

INTERESTED BIDDERS

I am the current owner of a property in the foreclosure sale, may I bid on my property?

No, the current owner of a foreclosed property may not bid on said property or send any agent(s) to the auction to bid on the property owner's behalf.

How can I get a list of properties that will be offered at the upcoming auction?

Please visit the County's website at www.erie.gov/ecrpts for list of properties to be auctioned on October 6, 2022 (please note list is subject to change).

Will the auction take place in-person?

Yes, the auction will take place in-person at 9:00 am at the Buffalo Niagara Convention Center, 153 Franklin St, Buffalo, New York 14202, Room 101 on October 6, 2022.

Bidder registration begins at 8:00 am.

How do I bid on a property at the upcoming auction?

Do your research on properties on the sale lists.

Read and understand the Terms of Sale, which serve as the formal contract between the Referee and the auction purchaser. Copies of the Terms of Sale can be found online at <https://www3.erie.gov/ecrpts/>.

If you have never bid before, it is a good idea to consult with an attorney.

Please note that bidders must be current with any and all financial obligations to municipalities throughout the County of Erie within which he/she owns property (i.e. taxes, water, sewer, user fees, violations, etc.).

Once you have completed your research and determined that you would like to purchase a foreclosed property, register to bid.

How do I register to bid at the sale?

It is strongly encouraged that bidders pre-register online at <https://www3.erie.gov/ecrpts/>.

Online pre-registration will be available for a limited time only, from September 12th - September 26th, 2022.

Bidders can also register at the auction beginning at 8:00 am on October 6, 2022.



To register, bidders must present valid identification, a telephone number, email address and the name in which the bidder would like to take title, if successful.

What properties will be offered at the auction?

Properties from County In Rem Proceeding Numbers 170, 169 and 168 (only) will be offered at the sale on October 6, 2022.

The properties will be offered in chronological order by In Rem and serial number.

What taxes survive the foreclosure?

All taxes that have accrued **prior** to the Lis Pendens date, to the extent not paid by bid proceeds, are extinguished.

All taxes that have accrued **after** the Lis Pendens date, to the extent not paid by bid proceeds, are the responsibility of the purchaser.

The Lis Pendens date for In Rem 170 is May 9, 2022.

The Lis Pendens date for In Rem 169 is May 10, 2021.

The Lis Pendens date for In Rem 168 is July 13, 2020.

What payment is required at the sale?

Successful bidders are required to deposit 20% of the purchase price (or \$500, whichever is greater) immediately. Please provide the In Rem number, serial number, and address of the property when paying your deposit.

Payments must be made in cash or certified funds. Certified checks should be made payable to **Scott A. Bylewski, as Referee**.

Bidders may not leave the auction to go to the bank.

If I am the successful bidder, when may I access the property?

A successful bidder may not enter the property, remove the belongings of the occupants, make any modifications to the premises, charge rent, or approach or evict the occupants until the Terms of Sale have been satisfied, the deed recorded, and the transaction is closed.

How will my closing take place?

The Terms of Sale provide that the purchaser be ready, willing and able to close within 30 days of the sale, or by Monday, November 7, 2022.



The County's attorneys, Lippes Mathias, LLP, will contact the purchaser to schedule the closing.

The closings are held **by appointment only** and will take place at Lippes Mathias, LLP located at 50 Fountain Plaza, Suite 1700, Buffalo, NY 14202.

The remainder of the purchase price will be due at closing and must be paid via cash or certified check payable to **Scott A. Bylewski, as Referee**.

The County's attorneys will prepare a Referee's Deed, only. Any and all expenses, including those associated with filing the deed, are the responsibility of the purchaser.

There is a \$75 fee should you desire to change the name of the entity taking title prior to closing.

In some circumstances, it may take longer than 30 days for the County to close the sale transaction.

Once the County is ready to close the sale, the purchaser's failure to close in a timely fashion could result in a default in the Terms of Sale and the forfeiture of the deposit.

If you are the successful bidder and you desire to retain an attorney to handle your closing, please do so immediately as the County is not responsible for purchaser-related delays.

Can I purchase a property without bidding at the auction?

No. In order to purchase a County In Rem foreclosed property, you must bid at the auction on October 6, 2022.

What if I do not have an attorney?

Neither the attorneys and/or representatives of Lippes Mathias, LLP nor the County of Erie can provide you with any legal advice. We do not require that the purchaser use an attorney for closing, but should you have any questions about the closing process we recommend you retain an attorney.

The Bar Association of Erie County maintains a Lawyer Referral Service which can be reached at (716)-852-3100.

For further information, please call the Lippes Mathias, LLP In Rem Hotline at 716-884-3135 and leave a detailed message including the property address and/or serial number. Please note that the attorneys and/or representatives of Lippes Mathias, LLP and/or the County of Erie are prohibited from providing legal advice and recommend you contact your own attorney to determine your legal rights. Due to large call volume, please refrain from leaving multiple messages. Thank you.