



## Delinquent Taxes Puts 46 Properties on Auction Block

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SMITH COUNTY (TYLER MORNING TELEGRAPH) - Most every first Tuesday of the month, minutes before 10 a.m., Tina Glover stands at the top step of the Smith County courthouse and prepares her voice to rise above passing downtown traffic and reach a gathered crowd.

Ms. Glover is the civil process deputy for the Smith County Sheriff's Office, and her job is to auction properties with delinquent tax balances.

There are typically jitters before she begins, she said, but once flowing, the action is quick. It can be competitive among bidders and prices can rise quickly into the thousands of dollars.

"It is exciting," she said. "When you have people bidding up and going beyond \$100,000 it can get interesting."

Tax Assessor/Collector Gary Barber said tax sales occur after yearlong attempts to recoup back property taxes. Barber said selling someone's property is the last thing the county wants to proceed with but that it's a necessary process.

Barber said the sale notice in the newspaper is a wake-up call for the majority of property owners. For instance, Barber said among 20 properties announced for sale in the newspaper it is likely only five would be sold on the courthouse steps.

"Once they see the county is about to sell their property, a lot of people come in," he said. "Seeing it in the newspaper makes it real."

Barber said 98 percent of taxpayers have paid their tax bills and that the county aggressively seeks payment of delinquent taxes in fairness to the majority. Schools, cities, and the county rely on tax revenue to fund public services, he said.

Every July 1, unpaid tax bills are turned over to attorneys at Linebarger, Goggan, Blair and Sampson, and Perdue, Brandon, Fielder, Collins and Mott. Perdue attorneys handle delinquent TISD tax cases and Linebarger handles all other Smith County entities' delinquencies.

Attorneys try to track property owners and collect.

Linebarger attorney Jim Lambeth said the process that ends with a sale on the courthouse steps can take several months to a few years. Lambeth and his staff must make attempts to contact owners or heirs who may be attached to the property. It can be tricky, especially when multiple heirs are involved, he said.

"Where taxpayers have not made arrangements to pay and all other efforts to collect have failed, we file suit to foreclose on delinquent properties," he said. "There's a great deal of legal process that goes into it."

Lambeth said three types of buyers are typical at tax sales. There are professionals, who frequent sales to buy properties and mineral interests for a living, he said. There are people trying to get into the business and then there are neighbors, family and friends.

Neighbors may want to buy an adjoining property, he said. Family members may want to keep the property but disagreement among heirs kept the taxes unpaid. So they wait until it's auctioned to establish full ownership, he said.

On Tuesday, Sept. 3 the county will put 46 properties up for sale. Auctions are held from 10 a.m. to 4 p.m. but typically last no longer than two hours, Ms. Glover said. The properties to be sold on Sept. 3 are valued at a combined \$863,530 and are being sold for a minimum of \$90,574.25 to cover taxes and fees. Interested buyers must contact the Smith County Tax office to obtain a statement showing they do not owe outstanding property tax balances in order to participate.

Lambeth said property values are big factors in whether bidding will be competitive. Some properties have little economic value and sell low or don't sell and then become "struck off" properties and may be offered later or utilized by the taxing jurisdiction.

The city and county recently utilized several struck off properties for a neighborhood revitalization project, which included building grant-funded homes for low-income residents.

Other properties with high value typically go for about half the appraised value, Lambeth said. Mineral rights on parcels can go for 10-15 times the estimated value, he added. Sales of mineral rights can bring bidders from all over the state, Lambeth said.

Sometimes sales go much higher than the amount owed, Barber said. In one recent case, sales proceeds exceeded the balance owed by more than \$300,000, he said. In those cases owners must file for excess proceeds, which is typically an easy process for single owners but can be complicated for parcels with dozens of heirs.

Ms. Glover suggests potential buyers research parcels they intend to bid on to avoid complications with purchases. The property could have other liens against it or be landlocked without an easement, she said. There could be other complications such as squatters, which require eviction proceedings.

Auctions typically end by noon but the winning bid amount must be paid in full by 2 p.m., she said. Notices and listings of upcoming sales are printed in the classified section of the newspaper three times leading up to every sale.