

INFORMATION REGARDING COLLIER COUNTY FORECLOSURES

The Foreclosure Court Files are kept in the Civil Division of the Collier County Courthouse, 3301 Tamiami Trail East, **Third Floor of the Courthouse Annex**, Naples, Florida. This Department is open to the public from 8:00 A.M. to 5:00 P.M., Monday through Friday.

Court Files are available for public inspection in the Civil Division Foreclosure Department. Court files may not be made available to the public the date of the sale or when the Clerk is preparing:

- Notice of Sale
- Certificate of Sale
- Certificate of Title
- Certificate of Disbursement
- Certificate of Mailing

The Foreclosure Department has a clipboard containing copies of the Judgments from each case that is set up for sale. This clipboard is located at the Civil Circuit counter. Anyone may take notes from this clipboard or any clerk will make a copy at \$1.00 per page. **THE CLERK'S OFFICE ASSUMES NO RESPONSIBILITY FOR ANY INACCURACY CONTAINED ON THE CLIPBOARD.**

THE FINAL JUDGMENTS OF FORECLOSURES ARE NOW AVAILABLE ON THE CLERK'S WEBSITE. WWW.COLLIERCLERK.COM. AT THE CLERKS HOMEPAGE, CLICK ON FORECLOSURE JUDGMENTS.

On the site, you will find the list of Foreclosure Judgments and General Information. The first set of numbers reflects the date the sale is set for. The second set of numbers is the uniform case number.

The Foreclosure Department publishes a Notice of Sale for each case in a newspaper circulated in Collier County once a week for two consecutive weeks at least 5 days prior to the sale.

YOU MUST DO YOUR OWN RESEARCH. The Foreclosure Clerk uses only legal descriptions, however, with this description, you can find street address information from the Property Appraiser's office or the Building Department. The Property Appraiser's records will also show improvements, if any. **It may be in your best interest to check with federal bankruptcy court before the sale to check on bankruptcies on individuals, as the clerk may not have been notified of the filing.**

The status of County Property Taxes can be checked at the Tax Collector's Office.

The Clerk's Office assumes no responsibility for any encumbrances (judgments, mortgages, taxes and other liens) on any property offered for sale. It is in your best interest to have a Title search done by an attorney or Title Company. However, you may search the Official Records located on the **second floor of the Courthouse Annex**.

It is possible you will have to take legal action to get possession of the property. Until the Court grants possession, you may not have access to the property without permission of the owner. The Clerk's Office assumes no responsibility for the availability of any property offered for sale.

The Foreclosure Sales may be held Monday through Friday at 11:00 A.M. at the **third floor of the Courthouse Annex, Civil Division**, Collier County Courthouse.

Anyone bidding at the sale should be aware of the non-refundable deposit due at the time of the sale. The successful bidder is required to deposit 5% of their final bid. The deposit shall be applied to the sale price at the time of payment. If final payment plus the appropriate clerk's registry fees is not made by 10:30 a.m. the next day, the clerk shall re-advertise the sale as provided in Chapter 45.031 Florida Statutes and pay all costs of the sale from the deposit. Any remaining funds shall be applied toward the judgment. According to Chapter 28.24 Florida Statutes, the funds will be placed in the court registry. Any payment into the Registry of the Court must be tendered in cash, cashier's check or money order and must be accompanied by payment of the clerk's registry fee of 3% of the first \$500.00 deposited and 1.50% of each subsequent \$100.00. The successful bidder must have the deposit money with them at time of the sale. The balance is due by 10:30 a.m. the next business day unless the final judgment states otherwise. **ALL MONEY PAID MUST BE IN CASH OR CASHIERS CHECK (DRAWN ON A U.S. BANK ONLY, CHECK MUST BE MADE PAYABLE TO CLERK OF COURTS).**

The purchaser of property will be issued a Certificate of Title. This title contains no warranties.

The Certificate of Title will be recorded on the eleventh day after the sale. If the tenth day is a non-business day the next business day will be treated as the tenth day. The defendant has ten days to object to the sale. If objections are filed, the Judge will rule at a hearing as to whether or not a Certificate of Title is to be issued. If the defendant files bankruptcy the Clerk is stayed from issuing a Title or taking any action, pending further order of the Court.

If you should purchase any foreclosure property, you will be required to pay Documentary Stamp Tax pursuant to F.S. Chapter 201. Pursuant to Florida Administrative Code 12B-4.013(3)(a) Documentary Stamp Tax is to be computed on the amount of consideration paid, which is the highest and best bid received for the property at the foreclosure sale.

FOR LEGAL ADVICE, CONSULT AN ATTORNEY.