

Frequently Asked Questions About Distraint Tax Sales

What is Personal Property?

- The definition of personal property can be found in RCW 84.04.080 and 84.04.090. The most common personal property on the tax rolls is business equipment and manufactured/mobile homes on leased land (usually located in parks).

How does a distraint tax sale work in State of Washington?

- Once a payment is missed or delinquent the Treasurer may start action to sale the personal property at auction. This action is referred to as "distraint". The Treasurer, may record an official distraint notice with the Auditor. Once filed, the Treasurer may take possession either by advertising the notice in three public locations or mailing the notice to the owner of record via certified mail thirty days prior to the scheduled auction date. When these steps have been taken, the Treasurer may take the property to tax sale.

How many distraint tax sale auctions do the Thurston County Treasurer's Office have a year?

- The Treasurer's Office holds only one distraint tax sale a year, which is normally scheduled in early March and held via an internet based auction.

Do I need to register with the Thurston County Treasurer's Office to become a bidder?

- No. Our auction is done via the internet through a third party. Registration, log in capabilities, and bidding is done through this third party. As a bidder, you must also follow the rules and regulations of the company handling the auction. Go to the Treasurer's web page to link to the auction site.

If I am the winning bidder, what forms of payment are accepted by the Treasurer's Office?

- The Treasurer's Office only accepts certified funds, which include cash, cashier's checks, money orders, and wires. Winning bidders are notified and given payment instructions.

Does the County finance for tax foreclosure properties?

- No. You must make payment in full by the date instructed in the Terms of Sale.

How long does it take to get a title if I am the winning bidder on a mobile home?

- A title will be issued within thirty days of the end of auction. The end of auction is when the Treasurer deems the entire auction is closed, not when the winning bidder may have paid for the property they won. The titling process will be done by the Treasurer's Office and we will mail the winning bidder copies of the documents used. Once these are received, you will have proof of purchase and should be able to take possession. However, the actual title will be mailed by the Department of Licensing.

Since these mobile homes are on leased land, who should I contact to let know I am buying a mobile home?

- Most of the mobile homes going to sale are in mobile home parks. You may want to contact the park owner and manager to verify if you qualify to live in the park, check on space rent issues, costs of utilities, and any other questions you may have regarding the mobile home and its location. The Treasurer's Office does not assist with these issues.

If I am a winning bidder and don't like what I bought, can I just not pay or get a refund?

- No. A bid on a property is an irrevocable offer to purchase property. The Treasurer has the right to pursue all available legal remedies. You may also be banned from all future tax foreclosure sales and banned from the company that we use for our online tax sale.

What happens to all the liens on a property that is sold at tax sale?

- In Washington State, the tax lien is the highest priority, see RCW 84.60.010. It is understood that most other liens are extinguished from a tax sale. However, the Treasurer's Office makes no guarantees, warranties, or implications that a lien holder may or can dispute their lien. There are specific liens that do survive a tax sale. You may want to consult an attorney for legal advice.

Does the Treasurer's Office know much about the mobile homes in tax foreclosure?

- The Thurston County Treasurer's Office knows very little about the properties in tax foreclosure. Our responsibility is to collect taxes owed to the County. All the information we use comes from the tax rolls, and the title of the mobile home. Our office knows nothing about condition, usability, livability, or whether occupied or not. Our office is also unable to give any legal advice.

What if people are living in or using a piece of property I purchased at tax sale?

- All tax sales are "buyer beware, as is, where is." If you purchase a property at tax sale and people are on the property, it is between you and the parties on the property to resolve. The Treasurer is unable to assist in any way.

What happens to properties that do not sell at tax sale?

- They remain on the tax rolls and DO NOT revert to the county

What exactly are surplus funds from a tax sale?

- When property goes to tax sale, the Treasurer's only obligation is to collect the back taxes, interest, penalties, and costs. Any difference between the minimum bid, and sale price is called surplus funds. The Treasurer is responsible to pay the surplus funds to the party or parties who owned the property prior to the sale. The owner has three years to request these funds. If after three years no request has been made, the surplus is deposited to the County's general fund.

Before I make a bid, can I go onto the property and look?

- Understand that a tax foreclosure sale is not like a bank foreclosure. The property is privately owned until a new title or bill of sale is issued. By going onto property during the tax foreclosure process, you may be trespassing on private property.

May I get on a mailing list for notifications of upcoming auctions?

- No. Thurston County Treasurer's Office does not maintain a mailing list.