

TO ALL PARTIES PARTICIPATING IN TAX DEED AUCTIONS

Collier County Clerk's Office maintains a listing of upcoming Tax Deed sales on our website www.collierclerk.com. A Tax Deed Legal Advertisement Notice is published in the Naples Daily News once a week for four (4) consecutive weeks prior to the auction date, and is available on their website at www.naplesnews.com. For applications filed on or after October 1, 2018, the "Notice of Application for Tax Deed" is recorded in the Official Records of Collier County, Florida. If you are interested in participating in a Tax Deed Auction, we recommend that you review the following:

- "Online Sunshine" - Florida Statute regarding Tax Deeds at <http://www.leg.state.fl.us/Statutes>. [Florida Statutes Title XIV "Taxation and Finance" Chapter 197 "Tax Collections, Sales, and Liens"](#) Sections 197.432 - 197.602
- The Tax Deed File located in the Clerk's Recording Department, 2nd Floor at the Collier County Courthouse during normal business hours, 8:00 a.m. – 5:00 p.m. Monday through Friday.

AUCTION PROCESS

To bid on a Tax Deed Property, you must arrive in person fifteen (15) minutes prior to the time of the sale. You cannot register or place a bid via mail or internet. Bidding starts with the required minimum bid and the highest bidder is awarded the bid. The clerk may refuse to recognize the bid of any person who has previously bid and refused, for any reason, to honor such bid.

F.S.197.542(2), "The high bidder shall post with the Clerk a nonrefundable deposit of 5% of the bid or \$200, whichever is greater, at the time of the Sale, to be applied to the sale price at the time of full payment." Notice of the deposit requirements are posted at the auction site and on the Clerks website. Prior to the sale, the Clerk may require bidders to show their willingness and ability to post the deposit. Successful bidders will not be allowed to leave the auction site to secure the required deposit, nor will bidders be allowed to send another person to get it. The required deposit must be in the bidder's possession at the time bidding begins. Deposits will be collected before advancing to the next property available for sale. The Clerk accepts only cash or certified funds for payments of the deposit and final bid. (Personal check, business checks, debit or credit cards are not permissible forms of payment).

If Full Payment of the Final Bid, Documentary Stamp Tax, and Recording Fees (based on the bid price) is not made within 24 hours, excluding weekends and legal holidays, the Clerk shall cancel all bids and immediately re-advertise the Sale once, to be held within 30 days after the date of cancellation. All costs of the sale will be paid from the nonrefundable cash deposit with any remaining funds applied to the opening bid.

"BUYER BEWARE"

It is the bidder's responsibility to research the property prior to the sale for possible liens recorded against the property.

The Clerk of the Circuit Court makes no representations regarding any property. The property may not be improved and / or may not even be subject to improvement by the Buyer. The property may not be subject to the Buyer taking possession of the property and may not be subject to being used or enjoyed by the Buyer, either presently or at any future time.

The Tax Deed issued by the Clerk does not guarantee clear and marketable title to the property. All parcels are sold in "as-is" condition. No warranty, guarantee, or representation, real or implied, is made about a parcel's condition, location, title quality, accessibility, zoning, land use, size, value, or as to whether any improvements, including buildings or mobile homes, are located on the property.

Florida Statute prohibits the Clerk's Office from providing legal advice and/or opinions concerning the real estate properties sold at auction. The clerk is performing its statutory function when conducting a Tax Deed Sale. If you have any legal questions regarding the bid process, title to the property, liens affecting the property, Quiet Title, or any other matters related to the Tax Deed Sale, you should consult an attorney. Tax Deed Sales are governed and administered by the clerk in accordance with Florida Statute 197.

Florida Statute 197.552 states, "...a lien of record held by a municipal or county governmental unit, special district, or community development district, when such lien is not satisfied as of the disbursement of proceeds of sale under the provisions of s. 197.582, shall survive the issuance of a tax deed".

The Property Information Report (PIR) in the tax deed records is not to be relied upon as a title search and the Clerk's Office assumes no responsibility for any inaccuracy contained in the tax deed file, posted to the website, or for any encumbrances (judgments, mortgages and other liens) on any property offered for sale. Current Year County Taxes are the responsibility of the highest bidder but are included in the minimum bid if the Sale Date is after November 1 of the current year.

A completed **IRS FORM 8300** "Report of Cash Payments Over \$10,000 Received in a Trade or Business: is required for Cash payments of \$10,000 or more. The term "Cash" is defined as: U.S. and foreign coin and currency received in any transaction; or a cashier's check, money order, bank draft, or traveler's check having a face amount of \$10,000 or less that is received in one transaction or related multiple transactions.

Revised April 30, 2021