Tax Sale第一周作业：

作业上交截止时间：**1/16/2021 西部时间晚上11:59PM**

1.给自己的小组起一个响亮的名称。

2.每个小组成员选1-2个想要重点研究和投资的市场。

3.小组讨论，最后决定1-2个想要在后期进行重点研究和投资的市场

4.对于所选择的每一个市场，回答以下至少14个问题：

1. 小组名称？TBD
2. 小组成员都有谁？

|  |
| --- |
| Fei |
| 陈博 |
| Ling 玲 |
| Kiki Yu |
| Barton Wang 胜永 |
| 戴建荣 |
| Abby |
| 国王的秘密 |
| 高伟 |
| Laura Luo |
| Kevin 张清 |
| Winnie Weng |
| 韵之律 |

组长是谁？ Julia - 小组长

1. 小组成员是如何分工完成作业的？

**Tax Deed CA**

1. 该市场销售的是税留置权 （Tax Liens）还是税地契 (Tax Deeds), Redemption Dees?

**Tax Deeds**

1. When are the taxes assessed and when do they become delinquent? 房地产的税务评估何时进行的？税款拖欠起始日期？

California law prescribes a yearly ad valorem tax based on property as it exists at 12:01 AM on January 1 (tax lien date).

The 1st installment payment is due on November 1 and becomes delinquent on December 10. The 2nd installment payment is due on February 1 and becomes delinquent on April 10.

1. 税务留置权售出方式是什么，是线上拍卖， 还是现场拍卖？

**N/A, CA is the tax deed state. Tax deed sale has both online and offline action.**

1. How does the bidding work (do you did down the interest rate, pay a premium, or bid down ownership interest)?拍卖方式（是否由高向低拍利率，支付溢价，或由高向低拍房地产所有权利息）？

**拍房地产 : 溢价投标、密封投标和在线拍卖(Premium Bidding, Sealed Bidding, and Online Auctions)**

1. What are the sale procedures and does the local government have a brochure or printed materials that outline the process?税务销售流程？政府是否提供小册子或印刷材料概述过程？

加州是一个税务地契州。每年7月1日，所有对房地产征收的税收、罚款、估价和其他费用被正式宣布为违约。然后，该房产被视为"欠税"房产。房产的赎回期为5年，可在赎回期内任何事件付清欠税。当业主向县支付所有税费、罚金和费用时，即赎回了欠税的房产。财产被宣布违约五年后，收税员在法律上有权取消抵押品的赎回权。止赎(Foreclosure)由收税员根据州止赎法进行操作。止赎通知需要通过挂号邮件(Certified Mail)发送给产权证明上列出的所有人。已取消抵押品赎回权的财产须公开拍卖。加州法律没有具体规定如何拍卖财产。税务地契销售是使用三种独立的投标系统的一种进行。它们分别是溢价投标、密封投标和在线拍卖(Premium Bidding, Sealed Bidding, and Online Auctions)。起始拍卖价格包括所有拖欠税，以及出售所欠物业时需要的任何费用。税务地契销售的地点和时间由各县级官员决定。税务地契的销售名单在县网站上公布，并在当地的报纸上刊登。当使用在线拍卖时，税务地契的销售名单将在主拍卖的页面上提供。因为各县的拍卖时间不同，加州的税务地契销售全年都在举行。有些县要求在销售前 2 周完成注册。各个县大都还需要 1000 美元的现金存款。接受的付款方式是出纳支票、认证资金或汇票。在拍卖销售成功后要立即支付购买地契的费用。没有拍卖的税务地契由该县保留，并在随后的拍卖中再次销售。房产最多可以拍卖 6 次。  
税务地契会发给中标人，并由县记录员登记。税务地契把前所有人拥有的房产所有权全部转给中标人。在极少数情况下，如果前房产所有者能够重新获得房产所有权，该县将把投标人在拍卖销售中支付的金额还给中标人。

1. What is the interest rates or penalties to be earned?应赚取的利率或罚款是多少？ **N/A**
2. If redemption occurs mid-month do you get the entire month’s interest?如果月中赎回，你会得到整月的利息吗？**N/A**
3. Are physical certificates printed and what is the timing of their receipt? 是否有打印的实物证书？多久提供收据？ **N/A**
4. What is the redemption period and can property owners be contacted during the redemption period? 赎回期限多久？赎回期间可以联系原业主吗？N/A **加州是一个真正的税务地契州 (Tax Deed State)，没有赎回期**
5. What are the redemption rights of the property owner?产权人的赎回权有哪些？ **N/A**
6. What is the life of lien? When does it expire? 留置权的有效期是多久？什么时候到期？**N/A**
7. 止赎程序 （Foreclosure）如何？

财产被宣布违约五年后，收税员在法律上有权取消抵押品的赎回权。止赎(Foreclosure)由收税员根据州止赎法进行操作。止赎通知需要通过挂号邮件(Certified Mail)发送给产权证明上列出的所有人。已取消抵押品赎回权的财产须公开拍卖。加州法律没有具体规定如何拍卖财产。税务地契销售是使用三种独立的投标系统的一种进行。它们分别是溢价投标、密封投标和在线拍卖(Premium Bidding, Sealed Bidding, and Online Auctions)。起始拍卖价格包括所有拖欠税，以及出售所欠物业时需要的任何费用。税务地契销售的地点和时间由各县级官员决定。税务地契的销售名单在县网站上公布，并在当地的报纸上刊登。当使用在线拍卖时，税务地契的销售名单将在主拍卖的页面上提供。因为各县的拍卖时间不同，加州的税务地契销售全年都在举行。有些县要求在销售前 2 周完成注册。各个县大都还需要 1000 美元的现金存款。接受的付款方式是出纳支票、认证资金或汇票。在拍卖销售成功后要立即支付购买地契的费用。没有拍卖的税务地契由该县保留，并在随后的拍卖中再次销售。房产最多可以拍卖 6 次。

1. Is a quiet title suit required? 是否要求产权清晰诉讼？

File a quiet title lawsuit if you are unable to clear title with the outstanding liens. Quiet title exists to create a free and clear title on the property. You need to prepare the court documents and present the case that you are not responsible for these debts. While you can win, the problem is that tax deed sales are buyer-beware auctions. It is your responsibility to investigate the title and know what you might be liable for before you buy the property. If there was a clerical error that led to misinformation, the judge might rule in your favor and clear the title or have you and the lien holder negotiate a settlement. In the end, you might not clear the title until the lien is paid for.

1. How does the holder of the tax lien take ownership if redemption does not occur?如果未有赎回，税留置权持有者如何取得物业所有权？N/A
2. What is the expected period before clear title can be obtained?多久可以获得清晰产权？**1 year**

**The successful bidder may generally take possession after the tax deed to purchase the property has been recorded. Successful purchasers should contact their attorney for information regarding possession. Most title companies will not insure title on properties sold at public auction for at least one (1) year after the tax deed has been recorded. Legal action to challenge a tax sale must be commenced within one (1) year of the tax recording date.**

1. What other items or situations impact the priority status of the lien?还有哪些事项或情形可以影响留置权的优先级？ N/A
2. Are there special noticing requirements in existence that could impact the status or priority of the tax lien?是否存在可能影响税收留置权的地位或优先级的特殊通知要求？ N/A
3. Are there any put-back provisions that would allow the purchaser to put back the lien to the municipality (bankruptcy, incorrect advertisement, etc.)?是否有任何退回条款允许购买者将留置权退还给市政当局（破产，不正确的广告等）？ N/A
4. Are subsequent taxes available for purchase? If yes, what rate?可以购买后续税吗？ 如果是，利率是多少？
5. 为了完成该份作业，你们参考了哪些网站，比如County网站，Tax Sale拍卖网站，这些网站对你们有什么帮助。