

Tips for a Successful Execution Sale

BEFORE THE SALE

Talk to the judgment creditor:

- Ask for a proper legal description of the property being sold.
- Explain the terms of the sale.
- Discuss opening bid price.
- Explain credits to the judgment and overall process of the sale.

Talk to the judgment debtor:

- Explain terms of the sale.
- Explain credits to the judgment and overall process of the sale.

Collect everything you will need for the sale:

- Cards with bidder numbers
- Logs, a list of properties to be sold at the sale, and any other forms or documents needed
- Pens
- Cash bag or box if you will accept cash or other payment from top bidder at the sale location

DAY OF THE SALE

Check in bidders:

- Create a bidder list with contact information of all the bidders.
- Review tax statement forms during the check-in process to avoid an unqualified top bidder.
- Assign a bidder number to each bidder and give them their bidder card to hold up during the auction.

During the sale:

- Introduce the auctioneer.
- Explain the terms of the sale and the overall process prior to taking bids on any properties.

When sale ends:

- Announce the specific time that the top bidder(s) must come to the constable's office with acceptable payment.
- Write down the buyer's name, address, phone number and take a copy of their driver's license.
- Make a copy of top bidder's tax statement form.

AFTER THE SALE

Afternoon of the sale:

- Add top bidder's contact information to the case file.
- Add a copy of top bidder's tax statement form to the case file after verifying with the tax assessor.
- Accept payment and deposit in the constable's account.

Over the next week:

- Have check issued to the judgment creditor and any other person entitled.
- Draft Bill of Sale.
- Draft the Constable's Deed (*within 10 days of sale*).
- Prepare the Officer's Return on the writ.