

All fees and commission that are collected by the Sheriff's Office are turned over to the General Treasury of the County of Burlington for their use.

To speed your inquiry on a specific piece of property, it is helpful if you refer to the Sheriff's Case Number which appears in the legal advertisement.

If you have any further questions, you may contact the Sheriff's Department at (609) 265-5127, between the hours of 8:30am and 4:30pm, Monday through Friday

Or go to our Website at www.co.burlington.nj.us/departments/sheriff for a current listing of houses being sold at Sheriff's Sale. Please note, the website is a courtesy and for reference only. For up to date information please contact our office.

A Message from.....

*Jean E. Stanfield
Burlington County Sheriff*

The Burlington County Sheriff's Office is responsible for conducting the sale of real estate property following the completion of Foreclosure proceedings. This information is provided for those interested in bidding on properties and describes the conditions and requirements of Sheriff's Sales.

Help is Available

NJ Judiciary Foreclosure Mediation Program

Providing housing counselors, lawyers and mediators to homeowners facing foreclosure. Visit www.njcourts.gov

Legal Services of New Jersey and South Jersey, Burlington County (LSNJ)

Provides free legal services to low-income individuals in civil matters, if eligible, who have been taken advantage of or misled by a predatory lender. Statewide Hotline **1-888-576-5529** or www.lsnj.org

Burlington County Board of Social Services

Accepts applications for housing and utility emergencies from recipients of Temporary Assistance for Needy Families (TANF), General Assistance (GA) and Supplemental Security Income (SSI). Applications are taken by the Emergency Assistance Unit. **609-261-1000**

New Jersey Consumer Affairs

Provides information to those who think they are a victim of consumer fraud, including dealing with foreclosures, potential scams and helpful programs that can assist with payment or modification of mortgages. **800-242-5846** or www.NJConsumerAffairs.gov

SHERIFF'S REAL ESTATE SALES

INFORMATION BULLETIN



JEAN E. STANFIELD

SHERIFF OF
BURLINGTON COUNTY
49 RANCOCAS ROAD
P.O. BOX 6000
MOUNT HOLLY, N.J.
08060-6000

SHERIFF'S REAL ESTATE SALES

The Sheriff's Sales are held on Thursdays, at 12:00 PM in the Freeholder's Board Room, County Administration Building 49 Rancocas Road, Mt. Holly, NJ

All sales are sold subject to the Sheriff's Special Conditions set forth herein and are as follows:

- 1st All monies due on Sheriff's Sale must be paid with Cash (limited at \$2,000.00) or Certified Bank Checks made payable to:
"SHERIFF OF BURLINGTON COUNTY"
- 2nd The highest bidder shall be the purchaser, and must sign a written acknowledgment of receipt and agreement to the conditions of sale.
- 3rd If any dispute arises as to who the highest Bidder is, the property will be immediately resold.
- 4th The purchaser must pay twenty percent (20%) of the purchase price in cash (limited at \$2,000.00) or certified bank check at the close of the sale.
- 5th Immediately upon the conclusion of the sale, if the purchaser fails to sign the conditions of sale and pay the 20% deposit as required herein, the Sheriff shall immediately resell the property without further public advertisement or notice.
- 6th The purchaser will pay the costs of drawing and executing the deed.
- 7th Provided the Sheriff has not been served with a notice of motion objecting to the sale within ten days of the sale, a deed will be delivered to the purchaser at the Sheriff's Sale two weeks after the sale, at which time the balance of the purchase money is due and must be paid.
- 8th If the purchaser fails to comply with any of the conditions of sale, the property will be sold a second time, and the former purchaser shall be held responsible for all losses and expenses, receiving no benefit from such sale. The former purchaser's deposit shall be held for application and disbursement toward all such losses and expenses.
- 9th This sale is subject to postponement without further advertisement or notice.
- 10th All sales are sold subject to a first mortgage if any, and to all Municipal, State and/or Federal liens.
- 11th All sales are subject to restrictions of record which are unknown to the Sheriff and unpaid taxes or assessments and such state of facts as an accurate survey would disclose.

The attorney representing the plaintiff will have his own conditions of sale, which will be read prior to the sale. If you would like to know ahead of time what these conditions are, you should contact the attorney's office.

We strongly urge anyone who is not familiar with Sheriff's Sale procedures to seek legal advice and to have a title search run on the property BEFORE bidding on any property. A Sheriff's Deed does not give clear title to property. In order to obtain clear title, all outstanding superior liens and encumbrances must be satisfied. All sales may be subject to a first or second mortgage, and also to Municipal, State, or Federal liens. A title search will reveal this information and should be conducted prior to purchasing any property, since the purchaser may be liable for certain liens, taxes, or other liabilities. An attorney will be able to advise as to title search procedures.

Sheriff's Sales are 'Voice Bid' auction sales (no sealed bids). The attorney for the plaintiff will start the bidding at \$100.00. The bidding will continue in thousand dollar (\$1,000.00) increments until the highest bid is reached, and the highest bidder will be the purchaser. The Plaintiff's attorney normally does not allow the bid to go for less than the Judgment amount due his client. He will bid until he has reached his Upset Price. An Upset Price is the total of the Judgment due, interest, attorney's costs, Sheriff's fees, advertising costs, and commissions. Once the attorney has reached his Upset Price he may stop bidding, and the highest bidder, thereafter will be the successful bidder.

The Sheriff's office does not have a list of the properties to be sold for general distribution. Persons interested in following up on these properties must make their own lists by checking the legal advertisements in the newspapers.

The Sheriff's Sales are advertised for four (4) weeks every Thursday prior to the sale in the Burlington County Times. The sales are also advertised for four (4) consecutive weeks in a second weekly newspaper, which services local areas. The Central Record or The Courier Post. On the fifth week, the property is sold on that Thursday, if the sale has not been adjourned.

In addition to the newspaper advertising, notices of sale are posted electronically for public view at the County Sheriff's Office, which is located in the County Administration Building at 49 Rancocas Road, Mt. Holly, New Jersey.

Under N.J.S.A. 2A: 17-36, the Sheriff has the discretionary right to make two (2) adjournments of the sale, and no more, not exceeding two weeks maximum for each adjournment. A written letter is required by the defendant or his attorney requesting the Sheriff exercise her right to adjournment for a just cause.

The Plaintiff's attorney may adjourn as many times as is necessary for any reason.

If you plan to attend a Sheriff's Sale, we suggest that you call our office or check the Sale Notices posted electronically in our office before or on the sale date, to be sure the sale has not been adjourned, placed in a

Bankruptcy Stay, or cancelled.

If the sale is adjourned, our office will announce the new sale date and post it electronically on the sale notice. If the property is placed in a Bankruptcy Stay, our office cannot proceed with a sale until we receive further order from the Bankruptcy Court. The sale is stayed until the Bankruptcy case is dismissed or there is a default on the defendant's part. Once our office receives such notice from the court we re-advertise.

Our office will post a notice of sale on the property prior to the sale date. Our office does not enter the premises being sold for any other reason. Until the sale is final, the defendant(s) has all his rights and privileges of privacy to his property, and you may be liable for trespassing if you enter the property without the defendant's consent.

The owners of the property may at any time, prior to sale, try to save their home and/or property in several ways. They may try to reinstate the delinquent amount owed, pay the judgment in full, obtain another loan, etc. They may also try to sell the property in order to pay the judgment and at the same time profit from any proceeds. The defendants also have a ten day Redemption Period after the sale during which time they may object to the sale through the courts or redeem the property. The bidder, in this case, would receive his 20% deposit back.

The Sheriff's Sale deed will be prepared and ready in approximately two weeks after the sale. The balance due on the sale must be paid no later than two weeks after the sale date, in accordance with the conditions of sale. It is the sole responsibility of the purchaser to record the deed and pay all associated fees in the County Clerk's Office.

It is the sole responsibility of the purchaser to notify the prior owner(s) and/or occupants, if any, that the property has transferred title and the premises must be vacated.

If the defendant(s) does not voluntarily leave the property, the purchaser must apply to the NEW JERSEY SUPERIOR COURT for a Writ of Possession. Our office will serve the Writ of Possession upon the defendants after it is delivered to us with the appropriate fees, at which time they will be advised to vacate the premises within a particular period of time. If the defendants have not vacated by the stated date, the attorney for the purchaser may request the Sheriff schedule a turnover date. The new purchaser must have a locksmith and moving van sent to the property and must remove and store the defendant's personal belongings in a storage facility. The costs for the locksmith, moving and storage are the responsibility of the purchaser.

Should there be a valid lease for residential tenants occupying the property, the lease binds the new owner. Any requests for removal of valid tenants must go through the landlord-tenant court. The Sheriff will not determine who is a valid tenant. If a Writ of Possession does not name the occupying tenant, the Sheriff will presume the lease is valid until a Writ of Possession providing removal of the specific occupant is received.