

**OFFICE OF THE CLERK
ADMINISTRATIVE ORDER**

DATE: May 1, 2013

A0 -2013- 05

SUBJECT: ELECTRONIC TAX DEED SALES PROCEDURES

This Administrative Order hereby addresses electronic on-line tax deed sales conducted by the Clerk of Courts pursuant to Florida Statute 197.542 (4)(a).

The Clerk may set up any reasonable criteria and procedures for conducting Tax Deed sales, from which he may deem advisable for the purpose of selling the property for cash at public sale to the highest and best bidder for the highest and best bid.

Therefore, the following criteria and procedures are hereby established

Effective May 7, 2013, designated Tax Deed sales may be conducted online via the internet at www.miamidade.realtaxdeed.com.

Electronic sales may be conducted Monday through Friday, as advertised in the Daily Business Review, beginning at 2:00 PM EST, or thereafter, on the specified date (except legal holidays).

The Clerk will provide public access to the electronic sales by making available computer terminals with online access at the Clerk's Tax Deed Unit located at 111 NW 1st Street, 12th floor, Miami, FL 33128

In order to bid on a property, bidders including tax certificate holders, must register at the www.miamidade.realtaxdeed.com website and place an advance deposit equal to 5% of the winning bid amount or \$200.00, whichever is greater, prior to the sale. The advance deposit can be made in person at 111 NW 1st Street, 12th floor, Miami, FL 33128 by cash or cashier's check. Deposits made in person must be made by 3:00 PM EST the day prior to the sale. Advanced deposits may also be made by wire transfer or on the website via electronic check (ACH). ACH and wire deposits may require 3 full business days to be processed. The funds will not be available for bidding until such funds have cleared.

If a bidder is successful, 5% of the winning bid amount or \$200.00, whichever is greater, at the time of the sale will be deducted from the advance deposit and applied towards the sale price. If there are no bids the property shall be struck off and sold to the certificate holder. The successful bidder must pay the balance of the final bid plus all applicable statutory fees, no later than twenty-four (24) hours after their deposit is accepted. Final payment may only be made via wire transfer, or in person at 111 NW 1st Street, 12th floor, Miami, FL 33128 by cash or cashier's check.

Failure to pay the balance of the final bid plus all fees due by no later than twenty-four (24) hours after the deposit is accepted will result in forfeiture of the deposit and nullification of the sale. The forfeited deposit will be used to re-advertise the sale. Any remaining funds from the deposit must be applied towards the opening bid.

There are certain risks associated with the bidding at Tax Deed sales. The Clerk makes no representations or warranties of any kind, express or implied, with respect to the property, including but not limited to, the condition of the property being sold, the marketability or state of the title to the property, the existing or potential use of the property or the existence of other liens, zoning regulations or encumbrances which may survive the sale of the property.

In addition, the clerk makes no representations or warranties of any kind express or implied, regarding the legal effect of a Tax Deed sale on the property's title or marketability or the effect of the sale on any liens, encumbrances or mortgages that may exist on a property.

The properties are sold subject to any outstanding taxes which may or may not be included in the opening bid. It is the sole responsibility of interested bidders to determine if there are additional taxes that may be due. The Clerk does not maintain the tax records and cannot provide you with this information.

Information on the Property Appraiser's and Tax Collector's websites are not verified nor maintained by the Clerk. Links to such websites are provided for bidder convenience only.

The tax laws are complicated and you should not bid on a tax deed sale property unless you have thoroughly researched the property, understand the taxation and related real property laws, and understand what liens or encumbrances may survive the Tax Deed sales. You should consult with an attorney if you have questions regarding the applicable laws. The Clerk cannot provide legal advice.

Bidders who engage in disruptive behavior; or failure to comply with any of the aforementioned requirements will result in the banning of the individual and/or the corporation submitting the bid from bidding at subsequent Tax Deed sales for, up to, six months.

The Tax Deed Unit will maintain and make available for viewing, upon request, copies of the Clerk's Administrative Order.



Harvey Rubin
Clerk of Circuit Court