

# FORECLOSURES

## GENERAL INFORMATION NOTICE:

Information or forms provided by the Clerk of Circuit Court should be considered as basic information only and may not be applicable to every situation. The information is not intended to be used as legal advice. Specific guidance concerning foreclosures should be directed to a qualified attorney.

## INFORMATION REGARDING CALHOUN COUNTY FORECLOSURES

If you are interested in bidding on a foreclosed property, it is recommended that you come into the Clerk's Office/Civil Division to physically review the files we have for each foreclosure. Foreclosure files are available for public inspection Monday through Friday, from 8:00 a.m. to 4:00 p.m. C.T. in the Civil Division of the Calhoun County Clerk's Office, 20859 Central Ave. E. Rm. # 130, Blountstown, Florida. Copies of the judgments and other documents may be obtained at \$1.00 per page.

## THE CLERK'S OFFICE ASSUMES NO RESPONSIBILITIES FOR ANY INACCURACY CONTAINED IN THE ORDERS.

The Notice of Sale for each case is published in one of the local newspapers once a week for two consecutive weeks prior to the sale.

**YOU MUST DO YOUR OWN RESEARCH.** The order reflects a legal description of the property being foreclosed. With this description, you can find street address information at the Property Appraiser's Office located on the first floor of the Courthouse. The property tax information can be found at the Tax Collector's office located on the first floor of the Courthouse.

**THE CLERK'S OFFICE ASSUMES NO RESPONSIBILITY FOR ANY ENCUMBRANCES (JUDGMENTS, MORTGAGES, TAXES, AND OTHER LIENS) ON ANY PROPERTY OFFERED FOR SALE.** It is the responsibility of the interested party to do all research for the property involved, including whether any of the defendants has filed for bankruptcy protection. It is in your best interest to have a Title Search done by an Attorney or a Title Company; however, you may search the Official Records located in the Clerk's Office.

**BIDDING:** Bidding is handled by the Clerk's Office. It is not possible to register to bid by mail. If you wish to bid on a foreclosed property, you must appear in person at the sale. Each bidder shall state his name, and each bidder acting in a representative capacity shall state whom he/she represents at the time of bidding. The successful bidder is required to immediately deposit 5% of their final bid, unless the judgment states otherwise (Florida Statutes 45.031). This deposit must be paid immediately following the sale and is a non-refundable deposit. If the successful bidder does not post the deposit as set forth above at the time of the sale, the bidder will be disqualified for that day, the bid will be considered invalid, the next highest bid will be accepted, and an announcement will be made to the effect. The balance of the bid must be paid by 4:00 p.m., C.T. on the same day of the sale. In addition, fees for documentary stamp tax (.70 per \$100.00), Clerk's fee for holding the sale (\$70.00) and the Registry of the Court fee (3% of the first \$500.00, and 1.5% for each subsequent \$100.00, of the total amount deposited) must be paid by 4:00 p.m. C.T. on the same day as the sale. **ALL MONEY PAID MUST BE CASH, CASHIER'S CHECK, MONEY ORDER OR BUSINESS CHECK DRAWN ON A UNITED STATES BANK ONLY.** Checks must be payable to: Calhoun County Clerk of Court. Failure to pay the balance due and authorized costs by 4:00 p.m. C.T. the same day will result in the re-advertisement of the sale, the cost of which will be paid from the deposit. Any remaining funds will be applied towards the judgment.

**OBJECTIONS:** An objection to the sale may be filed by a party within 10 days. If objections are filed, the Judge will rule at a hearing as to whether or not a Certificate of Title is to be issued.

**REDEMPTION:** The right of redemption ends upon the issuance of the Certificate of Title.

**CERTIFICATES:** A Certificate of Sale is issued by the Clerk provided all proceeds are paid in full. A Certificate of Title is issued by the Clerk on the eleventh day after the sale. The defendant has 10 days to object. If the tenth day is a non-business day, the next business day will be treated as the tenth day. If objections are filed, the Judge will rule as to the issuance. If the defendant files bankruptcy, the Clerk is stayed from issuing a Title or taking any action pending further Order of the Court.

**The Clerk's Office is not authorized to give legal advice. If you require legal advice, you should obtain it from an attorney or some other source.**

If you have additional questions concerning the procedures for foreclosure sales held by the Clerk of Court, please contact our office at (850) 674-4545.