

**SHERIFF CARMEL M. MORINA
COUNTY OF GLOUCESTER
2 S. BROAD STREET
WOODBURY, NJ 08096
(856) 384- 4604
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FORECLOSURE PROCEDURES

One of the functions of the Sheriff's Office is to conduct the sale of real property after foreclosure proceedings have been completed.

This is a public service information bulletin. We hope this information is beneficial to those who would like to bid on properties but are unfamiliar with the conditions and manner of sale. Purchasing properties at a Sheriff's Sale is a legal matter that can bring with it certain risks. We cannot provide legal advice. If needed, you should consult an attorney.

Sheriff Sales are held every Wednesday at 2:00 pm on the 2nd Floor of the Gloucester County Administration building located at 2 S. Broad Street in Woodbury, NJ.

Foreclosure sales are for real property only. The Sheriff's Office does not know if any structures are on the property. Until a sale actually occurs, the property is considered private property and no one has a right to enter the premises without the owner's permission. No inspections are done, so for this reason properties are sold in an "as is" condition.

Sales are advertised in the *South Jersey Times* and the *Sentinel of Gloucester County* newspapers on Thursdays for 4 consecutive weeks prior to the original sale date. Should the sale be adjourned for any reason after it has been advertised, it will not be re-advertised in the newspaper unless the case is completely closed and re-filed at a later date. In addition to the newspaper advertising, notices of sale are available for public viewing at the Sheriff's Office. This posting cannot be removed from the Sheriff's Office. Sales are also available to view online at www.gloucestercountynj.gov. Please note that the actual sales scheduled will change drastically the day before and day of the sale. These changes will not necessarily be reflected on the website. You are welcome to call the office and inquire.

Please be advised that a sale can be adjourned, settled, cancelled or stopped for a number of reasons.

Under N.J.S.A. 2A:17-36, the Sheriff has the discretionary right to make two (2) adjournments (at the defendants request) of the sale, and no more, not exceeding two weeks maximum for each adjournment. A written letter is required by the defendant or his attorney requesting the

adjournment. There is a \$28.00 fee associated with this adjournment that must be paid in cash or a money order. Thereafter, the defendant may petition the court or the plaintiff to ask for further adjournments.

The plaintiff may postpone a sale an unlimited number of times.

If you are interested in a particular property, we recommend having a title search prepared before you actually bid. There are private firms that charge a fee to conduct title searches. You may also do your own title search at the County Clerk's Office. You are responsible for any/all liens and mortgages due prior to the mortgage of lien being foreclosed upon. We also recommend that you check with the Municipality where the property is located. As you are responsible for back-taxes, water and sewer charges, outstanding tax sale certificates and any municipal liens.

Sales of properties are "open-bid" auction sales (no sealed bids). The plaintiff opens the bidding at \$100.00. **All subsequent bids are for a minimum of \$1,000.00 each.** The property is sold to the highest bidder.

If you are the successful bidder on a property, you are required to post a deposit of 20% of the total bid price. This payment must be in the form of a certified check, treasurer's check, cashier's check, or cash (\$1,000.00 limit). This payment must be made immediately following the conclusion of the sale, and signing of the Conditions of Sale. If your method of payment exceeds the required 20%, no change will be given. The excess will be applied to your balance.

The defendant has the legal right to redeem his/her property within the first 10 days after said sale was conducted. In the event this occurs, the bidder's deposit will be refunded in full.

The balance of the bid is payable at the end of the 10-day redemption period, but due no later than the 30th day from the date of sale. Lawful interest is charged on the balance due from the 11th day after sale, until balance is paid. If the balance is not paid in full on the 30th day, the purchaser will lose their deposit and are held responsible for all losses and expenses, the deposit will be retained by the Sheriff's office, to be disbursed by court order.

The purchaser, upon full payment of the bid, will receive a Sheriff's Deed. The deed must be recorded at the Gloucester County Clerk's Office. The purchaser is responsible for recording the deed; and, for paying all realty transfer fees as well as recording fees.

If, after the recording of the deed, the property is owner-occupied, the purchaser must obtain a Writ of Possession to be served on the defendant with instructions to vacate the premises by a scheduled date. This is handled by the Sheriff's Civil Process Unit.

For additional inquiries, please call our Foreclosure Unit at 856-384-4604 or 856-384-4603.

