the first page of a deed and \$5.00 for each additional page plus \$5.00 per parcel** for a county auditor transfer fee. These additional fees should be paid to: Dickinson County Recorder. Verify the amounts needed with the Dickinson County Recorder at 712-336-6333 as they may change.

The tax sale certificate of purchase, the \$25.00 treasurer's tax sale deed issuance fee, and recording/transfer fees shall be submitted to the Dickinson County Treasurer within 90 calendar days after the redemption period expires. **The county treasurer shall cancel the certificate for any tax sale certificate holder who fails to comply (Iowa Code 448.1).** Upon receipt of certificate of purchase and accompanying fees, a treasurer's deed or certificate of title will be issued. After issuance, the new deed or title holder may file an affidavit to clear the title with the Dickinson County Recorder as per Section 448.15 of the Code of Iowa.

Errors Made in Sale

If it is determined that any item was erroneously sold, the tax sale certificate of purchase will be canceled. The certificate holder shall return the tax sale certificate of purchase and shall be reimbursed the principal amount of the investment. Interest will not be paid.

If it is determined that a county-held certificate was erroneously assigned, the assignment will be canceled. The certificate holder shall return the tax sale certificate of purchase and shall be reimbursed the total amount paid for the assignment. Interest from the assignment date to the date of cancellation of the certificate will not be paid.

Notifications:

This notice document has been prepared to provide general information and guidelines relative to tax sales, assignments, and tax sale redemptions. It is not an all-inclusive listing of statutory requirements, procedures or policy, nor is it to be construed as a legal opinion of the statutes governing tax sales.

The provisions of this document are severable. If any provision of this document is determined to be contrary to law, the remaining provisions shall remain in full force and effect. This document is effective for taxes sold between June 19, 2023 and June 17, 2024, and all their assignments. The 2023 Iowa Code, Chapters 446, 447, and 448 as amended are pertinent chapters to Tax Sales, Tax Redemption, and Tax Deeds. The 2023 Iowa Code is also available on-line at: <https://www.legis.iowa.gov/law>.

Prospective bidders should consult with legal counsel to determine their legal rights and remedies and to protect their interest as a tax sale bidder.

Delinquent Tax Lists

The Delinquent Tax List for Dickinson County will be published in the Thursday, June 1, 2023, edition of the following newspaper:

Dickinson County News
1721 Hill Avenue
Spirit Lake, Iowa 51360
712-336-1211
www.dickinsoncountynews.com

In late May the delinquent list will also be available online at <https://dickinsoncountyiowa.gov> under Offices – Treasurer – Real Estate - 2022 Tax Sale and online at <http://www.iowataxandtags.org/> under Dickinson County.

The Treasurer's Office also offers a file containing detailed information on the parcels listed on the delinquent tax list. This file is available by e-mail for a fee of \$100.00. The file created in Microsoft Excel contains the following information:

- Assessment Year
- Tax Type
- Tax District
- Parcel ID
- Receipt #
- Deed Name and Address
- Contract Name and Address
- Property Situs Address
- Property Legal Address
- Net Acres
- Property Class: R-Residential, C-Commercial, A-Agricultural
- 1st Half and 2nd Half Tax Amounts
- Delinquent Interest and Cost
- Assessed and Taxable Values
- Gross and Net Tax Amounts



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