



Municipal Act, 2001

Chatham-Kent Tax Sale by Public Tender

Points to Consider

1. All payments are payable to the Municipality of Chatham-Kent.
2. The Municipality of Chatham-Kent (the "Municipality") will allow the property owner to redeem their property until the tender commences or until such time as it is vested to Chatham-Kent should it not sell.
3. The Treasurer has the authority to halt any tax sale proceeding up until the transfer of title has been completed if it is not in the financial interests of the municipality pursuant to the *Municipal Act, 2001*, section 382(6).
4. The Municipality is not required to provide vacant possession of any property which may be occupied and accordingly, should the purchaser require vacant possession, a court application at his or her cost may be required. Further, the municipality does not have a key to the property and is not in a position to provide one to the purchaser.
5. Any prospective purchaser entering the eligible property being offered for sale prior to the tax sale may be subject to charges of trespassing being laid against them by the current property owner. We have no authority at this time to enter onto their land. The current owners have complete control of the property until after the completion of the deed registration. Please keep this in mind when doing your research!
6. The treasurer is under no obligation to determine the value of the land before conducting the sale.
7. The Municipality is not responsible to provide a survey or reference plan for any parcel of land being offered for "tax sale" or responsible for the condition of the property.
8. The Municipality makes no representation regarding the title to or any other matters relating to the land to be sold. Responsibility for ascertaining these matters (Registry, Sheriff's, Corporate searches etc.) rests with the potential purchaser. This information can be found at <https://www.onland.ca/ui/>
9. The onus is on the potential purchaser to conduct his/her own investigation into such concerns as zoning; work orders; water, hydro, sewer, or local improvement charges; future development possibilities and potential building restrictions, etc. For further inquiries regarding these issues, please advise staff in our call centre (519-360-1998) which department you wish

to speak to and they will connect you to the appropriate department. Hydro and water departments may be reached at 519-352-6300. Water installation charges may be verified by phone at 519-436-0119.

10. Purchasers must retain a lawyer to complete the purchase of any property for which their tender is accepted. The purchaser will be required to provide their lawyer's contact information upon receipt of documentation from the Municipality confirming they are the successful tenderer.
11. To determine building restrictions under the Lower Thames Conservation Authorities please call 519-354-7310 or St. Clair Conservation Authority at 519-245-3710 for parcels near water.
12. Information regarding Land Transfer Tax can be found at <https://www.ontario.ca/document/land-transfer-tax>
13. The minimum bid in the advertisement is the amount outstanding as of the 1st day of advertising.
14. The successful tenderer is determined by the highest bid that meets the following requirements:
 - Tender shall be in Form 7
 - Typewritten or legibly handwritten in ink
 - Accompanied by a deposit of at least 20 per cent of the tender amount, which deposit shall be made by way of money order or by way of bank draft or certified by a bank or authorized foreign bank within the meaning of section 2 of the Bank Act (Canada), a trust corporation registered under the Loan and Trust Corporations Act or a credit union within the meaning of the Credit Unions and Caisses Populaires Act, 1994
 - Submitted in a sealed envelope which indicates on it that it is a tax sale and provides a short description or municipal address of the land sufficient to permit the treasurer to identify the parcel of land to which the tender related
 - The sealed envelope must be delivered to the Purchasing counter to the Attention of Matthew Torrance, Deputy Treasurer, Municipality of Chatham-Kent, at 315 King St W, Chatham, ON
 - Tender relates to only one parcel of land
15. "Cancellation price" means an amount equal to all the tax arrears owing at any time in respect of land together with all current real property taxes owing, interest and penalties thereon, any legitimate additional charges and all reasonable costs incurred by the municipality.
16. Municipal staff members have the right to submit tenders on a property that is eligible for sale in the same manner as any other prospective bidder.

17. The Municipality of Chatham-Kent has the right to purchase eligible properties and retain them for municipal purposes. Should the Municipality intend to submit a tender, it will disclose that on the tender package.
18. If no compliant tender is received or no tender equal to or greater than the cancellation price is put forth, the municipality may receive title to the land by registering a notice of vesting.
19. H.S.T. will be collected from the successful purchasers on all properties that are eligible for this tax. Should a Tenderer be an H.S.T. registrant and wishes to self-assess H.S.T., the Tenderer shall include in their Tender package an undertaking and indemnity to self-assess H.S.T. in a form satisfactory to the Municipality.
20. The purchaser's title is subject to the following:
 - All rights, privileges, and appurtenances. E.g. Right-of way
 - Easements and restrictive covenants that run with the land
 - Interests of the Provincial or Federal Crown
 - All claims of adverse possession by abutting landowners.
21. Section 382 (6) of the Act allows the Treasurer to halt proceedings if it is not in the financial interest of the municipality to continue with proceedings under the Act or because of some neglect, error or omission.
22. Any inquiries relating to the tax sale process or tender submission should be directed to the Collections Department by calling 519-360-1998.