

**Rules & Procedures Tax Title Public Sale July 28, 2023 9:00 am Registration 10:00 am Bid.
501 SE HAWTHORNE BLD, PORTLAND, OR, RM 100 (UPDATED JULY 24, 2023-DRAFT.)**

Board Order 2023-038, dated June 1, 2023, granted the Division of Assessment, Recording, and Taxation ("DART") Director ("Director") or designee, the authority to issue and implement reasonable rules and procedures relating to the Tax Title Program's role in the oversight and disposition of the Property offered at the Public Sale ("Sale") with said rules and procedures to be included, or as a link thereto, in any notice issued by Multnomah County Tax Title Program ("County") or Multnomah County Sheriff's Office ("MCSO") regarding the Public Sale.

A. Public Sale Payment Terms:

CASH OR EARNEST MONEY: Full payment of sale price due on date of sale, or a nonrefundable advertised earnest money deposit amount due immediately on day of sale, and execution of County supplied Earnest Money Agreement for the balance of sale price. The Earnest Money Agreement will require balance due on or before Wednesday, August 9, 2023, by 2:00 pm; at the County's DART Office, located at 501 SE HAWTHORNE BLVD, Room 175, Portland, Oregon, 97214-3560, or the **SALE IS NULL AND VOID AND THE DEPOSIT IS FORFEITED. Possession is acquired when property is paid in full and the deed recorded by the County.**

B. County Website:

For more information about the Public Sale, including any updates please check the Web: <https://multco.us/tax-title> E-mail: tax.title@multco.us.

C. Public Sale Rules:

1. This is a registered, in person, oral Public Sale. **NO SEALED BIDS WILL BE ACCEPTED. Seating priority will be for registered bidders.**

2. You must register on the day of the sale prior to the first bid. Registration begins at 9:00 am. All bidders must be in line to register not later than 9:50 am. **The first bid will be at 10:00 am.** You must bring current valid picture identification such as an Oregon driver's license along with **Cash or Certified Funds (certified check(s): no personal or corporate checks are accepted-see Registration Form)** made out to "Multnomah County" in at least the Earnest Money Deposit amount for each property that you are bidding on (one check per property). Cash is also acceptable, though not advised, as Multnomah County assumes no responsibility prior to tender. The name you register with is the name that the property will be deeded in if you have the highest and best bid. If you are bidding under the auspices of a business, non-profit corporation, governmental entity or similar, the bidder must show a current business license, letter of authority from an officer of the registered entity, or other identification or documentation of authority, agency, or representation from the entity. Upon registration you will receive a bid number and bid card that you will use for the entire sale. An individual can represent only a single, bidding entity. There is no multiple representation.

BIDDING ON MULTIPLE PROPERTIES: If you are bidding on more than one property you must bring a cashier's check made out to "Multnomah County" (for not less than the published earnest money deposit amount) for each property on which you intend to bid, or cash (which is not advised but acceptable). If you are determined to have the highest and best bid by the Sheriff's Deputy, the Winning Bid Liaison will come to you and supervise your execution of the Winning Bid Form so you can begin bidding on the next property if you choose. When you have completed bidding on all properties you are interested in purchasing, you will be given your Winning Bid Form(s) and be escorted to the Cashier's Window in Room 175 to complete your payments(s). You will then return to Room 100 to complete your Earnest Money Agreement and receive your Certificate of Sale.

3. Bidding will be conducted by a Deputy from the Multnomah County Sheriff's Office (MCSO.)

Bidding Order may change at discretion of County. Bidding will start at the minimum bid advertised.

USE YOUR PADDLE AND CALLING OUT YOUR ENTIRE BID AMOUNT. BIDDING WILL BE IN \$1,000 INCREMENTS OR MULTIPLES THEREOF EXCEPT FOR PROPERTIES FOR WHICH THE MINIMUM BID IS \$1,000 OR LESS IN WHICH CASE BIDDING WILL BE IN \$100 INCREMENTS.

When bidding has reached a conclusion, the MCSO Deputy will call "SOLD". Successful bidders must pay at least the advertised Earnest Money Deposit amount for each property by cash or Certified Funds payable to "Multnomah County." **SUCH NONREFUNDABLE PAYMENT IS DUE AT THE CLOSE OF THE INITIAL ROUND OF BIDDING FOR THE PUBLIC SALE OFFERING. ANY PROPERTIES NOT PAID FOR AT THE END OF THE INITIAL ROUND WILL BE RE-OFFERED IN A SUPPLEMENTAL ROUND TO COMMENCE FIFTEEN MINUTES AFTER THE CONCLUSION OF THE INITIAL ROUND.**

4. There is no assignment purchasing allowed and no tax certificates are issued. At the sale, all purchasers must be present unless an authorized representative (with a current, original, notarized power-of-attorney, or other proof as described in C.2 above, filed at registration) acts on behalf of the true bidder. Any questions about such authority must be e-mailed to tax.title@multco.us prior to July 24, 2023 at 2:00 pm. Decisions at the Registration are final. There are restrictions on County employees bidding on properties offered at the Public Sale. Any questions about eligibility to bid must be e-mailed to tax.title@multco.us prior to July 24, 2023 at 2:00 pm.

5. Multnomah County does not furnish a survey or provide title insurance for the properties offered for sale. Any dimensions identified on maps or in other information are approximate and may or may not represent the actual property boundaries. Prospective Bidders are advised to view properties prior to bidding. **Multnomah County Collections provides (upon written request) copies of the Collections records and notices served in the statutory foreclosure process to Title Companies underwriting insurance on the subject property after the Public Sale.**

6. All properties are sold **"AS IS"**. Potential bidders should thoroughly investigate all aspects of a property prior to bidding. Multnomah County does not guarantee or warrant that any parcel is

accessible or usable for any particular purpose. The County makes no warranties or guarantees regarding the title to the properties offered for sale, but shall only sell and convey such interest as the County acquired by foreclosure or other means and holds at the time of sale.

7. The conveyance is subject to all recorded easements, encumbrances or road right of way dedications and the right of any municipal corporation to purchase such property pursuant to State laws and subject to the right of the Board of County Commissioners to reject any and all bids.

8. THE COUNTY RETAINS THE RIGHT TO WITHDRAW PROPERTIES FROM THE SALE AT ANY TIME. It is recommended that parties consult multco.us/tax-title prior to Public Sale for confirmation of available property.

9. Each parcel of real property listed is located in Multnomah County. It is important to review all zoning and planning codes for permitted uses and requirements. Please contact the appropriate City or County zoning and planning office for more information.

10. Please be advised that County employees are not authorized to answer specific questions regarding the properties, including but not limited to: the size, the condition, the planning, zoning or building codes or regulations applicable thereto. Any statement by a County employee on these matters is not binding on the County; except and unless such a statement is made by a County Land Use Planning Division staff member in the context of a formal land use decision wherein the County is the land use planning jurisdiction with respect to the subject property.

11. If no acceptable bid is received at the Public Sale or if a sale is not completed and becomes null and void, Multnomah County may dispose of the property as allowed under County Code and State law. No questions will be answered on future disposition options at or before the Public Sale.

D. Earnest Money Agreement and Deed of Conveyance

An optional Standard Earnest Money Agreement with Inspection Waiver may be executed the day of Public Sale. The earnest money deposit will be retained for winning bidder with a receipt. The EMA requires closing not later than August 9, 2023, at 2:00 pm or Earnest Money is forfeited. A Bargain and Sale Deed is the conveyance instrument. Any improvements on the properties are not deemed currently habitable.

E. City of Portland Liens

Under ORS 312.214 and ORS 312.270, the County's ownership of property after foreclosure is of "utmost stability" and "free from all liens and encumbrances." Multnomah County has previously confirmed with the City of Portland that after the Closing of a subject property, they will release all liens after confirmation from the County of sale to a private party.

Despite the clear and straightforward language in the statute, title companies often continue to show non-municipal liens on title reports after foreclosure and sale by the County. The County pays any assessments attributable to violations assessed for conditions during County ownership.

R153869 and R190184 have known liens. The Bureau of Development Services is the authority on current compliance status.

F. Redemption Rights

Upon deeding to the County, all redemption rights of the former owner have expired.

G. Property Limitations

1. R530195 – Parking Unit P-3, MARSHALL-WELLS LOFTS CONDOMINIUMS. Bidding is limited to Unit Owners of the Marshall-Wells Lofts Condominiums. Proof of ownership required at Registration.
2. R197108 – 4208 SE 67th Avenue, PORTLAND, OR 97206, The improvements are not assessed as structurally safe for entry.
3. R197014 -- 7027 SE Gladstone Street, PORTLAND OR 97206. The garage and tool shed improvements are not assessed as structurally safe for entry.

H. County Employees

County employees who have entered a property not at an Open House or reviewed records of such entry in furtherance of, and/or in assistance or connection with the County's ownership of the property via tax foreclosure are considered under the Rules to have "Actual conflict of interest" under ORS 244.020, and are ineligible from bidding on the subject property.