

## **RULE 13 JUDICIAL SALES**

**13.0** Where no exceptions have been filed, all sales made under court order shall be reported no later than the 3<sup>rd</sup> business day following the sale and shall be subject to confirmation on the 4<sup>th</sup> business day after the report. The parties may agree to a confirmation at any time. Where exceptions have been filed, the excepting party shall set the matter for hearing through the Assignment Office, with notice to all parties or their counsel. A judgment creditor that elects to have the property sold by a private selling officer authorized by the court shall strictly follow O.R.C. 2329.152.

**13.1** When the Entry Confirming Sale grants a Writ of Possession to the purchaser, the Sheriff shall not execute on the Writ until the purchaser has paid the balance of the purchase price and the deed to the purchaser has been recorded.

**13.2** Notwithstanding any language to the contrary in the Entry Confirming Sale, in accordance with O.R.C. Sec. 2329.36(C) and 2327.02(C), with respect to a sale to a third party purchaser, the Sheriff shall collect the conveyance tax, transfer fee and deed recording fee from the purchaser, over and above the balance of the successful bid amount.

**13.3** No complaint for a new mortgage foreclosure case shall be accepted for filing unless Plaintiff's counsel submits to the Clerk of Courts, along with the initial filings, a certification from the Clermont County Auditor's Tax Map Department that the legal description of the real estate is accurate and recordable. A sample Approval Form is attached to these rules.

**13.4** Confirmation entries must contain a breakdown showing how the taxes are to be applied to each parcel. Specifically, the County Treasurer requires that the figures to be broken down by parcel number showing both the current taxes (even if "0") as well as the prorated taxes.