

Sheriff Sale Information-Real Property

Real property may be seized and sold at Sheriff sales for delinquent taxes, Sales under Writ of Execution and Order of Sale to satisfy a judgment. The Bexar County Sheriff's Office conducts a public auction of the properties that have gone through the legal procedure to be seized. In most cases, the auctions start with a minimum bid that includes judgment year taxes, court costs and publishing fees. Taxes may also be due for more recent years that are not included in the judgment. These taxes are also the responsibility of the bidder/purchaser in conjunction with any other liens.

It is the responsibility of the bidder to verify the location and perform their own research of the property prior to the sale. Maps and plats may be on file in the County Clerk's Office or the Bexar County Appraisal District. All papers concerning the lawsuits in this sale are on file in the Bexar County District Clerk's Office. The address shown is the address on the tax records and may not be completely accurate. **THE PROPERTIES ARE SOLD BY LEGAL DESCRIPTION AND NOT BY PHYSICAL ADDRESS.**

1. Properties sold at public auction are to the highest bidder, based on oral bids. Purchaser must pay for the property as follows:

Sheriff's Sale Real Property

- a. Payment must be made at the Sheriff's Office (Judicial Services Section) located at 200 N. Comal, San Antonio, Texas within two (2) hours upon the conclusion of the Sheriff sale. Failure to immediately tender payment for all successful bids may subject a bidder to civil penalties pursuant to the Texas Rules of Civil Procedure.
- b. The Sheriff's Office will accept payment by cashier's check or money order for the EXACT AMOUNT OF PURCHASE.
- c. Cashier's Checks or money orders must be made payable to **Bexar County Sheriff's Office.**
- d. A separate check must be made for each property.
- e. A person purchasing property at the sale **MUST** present to the deputy who conducted the sale an unexpired written statement (Bidder's Certificate) from the Bexar County Tax Assessor-Collector that the purchaser does not owe any delinquent taxes to the County or any school district or city in the County. The written statement will be issued by the Bexar County Tax Assessor-Collector upon submittal of a ***Request for Written Statement***. A purchaser will NOT receive a deed to the property purchased at the sale until the Written Statement is presented to the deputy. (A copy of this Statement must also be given to the deputy).

Texas Property Tax Code, Title 1 Property Tax Code, Subtitle E. Collections and Delinquency, Chapter 34. Tax Sales and Redemption, Subchapter A. Tax Sales.

Sec. 34.015. Person Eligible to purchase real Property

(b) An officer conducting a sale of real property under Section 34.01 may not execute a deed in the name of or deliver a deed to any person other than the person who was the

successful bidder. The officer may not execute or deliver a deed to the purchaser of the property unless the purchaser exhibits to the officer an unexpired written statement issued under this section to the person by the county assessor-collector of the county in which the sale is conducted showing that:

- (1) there are no delinquent taxes owed by the person to that county; and
 - (2) for each school district or municipality having territory in the county there are no known or reported delinquent ad valorem taxes owed by the person to that school district or municipality.
2. The amount of opening bid is set out next to each tract on the list. Bids less than the given figure will not be accepted. All the expenses are included in the opening bid, however **there may be additional taxes due** on the property that have accrued since the judgment was rendered. **Any successful bidder who fails to make a payment shall be held liable for twenty percent (20 %) of the value of the property plus costs** incurred as a result of the bidder's default pursuant to Rule 652 of the Texas Rules of Civil Procedure.
3. Purchasers at the sale will receive a Sheriff's deed, which is **WITHOUT WARRANTY OF ANY KIND**, express or implied. This is **NOT** a tax lien certificate. The real property is sold. **TEXAS PROPERTY CODE DOES NOT ALLOW FOR TAX LIEN CERTIFICATES.** A policy of title insurance may be difficult to obtain. **A GOOD TITLE IS NOT GUARANTEED.**
4. All sales are as is, to the highest bidder on a "**BUYER BEWARE BASIS**". Any and all questions concerning the properties offered for each sale should be directed to your attorney. The Sheriff's Office will **NOT** answer legal questions. The Sheriff's Office does not keep a "**Struck Off List**". Please contact the attorneys that represent the taxing entity
5. The Sheriff's Office does NOT perform Trustee foreclosure sales or Mortgage foreclosure sales. These are conducted by the trustees or attorneys for the lending institutions involved with the loan. Please contact the lending institution for any information concerning that sale.
6. All real property to be auctioned at the Sheriff sale is published prior to auction in either The Daily Commercial Recorder or The Hart Beat Newspaper.

The properties are sold under the right of redemption (Texas Property Tax Code, Sec. 34.21). The right of redemption allows the previous owner to reclaim the property and restricts what the purchaser is allowed to do with the property for specified time periods. The Bexar County Sheriff's Office and the Tax Assessor-Collector's Office are not allowed to give legal advice

about the Right of Redemption. Questions should be directed to attorneys familiar with the redemption process.

For additional information on current property tax sales, please contact the law firm listed below:

Linebarger Goggan Blair & Sampson, LLP

711 Navarro, Suite 300
San Antonio, TX 78205
p: 210-225-6763
f: 210-225-6410

Tax sales information

<http://taxsales.lgbs.com/>

Frequently Asked Questions

Sheriff's Property Sales

Q: When are Sheriff's sales held and where are they located?

A: Sheriff Sales are held on the first Tuesday of every month between 10:00 A.M. and 4:00 P.M., located on the south steps of the Bexar County Courthouse located at 100 Dolorosa San Antonio, Texas.

***** By Order of the Bexar County Commissioners Court, beginning October 2014, the tax sales and resales are being temporarily relocated from the south end of the Bexar County Courthouse to one or more rooms situated on the third floor of the structure more commonly referred to locally as the "Federal Reserve Bank Building" located at 126 East Nueva Street, San Antonio, Texas. (Order is filed for record as Document No. 20140115220 and in recorded in Volume 16782, Page 1185 of the real property records of Bexar County)

Q: Where do I register to bid on properties?

A: Bexar County Sheriff's Office, Judicial Services Section, located at 200 N. Comal, San Antonio, Texas. We are the entrance located to the right of the main entrance. The registration dates and times for the auction are one (1) week prior to the sale and the Monday before the sale. Monday – Friday 08:30-11:30 and 1:00 pm to 4:30 pm excluding holidays and weekends. **YOU WILL NOT BE ABLE TO REGISTER THE DAY OF THE AUCTION.**

Q: Where do I obtain a bidders certificate showing that I do not owe any delinquent taxes to Bexar County or any school district or city within the County?

A: The Bexar County Tax Assessor Collector's Office located at 233 N. Pecos la Trinidad (2nd Floor) San Antonio, Texas. The request form to obtain a bidder certificates must be submitted no later than the Thursday before the sale at 12:00 noon.

Request for written statement form

<http://home.bexar.org/tax/docs/BidderRequestForm.pdf>

Q: What is the bidding process?

A: It is an open/oral bid process

Q: What type of document is issued after the sale?

A: A Sheriff's Deed is issued in the name of the person who successfully bid on the property and who successfully exhibited to the deputy conducting the sale an unexpired statement regarding delinquent taxes. The deed will be mailed to the purchaser approximately eight weeks after the sale through Linebarger, Goggan, Blair & Sampson, LLP

Q: WHAT HAPPENS TO THE PROPERTIES THAT ARE NOT SOLD AT THE AUCTION?

A: In some cases, if no one bids upon a property, the property will be withdrawn from sale. In other instances, the property may be struck-off to the taxing jurisdiction that requested the Order of Sale. The struck-off property would then be owned jointly by all taxing jurisdictions that participated in the tax suit, and then later will be offered for resale as a struck-off property.

Other Research Tools

The Hart Beat Newspaper

www.salegnews.com

Bexar Appraisal District

<http://www.bcad.org/>

Bexar County Tax Assessor-Collector

<http://home.bexar.org/tax/>

Bexar County Clerk

<http://www.bexar.org/CountyClerk>

Texas Property Tax Code

<http://www.statutes.legis.state.tx.us/Docs/TX/htm/TX.34.htm>