

COMMON FAQs ON SHERIFF SALES (Mortgage Foreclosure)

Q. *I want to inspect the property before I bid on it. How do I go about that?*

A. Most properties cannot be inspected prior to the sale. The Sheriff's Office does not have keys to the properties that are scheduled for sale. The prospective purchaser buys the property, more or less, "as is, where is."

Q. *I want to know more about the property for sale. How many bedrooms does it have? How many bathrooms does it have? What are the real estate taxes? Does the well and septic need improvement? Are there any liens on the property? Are there any back taxes due? Are there any easements? How old is the roof? Are there any plumbing issues? Has the house been winterized (if vacant)? How old is the furnace? Does the house have central air conditioning? Does the property meet code?*

A. The Sheriff's Office does not have the information to answer these questions. The Sheriff's Office conducts the sale of the property but does not have specific information as to the condition of the property or what improvements may be required.

Q. *The Notice of Foreclosure Sale states a judgment was entered on a specific date for a specific amount against the defendant. Is this amount the opening bid?*

A. The Plaintiff determines the opening bid. The mathematical equation to determine this is not known by the Sheriff's Office. The opening bid may be at, below, or above the amount specified in the judgment.

Q. *How and where do I go to research what encumbrances may be levied on the property? I might be interested in the property, but how do I research the financial obligations that go with the property? What about back taxes? What about other defendants listed on the Notice of Foreclosure Sale?*

A. The buyer assumes all liens and legal encumbrances on the property. The Sheriff's Office cannot provide legal advice on how to properly investigate what financial obligations may be outstanding. Other defendants listed on the Notice of Foreclosure Sale may have a financial interest in the property. The Sheriff's Office cannot provide legal advice as to how to determine what financial interest is outstanding. Resources available may be a title search, record search, the Clerk of Courts and the Register of Deeds.

Q. *If I bid on the property, will I be given time after the sale to go the bank and get the amount specified in the minimum deposit language contained in the Notice of Foreclosure Sale?*

A. No. Bidders must have cash; cashier's check or certified funds with them at the time they bid. A rule of thumb is to bring 10% of your maximum bid amount with you.

Q. *Some Sheriff Sales are either cancelled or adjourned. Why?*

A. The Plaintiff in the case may cancel or adjourn a Sheriff's Sale. Typical reasons for doing so include settlement or bankruptcy. The Sheriff's Office has no control over whether a sale is cancelled or adjourned or how many times that may occur. It is suggested that you contact the Sheriff's Office Civil Process Unit, at 715-395-1432, the morning of the scheduled sale to check whether the sale is cancelled or adjourned.

Keep in mind that the plaintiff may cancel or adjourn the sale anytime up until the date and time of the sale (sales are always held at 10:00 a.m.). Example: You call our office at 8:00 a.m. the morning of the sale and are told the sale is "on." The plaintiff calls our office at 9:50 a.m. and requests the sale be cancelled or adjourned. You arrive at the courthouse at 9:55 a.m. and now find out the sale has been cancelled or adjourned. The Sheriff's Office has no control over this type of situation.

Q. *Where do I find postings for Sheriff Sales?*

A. Sheriff Sales postings are located at the Douglas County Courthouse, 1313 Belknap Street, Superior, WI. They can also be found on the Internet at this web page.

Depending on where the property to be sold is located, postings may also be located elsewhere. Contact the Sheriff's Office Civil Process Unit at 715-395-1432 for other locations.

Sheriff Sales are also usually published in the "Legal Notices" section of the Superior Telegram.