

FAQ for In Rem Notice of Sale

Why did I receive the Notice of Sale?

If you received a Notice of Sale then please be advised that public records reveal that you are either the titled owner, a presumptive lienor and/or you otherwise have an interest in a foreclosed property.

I received a letter in the mail stating my property is going to be auctioned, what do I do?

Pay the outstanding taxes.

Seek legal advice as to how to respond to the notice.

Do not ignore the notice or your property will be sold at public auction on **September 28, 2017**.

What property taxes are due?

All taxes through 2017 are due now.

What taxes must be paid in order to avoid sale of my property?

All taxes from 2014 and prior (including interest and \$500.00 foreclosure fee) must be paid in order to avoid sale of the property.

I want to pay my taxes but I don't know how much they are?

The amount of taxes that are owed can be found online at <http://www2.erie.gov/ecrpts/index.php?q=real-property-parcel-search> or by contacting Real Property Tax Services at 716-858-8333 or ec-rpts@erie.gov for the most accurate amount that is due. Please keep in the mind that monthly interest will continue to accrue and will be applied on the 1st of each month.

How do I pay my taxes?

Pay by cash, certified check or money order payable to the Department of Real Property Tax Services via mail or hand delivery to: 1st Floor, Rath Building, 95 Franklin Street, Buffalo, New York 14202.

The Foreclosure Fee of \$500 should be issued as a separate check.

What if I do not pay the taxes or otherwise respond to the Notice I received?

Your property will be sold at public auction on **September 28, 2017**.

What do I do if I cannot pay the taxes?

Contact a Lawyer to get legal advice as to how to avoid foreclosure. Then have your lawyer contact LIPPES MATHIAS WEXLER FRIEDMAN, LLP at (716) 884-3135.

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

What if I do not own the property?

If you have received a Notice of Sale in the mail and you are not the property owner, our records indicate that you may have interest in and/or lien (i.e. mortgage/judgment) against the property. Should the outstanding tax liens on the particular property remain unpaid, your interest and/or lien may get extinguished with the sale of property. In order to protect your interest, we recommend that you contact your attorney to explain your options. Please note that paying the back taxes on someone else's property does not make you the owner. If you do not own the property and have no interest in the property, you are not required to take action. We cannot advise you in this regard and you should consult with an attorney so that you understand your rights.

How do I determine what property I received the Notice of Sale for?

For further information, including a list of properties to be auctioned on September 28, 2017, please visit County's website at www.erie.gov/ecrpts.

What happens after a property is sold?

The bidder and/or purchaser and/or assignee has no legal authority to enter the property or to remove belongings of prior owner(s) or tenant(s) or to alter or modify the property in any way, to charge rents or to evict until the closing is finalized and the deed is recorded. Should anyone trespass we recommend contacting the authorities.

It is up to the successful bidder to begin a formal eviction process on any occupants.

The Referee is not required to send any notice to the current titled owner. Should there be any surplus money resulting from the sale of a property a notice will be sent to said owner at their last known address.

Should you have any additional questions, please call the Lippes Mathias Wexler Friedman, LLP In Rem hotline at 716-884-3135 and leave a detailed message including the property address and/or serial number located at the bottom of the Notice. Please note that the attorneys and/or representatives of Lippes Mathias Wexler Friedman, 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.