



# ALLEGHENY COUNTY SHERIFF SALES



# What is a Sheriff Sale?

– Sale of property at a public auction due to lack of payment.

Two reasons a property goes to sale:

- 1) Mortgage Foreclosures- failure to pay mortgage
- 2) Tax Sales- failure to pay real estate taxes



# Sheriff Sale Process~

- 1) Certified Letter sent to taxpayer (30 days)
- 2) Legal Complaint filed
- 3) Complaint served by Sheriff (within 90 days)
  - If owner cannot be served, posting made (+90 days)
- 4) Owner response period (20 days)
- 5) If no response, additional 10-Day Notice (10 days)



# Sheriff Sale Process cont'd.

- 6) If no response after 10 days, Default Judgment is filed.
- 7) Writ of Execution is filed.
- 8) Sheriff Sale Documents filed which gives Plaintiff a sale date and sale number.
- 9) Sale Date is typically 2-3 months out from the date Sheriff Sale Documents are filed.



# Sheriff Sale Process cont'd.

- Perfect scenario- 9 months to bring a property to sale.
- Rarely have a perfect case:
  - Unable to serve the property owner (+90).
  - Amend the Caption.
  - Property Owner files for Bankruptcy.
  - Property Owner enters into a payment plan then defaults.
  - May need to get a free and clear order.



# Sheriff Sale Lists

**Docket  
Number**

140JAN19 GD-15-007747 NONE City of United States of Ame Sci Fa sur Tax 01/07/2019 POSTPONED 11/01/2021 47,374.58 7,636.38 Postponed until 2/4/ [

Pittsburgh School  
District  
Lien

1468 E STEUBEN ST, , PITTSBURGH, PA 15205 Municipality: PGH Ward 28

Comments: CH13 BK FILED 02.03.19 CN19-20463  
BKDR OK  
NEW BK FILED 03.01.20 CH13 CN20-20785  
BKDR OK

O/C F&C MIN BID 9100.00

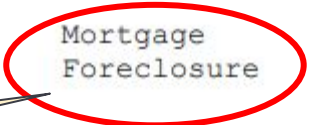
NEED O/C 09.07.21 11.01.21



# Sheriff Sale Lists

- Determining bids amounts.
- Difference between mortgage foreclosures and tax sales.

**Why the property is being taken to sale?**



Sale Type
Mortgage Foreclosure
es LL Sci Fa sur Tax Lien



# Determining the Sale

– Two ways a property will be priced

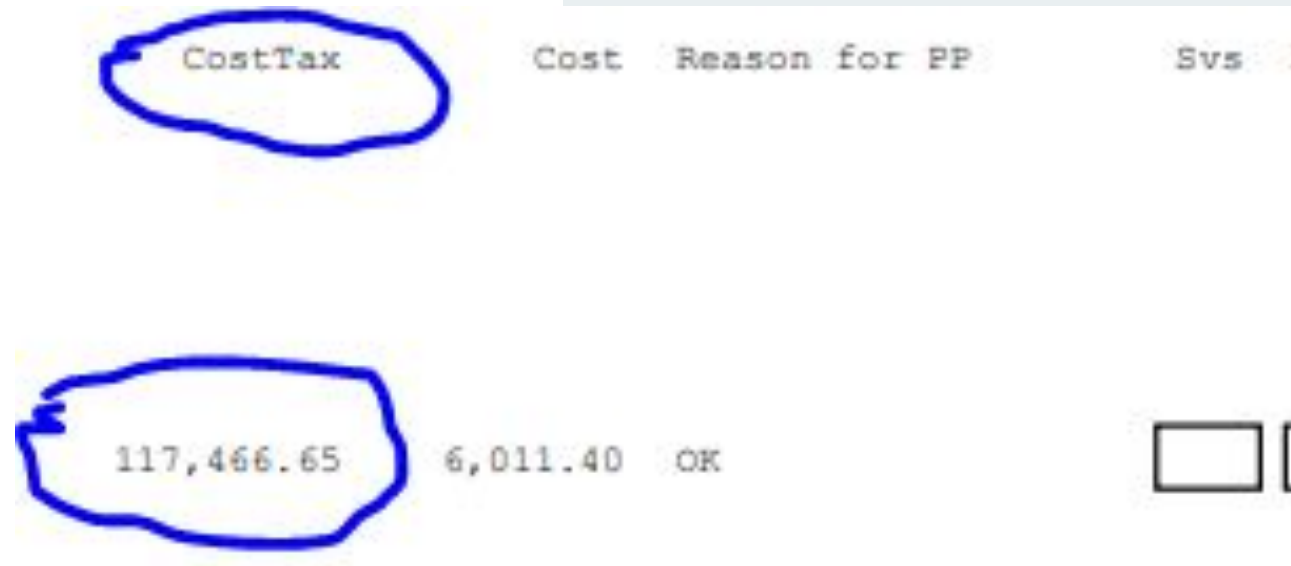
- 1) Upset: Must be sold cost at lowest
- 2) Free-and-Clear: Can go for minimum bid





# Determining Sales Price (Upset)

- If the property is being sold at upset, one needs to look at the “CostTax” column on the list and this is the lowest amount that the property will be sold.



CostTax	Cost	Reason for PP	Svs
117,466.65	6,011.40	OK	<input type="checkbox"/>



# Determining Sales Price

## (Free and Clear)

If the Sheriff has the free and clear order in a timely fashion, it will be included on the updated list.

038MAY21 GD-19-015793 Cerce, J. Wilkinsburg Vaughn III, Ira Sci Fa sur  
School District Tax Lien  
1728 MCNARY BLVD, , PITTSBURGH, PA 15221  
Comments: DATE OF JUD 01.07.21  
O/C F&C MIN BID OF \$6,500.00

The lowest bid allowed



# Determining Sales Price

- If there is nothing listed, one can go to the Department of Court Records website and use the docket number (See slide 6) to review. Look a final order of court docket.

5/24/2021	Final Order of Court	Dated 05/24/21. The property briefly described shall be exposed to public sale at a duly advertised future Allegheny County Sheriffs Sale. McVay J see order for specifics As per Rule 236 Notice, copies sent to all parties 05/25/2021.	John
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Mortgage foreclosures are **not** the same. The CostTax column is the amount the mortgage company is allowed to pay.

021NOV21 GD-18-013904 Walczak, S. WILMINGTON SAVINGS FUND SOCIETY FSB UNKNOWN HEIRS OF EST. Mortgage Foreclosure 11/01/2021 ACTIVE 4,598.16  
 340 FORT COUCH RD, , PITTSBURGH, PA 15241 Municipality: Upper St. Clair  
 Comments:

- This is not the amount the mortgage company is willing to let a third party purchase a property at sheriff sale.
- Check the Writ of Execution to obtain a ballpark number for what a property will sell for at sheriff sale.

8/18/2021	Praeipie to Reissue Writ of Execution-Real	\$253464.92 plus attorney costs \$3700.00
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**What is owed/costs to the lender**



# Interested Purchaser Agreements (IPAs)

- Agreement between taxing bodies and third party to bring a property to sheriff sale/auction.
- All properties must go through the legal process and a public auction.
- DOES NOT allow someone to purchase outright.
- Used for properties that normally would not go to sale or are not necessarily on a current list to be sold.
- Most taxing bodies will have some form of agreement.



# IPA process for Wilkinsburg

- Anyone can contact our office to inquire about a property.
- Not eligible if you own property and owe delinquent real estate taxes.
- Contact office with property/list of properties.
- MBM reviews to see if available (paid, payments, etc.)
- If available, contact clients to determine free and clear minimum bid amount.



# IPA Process for Wilkinsburg cont'd.

- Contact interested party with minimum bid amount and if acceptable, send out agreement.
- Sign and send back agreement along with down payment of \$5,000 to be used toward costs of legal action.
- Once signed agreement/payment received, direct MBM Collections to send out certified sheriff sale letter to start process.



# FAQs about IPAs

- Down payment is used toward final purchase if interested purchaser is the successful bidder.
- If interested purchaser is not the successful bidder, the full down payment is returned.
- If the interested purchaser decided to stop the process at any point, the cost and fees are deducted from the down payment and a refund of the difference is provided.
- **MUST ATTEND AND BID.** If the interested purchaser does not attend the sale, down payment is lost.
- Interested purchaser must bid agreed upon amount but can bid more if there is competitive bidding.





# FAQs about IPAs

- Timing? Time of the process is the same as a regular sale but likely to hit more road bumps due to nature of the properties.
- Title received? MBM files a petition to sell property free and clear of encumbrances, liens, mortgages, etc. and obtains an order to provide to the Sheriff to sell free and clear.
- Differs from VPRP? In a VPRP the Redevelopment Authority condemns a property; petitions to have the liens, etc. exonerated and then transfers title directly to the applicant. VPRP has a filing fee and various restrictions on what properties can be purchased through the Program.



# FAQ

- Is there a way to know which properties are in the sheriff sale process?
  - (1) Review DCR website (2) Review sheriff sale list.
- What can take a property out of the sheriff sale process?
  - Owner files for bankruptcy
  - Owner pays taxes
  - Owner enters payment plan
- If someone wants to take a property per the VPRP, how do they know if it is in the sheriff sale process.
  - Interested residents can email [jlc@mbm-law.net](mailto:jlc@mbm-law.net) to follow up on a particular property



# FAQ

- How often do sale occur?
  - Every first Monday of the month unless holiday, then Tuesday.
- How soon must a purchaser prepare?
  - Purchasers must first register to be a bidder; a member of the Sheriff's Office will contact you via email and participants shall provide a copy of their valid state ID or Driver's License to obtain a bidder number. Allow for 2 business days.
- What can a bidder expect at sale?
  - Watch virtual sheriff sale on Facebook Live via [Sheriff's Website](#)



# Resources

**Tax Collector:** Maiello Brungo & Maiello,LLP

Jennifer L. Cerce

242 S. 27<sup>th</sup> Street, #210 Pittsburgh, PA 15203

Email: [jlc@mbm-law.net](mailto:jlc@mbm-law.net)

**Sheriff Sale Website:**

<https://www.sheriffallegHENYcounty.com/sheriffsale.html>

**Department of Court Records Website:**

<https://dcr.allegHENYcounty.us/>

