

## Foreclosures

These sales are the product of foreclosures by lending institutions. The sheriff's department does not and cannot act as a real-estate agent and does not have detailed property descriptions available, with the exception of the legal description published in the notice of sale.

Bidders are not permitted to enter residences and view the interiors of improvements on properties to be sold. Potential buyers are responsible for researching any outstanding tax, lien and title issues.

## Postings

Official notices of sale will be published on the department's website, [elkhartcountysheriff.com](http://elkhartcountysheriff.com). The sale list is updated regularly, and users also will find calendars and bidding forms.

Sheriff's sale notices also will be advertised in the local newspaper. The classified legals are published for a period of three consecutive weeks prior to the sale.

Listings may be posted at various public locations, as well, within 30 days of the sale.

## Purchases

Bidders must have the full amount of payment secured prior to offering an amount at the sale. The sheriff's department cannot allow additional time after the sale in order for the bidder to secure a loan.

Payments must be made by 3 p.m. on the day of the sale, submitted in the form of a cashier's check or bank check. No personal checks will be accepted.

No advance registration is necessary to participate in the sheriff's sale. The sale clerk will ask successful bidders for any relevant information at the auction's conclusion.

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### Any unanswered questions?

Call the sale administrator at 574-891-2338.

## Frequently asked questions

### When are the showings for the houses?

These properties are court-ordered foreclosures and are not real-estate listings as you normally would think of them. No showings are possible.

### Do I need more than a 10-percent down payment at the time I bid?

Yes. Full payment of the bid is due on the day of the sale. Certified cashier's checks or bank checks are acceptable, but personal checks are not.

### I found a house I wanted, but the sale never took place. Why?

Many reasons exist for a sale to be canceled. The owners caught their payments up at the last minute, the owners may have filed bankruptcy, the bank could not finalize their paperwork, or any other number of reasons.

### How do I get the keys after I buy it?

You are responsible for getting into the property after purchase. We do not have keys for any locks.

### There are still people in the house I purchased. I can kick them out, right?

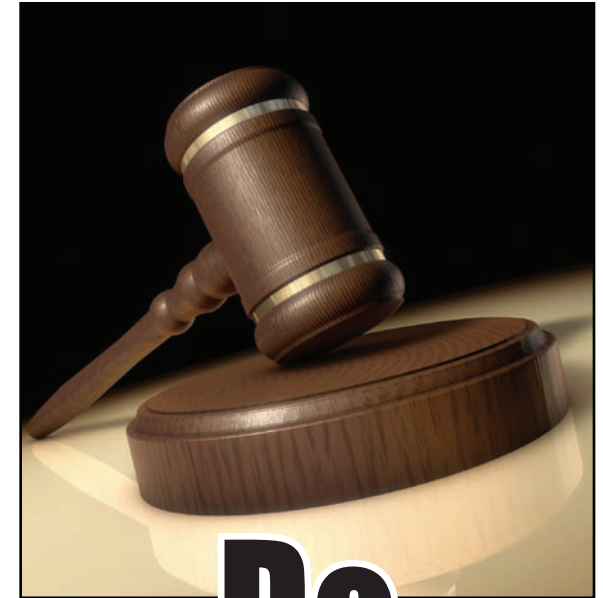
No. Generally, most people have moved by the day of the sale. If they still are in the residence, then standard eviction procedures must be followed. Eviction is a civil matter settled by the court.

### Do I owe anything else once I pay for the property?

Any liens listed by the court must be settled. Federal and state interests become the buyer's responsibility. The IRS has 120 days to redeem any property purchased. The sheriff's office recommends a title search to avoid any unknown costs associated with properties for sale.

### I have the deed from the sheriff. Do I need to do anything else?

The deed must be filed with the Elkhart County recorder in order for the acquisition to be finalized.



# Do your bidding

A user's guide to understanding foreclosures and the sheriff's sale



**ELKHART COUNTY  
SHERIFF'S DEPARTMENT**  
26861 C.R. 26 • ELKHART, IN 46517  
[WWW.ELKHARTCOUNTYSHERIFF.COM](http://WWW.ELKHARTCOUNTYSHERIFF.COM)

# Get the latest sale info at [elkhartcountysheriff.com](http://elkhartcountysheriff.com)

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- Follow the [foreclosures link](#) on the left
- Find [sale listings and official forms](#)

Users may bookmark these files for future reference. Quick links to this information may be featured on pages of [elkhartcountysheriff.com](http://elkhartcountysheriff.com).

Elkhart County Sheriff's Department

Elkhart County Sheriff's Department

(574) 891-2100  
26861 C.R. 26, Elkhart, IN 46517

File your criminal report online

Civil matters

- Court process delivery
- Foreclosures

Sale calendar

Official sale notice

Bid form

## Sheriff's sales

Monthly sales are the product of foreclosures by lending institutions. The most current property listing is available by clicking [here](#) (.pdf format).

The sheriff's department does not and cannot act as a real-estate agent and does not have detailed property descriptions available, with the exception of the legal boundaries published with the notice of sale.

## Legal responsibilities

The Elkhart County Sheriff's Department does not ensure the accuracy of the street address published in the legal notice of sale. All properties are sold by the sheriff's department "as is," and no express or implied warranties should be construed to be given by the sheriff's office.

All bids are final and irrevocable.

Defendants listed on the notice of sale are served by mail or personal or copy service. The attorney for the plaintiff also receives notice.

Title searches are the buyer's responsibility. All bidders should be aware federal or state liens may become the

responsibility of the purchaser. While the sheriff's sale and issuance of a sheriff's deed to the purchaser will eliminate and clear claims of lien holders specifically named in the complaint against the original mortgage holder, the Internal Revenue Service has 120 days from the date of the sale to redeem the property.

Most individuals residing in these properties have moved by the day of the sale; however, it is the responsibility of the purchasing party to file proper eviction papers with the courts if residents have not vacated the property.

## OTHER RESOURCES

The **county treasurer** has information on any current or past due taxes owed on a property. These taxes may include real estate taxes, sewer liens, weed liens, ditch assessments, and unsafe building liens.

The **county recorder** and the **county clerk** also may have information on outstanding liens against a property.

**Township or county assessors** (depending on the location of the property) has details on record regarding lot size, square footage, room sizes, building materials, and past ownership.

A **real-estate agent** may be able to provide a profile of the home if it has been listed for sale in the past.

## Sale procedures

• **Getting there:** The sale is conducted at the Elkhart County Law Enforcement Center, 26861 C.R. 26, Elkhart. Typically, the event is scheduled for the last Wednesday of each month.

• **Placing bids:** Bidders do not need to register, but valid identification for information purposes is necessary to confirm successful bids. Written bids are accepted from 10 to 11 a.m. on the day of the sale. All bids must be submitted in person, and mailed or faxed bids are not accepted. Properties with multiple bids will be settled with an oral auction, beginning at 11:15 a.m. All bidders present may participate in the oral auction.

• **Making payment:** All properties must be paid in full by 3 p.m. on the day of the sale. Payments may be made in the law enforcement center lobby of the Elkhart County Sheriff's Department, 26861 C.R. 26, Elkhart.

• **Filing paperwork:** Sheriff's deeds and clerk's returns will be sent to people purchasing properties within a few weeks of the sale. It is the responsibility of the buyer to register all paperwork with appropriate offices. The sheriff's department recommends all buyers consult with an attorney on any questions concerning legal documents and necessary filings.