

### **Schuylkill County Sheriff's Office- Civil Process Instructions:**

- All Civil Process MUST be filed in the Prothonotary's Office
- Paperwork will be returned if Advanced costs are not included: NO EXCEPTIONS
- Checks made payable to Schuylkill County Sheriff- No personal checks, or cash accepted
- We do not require a "sheriff form"
- Instructions for service on a letter head are required
- If we are deputizing another county, we need any fees and forms for that county. You are responsible to call that county to see what they require
- We need physical addresses, we cannot serve PO Boxes
- To file we need the original paperwork, and 1 copy for every defendant being served, and a self-addressed stamped envelope
- If we do not have enough copies a fee of \$5.00 will be added
- If we do not have a self-address stamped envelope a fee of \$2.50 will be added
- Any paperwork that isn't filed properly will be returned- no exceptions

### **Advanced Fees:**

Type of Service:	2 Defendants or less	3 or more Defendants
Civil Process	Advanced- \$150.00	Advanced- \$200.00
Personal Property (Levy)	Advanced- \$150.00	Advanced- \$200.00
Garnishment	Advanced- \$150.00	Advanced- \$200.00
Writ of Possession	Advanced- \$150.00	Advanced- \$200.00
Real Estate Execution	Advanced- \$1500.00	Advanced- \$1500.00

## Real Estate:

### **Schuylkill County Sheriff Sales on Real Estate** **Paperwork Required**

#### REISSUING

- Writ of Execution for each Defendant
  - Sale Deposit in the amount of \$1,500.00
  - Affidavit of Act 91 - 1
  - Affidavit of Rule 3129.1 (2 COPIES)
  - Notice of Sale for each Defendant
  - Legal Long Property Description – 5 copies\*\* ***Required Schuylkill County Sheriff Format Attached***
- NOTE: If Defendant resides outside Schuylkill County, our office requires a check for that County to be deputized. Attorney/Plaintiff is responsible for calling the other county for their service fees.
- If sheriff service is not requested, the plaintiff must give notice to the defendant(s) by certified mail and an affidavit filed with the sheriff that service was made.
  - Plaintiff is required to serve the lien holder(s) by certificate of mailing with Notice of Sheriff Sale. Before the sale, an affidavit of service must be filed with our Prothonotary
  - Return Self-addressed stamped envelope
  - If a sale needs to be continued, Attorney/Plaintiff needs to contact our office for a new sale date.

### **Requirements for Recording the Deed**

Purchaser must prepare two Realty Transfer Tax Statement of Value Forms. (RATIO 2.06)

The total consideration to be used will be the bid price, not total sheriff's cost.

Self-addressed, stamped envelope (with extra postage) for returning the deed to the purchaser

## **ADVERTISING FORMAT**

### **IMPORTANT NOTICE**

THE FOLLOWING FORMAT WILL BE REQUIRED FOR ALL PROPERTY

DESCRIPTIONS LISTED FOR FUTURE SCHUYLKILL COUNTY SHERIFF SALES:

**Plaintiff:**

**Defendant:**

**Attorney for Plaintiff:** (Name)

(Phone No.)

Judgment Amount: \$

**ALL THAT CERTAIN** (Add full property description)

**Tax Parcel No.**

**Property known as** (Street Address)

**TO BE SOLD as the property of** (Defendant)

Case No. S- \_\_\_\_\_ -200

TRY TO KEEP THE INFORMATION ON ONE SHEET, IF POSSIBLE.  
IF YOU HAVE ANY QUESTIONS, PLEASE DO NOT HESITATE TO CONTACT ME.

# BASIC BIDDING INFORMATION FOR MORTGAGE FORECLOSURE PROPERTIES

**The properties are owned by debtors until they are sold on the day of sale. They are not open for public viewing.**

- *You will be bidding against the bank.*
- *The bank has a predetermined amount that they will bid to. This is called the “upset price”. Only the bank, on the day of the sale, knows what this amount will be. It may be more or less than the judgment amount.*
- *The Sheriff does not guarantee clear title to any property sold at sale. For example, you may buy a property with numerous liens requiring you to pay a lot more money than what you bid for the property and you must, under the law, pay these lien holders to clear what is now your title. This is solely YOUR responsibility. All liens registered on properties can be obtained at the Prothonotary Office in the Courthouse. A title search is recommended.*
- 

## CONDITIONS OF SHERIFF’S SALE

1. The Highest Bidder shall be deemed the purchaser.
2. The purchaser will pay ten percent (10%) of bid price at the end of the sale. A condition of sales form and an acknowledgment of purchase provided by the Sheriff must be signed by the purchaser immediately after the sale. The balance of the purchase money must be paid to the Sheriff within ten (10) days of the sale.

3. The purchaser is responsible for all unpaid real estate taxes and municipal liens. The Sheriff is not responsible for any unpaid taxes or liens except those included in the Schedule of Distribution.
4. Upon the failure to comply with these conditions of sale, any money paid on account shall be forfeited by the purchaser and shall be applied to pay the costs of the sale and the costs of any subsequent sale and nothing herein shall relieve the purchaser from liability for all costs and damages arising out of such noncompliance. If the executing creditor registers its highest bid and the purchaser defaults, then the executing creditor shall be deemed to be the purchaser.
5. The Sheriff shall not be liable for loss or damage to the premises sold resulting from any cause whatsoever, and makes no representation or warranty regarding the condition of the premises.
6. The Realty Transfer Tax Statement of Value forms shall be prepared by the purchaser and returned to the Sheriff's Office within ten (10) days from the date of sale. (**NOTE: the common level ratio will be 2.62**)
7. The Sheriff reserves the right to postpone or stay the sale of any property in which the attorney on the writ has not appeared and is not present at the sale.

## **CORRECTIVE DEED INSTRUCTIONS**

2 CHECKS FOR THE FOLLOWING:

1. \$41.50 Payable to Recorder of Deeds
2. \$10.00 Payable to Schuylkill County Treasurer (Parcel Certification Fee)

One copy of incorrect deed attached to the new deed, along with a copy of the first Realty Transfer Form) (NOTE: COPY ONLY-YOU KEEP ORIGINAL)

PLEASE NOTE: WE USE THE PROTHONOTARY SIGNATURE INSTEAD OF A NOTARY.

Two new Realty of Transfer Statement of Value Forms. Please check off E#2 "Corrective Deed" Block.

Self Addressed Stamped Envelope for Recorder of Deeds to mail you the Deed.