THE TOWN OF MILTON
THE MUNICIPAL ACT, S.O. 2001, C. 25
Part XI Sale of Land for Tax Arrears
Section 379 Sale by Public Tender

INFORMATION BULLETIN

PLEASE READ CAREFULLY

• The Municipal Act section 371 provides the following important definitions:

"Cancellation Price" means an amount equal to all the tax arrears owing at any time in respect of land together with all current real property taxes owing, interest and penalties thereon and all reasonable costs incurred by the municipality after the treasurer becomes entitled to register a tax arrears certificate under section 373.

"Tax arrears" means any real property taxes placed on or added to a tax roll that remain unpaid on January 1 in the year following that in which they were placed or added to the roll.

• The minimum bid is the Cancellation Price.

• A separate tender must be submitted for each parcel bid on and must be in the form provided (Form 7 Tender of Purchase). No substitutes can be accepted.

• The Bid is for ONLY the unique property identified by way of Municipal Roll number, the Municipal Address and the identified PIN or part PIN thereof.

• The tender must be accompanied by a deposit of at least 20% of the tender/bid amount (NOT the Cancellation Price amount) by way of money order, bank draft, or certified cheque and PAYABLE TO THE TOWN OF MILTON.

• The Town is not obliged to provide a survey or reference plan for any parcel of land being sold under tax sale. The assessment maps, provided as a courtesy, hereto are not surveys and are used for approximate location purposes only.

• The Town Treasurer is not obliged to inquire into the value of land prior to conducting a sale nor is there any obligation to obtain fair market value for the land or to ensure that land being sold under tax sale may obtain fair market value at the time of the sale or in the future.

• Prior to submitting a tender, the onus is on the potential bidder to conduct his/her own inquiries into such matters as zoning, access, work orders, water/hydro and other arrears, building restrictions, title problems. Contact the Town of Milton at (905) 878-7252 and ask for the appropriate department. The Town makes no representations whatever as to the quality and/or quantity of the land being purchased, including any environmental concerns.

The Registry Office for the Town of Milton is located at 2800 High Point Dr, Milton ON L9T 6P4. Please note that Land registration services, including self-service options, are only accessible online. Please visit: https://www.onland.ca/ui/

The Ministry of the Environment is located at 119 King Street West, Ellen Fairclough Building, 9th Floor, Hamilton, ON, L8P 4Y7.

The Municipal Property Assessment Corporation is located at 6925 Century Ave, Mississauga ON L5N 0E3 (866) 296-6722.

• The Town does not conduct tours or provide access to properties being sold under tax sale.

• The Town does not provide legal opinions to potential bidders in respect of issues that may arise in the context of a public sale.

• If two bids of equal amount are tendered, then the person who submitted the earlier bid as indicated by the time stamp is deemed to be the higher bid.

• The successful tender is the highest bidder who has submitted a properly completed tender and enclosed the correct deposit amount and who makes payment within fourteen calendar days of being notified by mail, of the balance of the amount tendered, the appropriate land transfer tax, other related Provincial and Federal Taxes in addition to accumulated property taxes, including any Penalties and Interest and any other related tax charges to the Town of Milton after the Property has been advertised.

• Land Transfer Tax is an amount payable to the Minister of Finance. Any questions with respect to the Land Transfer Tax may be directed to the Registry Office at contactus@onland.ca or by phone at 905-864-3500.

• If the highest bidder does not submit the remaining funds as described, then the highest bidder's deposit is forfeited and the land is offered in the same manner to the second highest bidder who then has fourteen calendar days from date of notification to tender the monies owing to the Town, failure by the second highest bidder to submit the remaining funds will also result in their deposit being forfeited to the Town.

• If there is no successful bidder then the Town, within two years from the date of the failed Tax Sale may:

- Re-advertise the property for tax sale;
- Vest (take title) the property with the Town;
- Consider Requests for Proposals (RFP's) from the public as to potential property uses.

• A Tax Deed, which is provided to the successful purchaser at the time when the balance of the Cancellation Price is paid, provides to the purchaser title to the land in "fee simple" subject only to:

1. Easements and restrictive covenants; and
2. Estates and interest of the Crown in right of Canada or the Province of Ontario (i.e.: execution in favour of the Ministry of Finance); and
3. Adverse possession interests by abutting owners, if any.

• The Town is not required to provide vacant possession of any property which may be occupied and accordingly, should the purchaser require vacant possession a court application, at his or her cost, may be required to obtain a Writ of Possession. Further, the Town does not have a key to the property and therefore cannot provide one to the purchaser. This is the responsibility of the purchaser.

• The Town reserves the right to cancel any property from the tax sale up to the time of closing of the Tender, time and date without any further notice or costs to the City.

• For further information, required forms, maps, and an updated list of the available properties, visit the Town of Milton Web Site at www.milton.ca/TaxSale

• Please ensure that the Tender Envelope and Tender Document (Form 7) are accurately and entirely completed, including identifying the property that you are bidding on, your name, and a phone number to reach you during business hours.

• **TENDERS WILL NOT BE RETURNED THE DAY OF THE TAX SALE.** If you have submitted a bid and the property has been cancelled from the sale, or you are not the successful bidder, please contact the Tax Registration Officer at 905-878-7252 ext. 2120 to make arrangements to have the bid returned to you. You can only have your bid and deposit returned with identification the day following the tax sale, or by mail to the address indicated on the tender.