



CLERK OF THE CIRCUIT COURT AND COMPTROLLER

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Ad Valorem Taxes

The manner in which delinquent taxes are collected is prescribed by the Florida Statutes and is briefly described as follows:

Marion County real estate taxes are due each year effective November 1, payable through March 31 of the following year, with discounts allowed for early payments and a 3% penalty imposed beginning April 1. Items remaining unpaid by mid-April are advertised in the local newspaper according in an effort to notify the property owners of outstanding tax liability.

For properties with unpaid property taxes a tax certificate sale must be held on or before June 1. This is a public auction where a tax certificate is sold to the party who will pay the property owner's tax and accept the lowest interest rate when redemption is made. A certificate is an interest-bearing lien and the interest rate varies from 0% to 18%. Certificates are sold on real property on which taxes remain unpaid at the time of the sale. Once a certificate is sold, the property owner may redeem the certificate by payment of the taxes, plus a penalty, advertising costs, fees, and interest. For information concerning tax certificates/ tax certificate sales, contact the Marion County Tax Collector at (352) 368-8279.

Tax Deed Sales

If the certificate is not redeemed within a two year time period, the certificate holder may begin proceedings for a tax deed sale. Upon application for a tax deed by the certificate holder, a property information report is performed by a title or abstract company. Other than the County, a certificate holder who applies for a tax deed is required to pay the tax collector at the time of application all amounts required for redemption or purchase of all other outstanding tax certificates plus interest, any omitted taxes plus interest, any delinquent taxes plus interest, and all current taxes, if due, covering the property. In addition, the certificate holder must pay the costs required to bring the property to sale, including property information searches, and mailing costs, as well as the costs of resale, if applicable.

Once the search is completed, certification is made by the Tax Collector to the Clerk of the Circuit Court and the application is delivered to the Clerk. The item is then advertised again for four consecutive weeks prior to the tax deed sale, with the applicant paying the advertising cost as part of the starting bid.

The tax deed sale is held by the Clerk in the Jury Assembly Room of the Marion County Judicial Center and is open to the Public. Tax Deed Auctions are conducted on Wednesdays, unless otherwise specified. The list of scheduled sales is available on the Clerk's website.

The property is auctioned to the highest bidder, with the starting bid being the accumulated total of all delinquent taxes, penalties, advertising charges, tax search costs and fees, which have been paid by the certificate holder who has applied for the tax deed. If the applicant is not the highest bidder, the applicant is reimbursed for the amount he, she, or it has paid up to this point. If there are no bids at the sale and/or the applicant is the purchaser of the property, the applicant will be required to pay any additional fees/taxes as prescribed.

A Tax Deed is a deed from the County to the highest bidder, issued for non-payment of real estate taxes by the property owner who forfeits all rights to the property by this default.

When considering tax deed properties, please be advised that **ALL PROPERTIES ARE SOLD BUYER BEWARE**: Any property that is the subject of a Tax Deed Sale is sold on an "AS IS" basis, without any warranties or representations of any kind or character, express or implied, with respect to the property, including, but not limited to, warranties or representations as to matters of title, land use, zoning, tax consequences, physical or environmental conditions, availability of access, ingress or egress, valuation, governmental approvals, governmental regulations, or any other matter or thing relating to or affecting the property. Without limiting the foregoing, there are no warranties or representations concerning: (a) the ownership of the property; (b) whether the property is subject to any liens, easements or restrictions; (c) the land use, zoning, value, condition, merchantability, marketability, profitability, suitability or fitness for a particular use or purpose of the property; (d) whether any improvements, including buildings or mobile homes, are located on the property, or the value thereof; (e) the manner or quality of the construction or materials incorporated into any part of the property; (f) the manner, quality, state of repair, or lack of repair of the property, or of any improvements thereon; or (g) whether utilities are available to the property.

Miscellaneous Information

1. Locating the property:

The legal description as reflected on the tax certificate is the basis for the tax deed application. The address of the property is not provided. There are two types of legal descriptions:

- a) Subdivisions These descriptions are identified by a subdivision name, Block number, and Lot number. The plat maps are available in the Clerk's office, Marion County Records Center.
- b) Metes & Bounds Consists of section, township, range with "metes" - a distance in a particular direction. Forms a measurement to where the land may extend; and "bounds" - a reference mark on the ground. These maps are available in the Property Appraiser's office: Phone (352) 368-8300, as well as on the Property Appraiser's website (www.pa.marion.fl.us).

2. Determining whether there are improvements on the property or whether the property is vacant: Check the current tax roll on the Property Appraiser's website (www.pa.marion.fl.us). This will reflect whether an improvement is being taxed on the property or whether the property is being taxed as vacant land. The property record card, available in the Property Appraiser's Office or on their website may give further information as to any improvements on the property.
3. The document titled "Tax Collector Cert" is the official statement from the Tax Collector to the Clerk that payment has been made for all outstanding certificates or, if the certificate is held by the County, that all appropriate fees have been deposited, and identifying which persons are to be notified prior to the sale of the property. The last page of this document is a listing of the OR Book and Pages included from the Official Records.
4. Liens & Judgments against property: Governmental liens & judgments survive the issuance of the tax deed and are satisfied to the fullest extent possible with any overbid monies from the sale. Liens of governmental units not satisfied in full survive the issuance of the tax deed. **Should you have any questions concerning what liens & judgments survive the tax deed sale, consult an attorney, we cannot advise you.** Quiet title suits to clear the title of properties are civil law suits and are not handled by the tax deed clerk. Information on this procedure and costs would be available from an attorney that handles these types of lawsuits.
5. If tax certificates exist or if delinquent taxes accrued subsequent to the filing of the tax deed application, the amount required to redeem such tax certificates or pay such delinquent taxes must be included in the minimum bid. To view a listing of the taxes included in the tax deed application, refer to the DR 513 Web form located in the tax deed file.
6. To determine which files have been redeemed or pulled from the tax deed sale, use the sale date as the search option. One of the columns that appears when the index opens is titled "Status". By double-clicking on the word status, this will group like items together. Those properties with the status REDEEM, REMOVE or RESCHED will not be sold on the scheduled auction date.
7. Immediately after the sale of each property, a **non-refundable** deposit of \$200 or 5% of the bid amount, whichever is greater, is **REQUIRED**. This is payable by cash or personal check with valid driver's license.
8. The bid amount, less deposit, plus recording fees and documentary stamp fees, is required within 24 hours after the tax deed auction. **PAYMENT IS TO BE BY CERTIFIED CHECK, CASH, OR CASHIER'S CHECK ONLY. NO PERSONAL CHECKS, TRUSTEE ACCOUNT CHECKS, CREDIT CARDS, OR WIRE TRANSFERS WILL BE ACCEPTED.**

Copies from the public records are available at a cost of \$1.00 per page.

Reference information:

Florida Statutes, Chapter 197

Websites of Interest:

Marion County Clerk of Court - www.marioncountyclerk.org

Marion County Property Appraiser - www.pa.marion.fl.us

Marion County Tax Collector - www.mariontax.com

Marion County Board of County Commissioner (GIS maps) -www.marioncountyfl.org

Florida Law Online: <http://www.floridalawonline.net>