

FAQ for In Rem Notice of Surplus

Why did I receive the Notice of Surplus?

This property was recently sold at the 2016 Erie County In Rem Foreclosure Auction. You were listed as the property owner prior to the auction.

What are Surplus Monies?

Surplus Monies are auction proceeds left over after the property taxes and other municipal liens were paid. As the prior owner of the property you may be entitled to some or all of these monies.

Where is the money?

The Surplus Monies from the sale of the property were deposited with the Erie County Comptroller's Office.

How much money is there?

The amount of Surplus Money available after the 2016 Erie County In Rem Foreclosure Auction can be found online at the Erie County Comptroller's website. <http://www2.erie.gov/surplusfunds/index.php?q=search-surplus-funds>

How do I claim the money?

You need to file a Notice of Claim in the Erie County Clerk's Office and then commence a legal proceeding. Our office cannot provide you with legal advice and therefore cannot assist you with the legal process. We recommend that you ask your own attorney.

Who else is eligible to claim the money?

Any entity that held a prior judgment or lien against the property is also eligible to put in a claim for the Surplus Money.

How can I get the money?

Surplus Money Applications are legal proceedings. We cannot provide you with legal advice and suggest you contact your own attorney or, if you cannot afford one, there is a list of attorneys that may be able to help you at the bottom of this page.

Will I get all of the surplus money?

There is no guarantee that you will get all of the surplus money. There may be additional creditors who are also entitled to some of the Surplus Money. This issue will be decided by a judge.

Do I need to use a Lawyer?

Yes, you should retain a lawyer to assist you with this matter.

Can we recommend any Lawyers?

The following attorneys may be able to assist you if you do not have your own attorney or cannot afford one:

Legal Aid – (716) 853-9555 only Buffalo office does tax foreclosure

Western New York Law Center (716) 855-0203 ext. 118

Volunteer Lawyers Projects (716) 847-0662

Legal Services for the Elderly (716) 853-3087 over 60 for Tax Foreclosures