

# Frequently Asked Questions

**THE ASHTABULA COUNTY SHERIFF'S OFFICE DOES NOT GUARANTEE A CLEAR TITLE. A TITLE SEARCH IS RECOMMENDED. SHERIFF SALE INFORMATION IS AVAILABLE IN OUR OFFICE AT 25 WEST JEFFERSON STREET, ON OUR WEBSITE [WWW.ASHTABULACOUNTYSHERIFF.ORG](http://WWW.ASHTABULACOUNTYSHERIFF.ORG) OR IN GAZETTE NEWSPAPERS. FOR LEGAL QUESTIONS, PLEASE CONTACT AN ATTORNEY.**

The Sheriff's Office acts in the capacity as an agent for the sale of real estate in compliance with a court order. Properties are appraised by independent appraisers, advertised, and sold at public auction. Properties are advertised in the Gazette Newspapers, which are available at most newsstands. Public libraries with a newspaper file may also carry these publications for your review. Legal notices are also available on the newspaper's website [www.gazettenews.com](http://www.gazettenews.com). Information is also provided on both the Sheriff's Office website and at our office, 25 West Jefferson Street, inside the county courthouse. The ad from the Gazette will provide you with the same information that the Sheriff's Office has on any given property.

**A Foreclosure action that results in the actual sale of the property by the Sheriff is a lengthy process. Key steps in the process are as follows:**

*Complaint Filed:* The matter is brought before the court.

*Judgment Entry Filed:* Judgments are granted and the property may be sold to recover judgment amounts. This is typically filed 3 to 9 months after the complaint is filed.

*Praecipe Filed:* This order directs the Sheriff to advertise and sell the property. The terms of the sale are specified in this paperwork. The terms of sale are established at the discretion of the Plaintiff's attorney. The Sheriff cannot authorize an extension of these terms. The property is auctioned at Sheriff Sale. Purchasers must be prepared to deliver the deposit, in the form of a cashier's check, by 3 p.m. the day of the sale.

*Confirmation Filed:* This order names the purchaser, orders the deed, the distribution of proceeds, orders lien cancellations, etc. and awards the purchaser the right to file for a writ of possession should anyone be occupying the property.

The Ashtabula County Common Pleas Clerk of Courts is located on the second floor of the county courthouse, 25 West Jefferson Street. They are the keeper of records and have the entire case file for each foreclosure case.

**How can I find out the status of a property that has been vacant for a long period of time?**

A property will not be scheduled for Sheriff Sale until a praecipe is filed. In order to search court records, to determine whether a property is in foreclosure, you will need to know the property owner's name or the case number. If you do not know who owns the property, you can search by address or parcel number on the Ashtabula County Auditor's website, [www.ashtabulacountyauditor.org](http://www.ashtabulacountyauditor.org), to obtain that information. Keep in mind, a foreclosure case must be closed before a praecipe can be filed and a property can be set for Sheriff Sale.

**My property is set for Sheriff Sale, when do I have to vacate?**

It would be in your best interest to vacate within 30 days from the date the property is sold at Sheriff Sale.

**I am leasing a property that is in foreclosure, when must I vacate?**

Unless you have made arrangements with the purchaser to continue to live in the property, you will have to vacate. Legal questions arising from your relationship as a renter/lessee with the defendant in the case must be addressed by your legal advisor.

**Who should the cashier's check (for deposit) be made payable to?**

The cashier's check should be made payable to the Ashtabula County Sheriff's Office. Deposits must be paid by 3 p.m. the day of the sale.

**The ad for a property I am interested in was in last week's Gazette, but not this week's. What happened?**

The property was probably withdrawn or a bankruptcy filed which puts an immediate hold on sale proceedings. You can verify this by checking the court records.

**If no one is living in a property I purchased, can I start renovations right after the sale?**

The confirmation of sale awards the purchaser possession of the property. The defendant has the right to redeem the property up until the confirmation is filed. You cannot go on the property until it transfers into your name.

### **Where do I pick up the keys to the property I purchased at Sheriff Sale?**

There are no keys for these properties. Once the property transfers into your name, you will have to gain entry however you can.

### **When will my closing be scheduled?**

The Sheriff Sale is a cash sale. There is no “closing” on a Sheriff Sale. If you are obtaining financing, it is in your best interest to have that secured prior to the sale. The required deposit is due by 3 p.m. the day of the sale. The remaining balance is due within 30 days or when the confirmation is filed, whichever comes first. If you do not pay the balance within the required amount of time, legal action will be taken.

### **Will I get my deposit back if redemption is filed on a property that I purchased at Sheriff Sale?**

If a sale is canceled after monies have been paid, a refund check will be issued as soon as we receive the court order indicating a refund is due to the purchaser.

### **If I do not complete the purchase of a property that I put a deposit on at Sheriff Sale, will I get my money back?**

Failure to follow through with the purchase of a Sheriff Sale property will result in forfeiture of your deposit and legal action will be taken. You will be held in contempt of court and will be held responsible for all costs incurred by the Sheriff and/or the courts and a fine could be imposed by the judge.

### **Do I need a real estate agent to bid for me at a Sheriff Sale?**

No. A Sheriff Sale is a public auction.

### **Do I need to register for the sale?**

No. There is no registration required.

### **Can I see the inside of the properties set for Sheriff Sale?**

No. Properties purchased at Sheriff Sale are not available for inspection.

**Can I have someone bid on a particular property in my absence?**

Yes, as long as the bidding requirements are met.

**If I give the wrong deed information on the purchaser information form at the sale, can I change it after the sale?**

Since the only way deed information can be changed after the sale is by court order, making sure how you want the property deeded before the sale is very important. The delivery of the deed may be delayed for failure to provide accurate information.