

## Frequently Asked Questions for Deputy Land Commissioner

Q. What does sold to the state mean?

A. The property was certified to the State Auditor's Office and will be held for an 18 month redemption period.

Q. Does the state take ownership of the property/minerals?

A. No, we only hold a tax lien.

Q. What happens to the property after 18 months?

A. We certify the property to the Deputy Land Commissioner for public auction.

Q. When are the auctions held?

A. The auctions are held during the year. Please visit our web-site at [www.wvsao.gov](http://www.wvsao.gov) to see if any land sales are scheduled.

Q. Do you advertise the sales?

A. Yes, three times prior to the sale in that counties newspaper(s).

Q. What are the different statuses and their definitions?

A. **No-Action** – These are the newest certified properties. All properties under this status must go to the next public land auction, unless redeemed. We can not accept bids in our office on properties with this type of status.

**No-Bid** – These are properties that have been through a prior public auction and received no bids. Therefore, they can be bid on through the Deputy Land Commissioner at any time. However, if a land sale is scheduled you will have to wait and attend the land sale in order to bid on the property.

**Sold** – These properties have been sold and are not available.

**Sold Disapproved** – The purchase of these properties were disapproved by the State Auditor. Check with the Deputy Land Commissioner to see if they are currently available for purchase.

**Did not follow through** – These properties were sold and the purchaser did not follow through with the sale. These properties may be available for purchase. Please check with the Deputy Land Commissioner for more information.

**Dismissed** – The property is no longer available.

**Deed** – The property is not available. The property has been deeded to a new owner.

**Suspended and Suspended Bankruptcy** – These properties are not available for sale.

**Suit Previously Filed** – These properties are not available for sale. A law suit has been filed.

Q. Do you have a list of properties that can be mailed?

A. Not at this time. Go to <http://www.wvsao.gov/>, choose your county and the status. These are the newest properties that have been certified. You can also check the status of no-bid.

Q. Do you have the address or any other information available on the certified properties?

A. No, we only receive the legal description from the local Assessor. We recommend that you research the properties prior to submitting a bid.

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## After the Land Sale

Q. What are the procedures after the sale?

A. 1. You must wait for the approval letter. You will have 45 days once your purchase has been approved by the State Auditor. You will need to submit to the Deputy Land Commissioner a typed list of those with the right of redemption (ex. owner, lien holders, individuals with fiduciary responsibilities and heirs). If your list is not submitted within 45 days you will lose all benefits of your purchase, one of which is your ability to get a refund. We strongly suggest that you obtain a licensed Attorney in the State of West Virginia to complete your title work. If you choose this option you will receive up to \$200.00 plus interest if the property is redeemed. If you choose to do your own title work you will not receive any money for the title work you have completed.

2. You will need to submit your typed list (notice to redeem), along with sufficient money to cover the cost of processing the notices.

3. We will process the list according to your instructions. Here are some examples, certified mail, personal service, notification by the Secretary of State's Office for Corporations and publication.

4. If the property is not redeemed within the time frame specified in the notice to redeem we will send you the deed fee invoice. You have 30 days to return the invoice along with the money to process the deed; otherwise you lose all benefit of your purchase. The property can be redeemed until the time it is recorded with the County Clerk's Office.

5. Once the deed has been processed we will send it to the County Clerk's Office to be recorded. The County Clerk's Office will send you a copy of the deed. Please be patient, it may take a few weeks to receive your deed.

Q. When should I start the title work on the property I have purchased?

A. You should wait until you receive an approval letter from the State Auditor's Office before you proceed with a title exam. If you start the title exam before approval and the property is redeemed, you will not receive a refund for the title work that has been completed.

Q. Can I receive a refund on my purchase if I decide I do not want the properties/minerals I bid on?

A. No, refunds are only given if the property is found non-existent by an attorney licensed in the State of West Virginia.

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## How do I bid on property/minerals through the Deputy Land Commissioner?

1. The only status that you can bid on is No-Bid. You may also inquire about Sold-Did Not Follow Through properties/minerals.

2. Please make your check payable to the Sheriff of the County that you are bidding in.

3. Please submit your bid on the [Delinquent and Non-Entered Land Bid Form](#). Send your bid to the Deputy Commissioner Office for processing.

4. Once your bid has been received the Auditor will approve or disapprove your sale.

5. If your sale is approved you will receive a letter detailing further instructions. If it is denied you will receive your check back with a disapproval letter.

6. Please take a look at the above section for further instructions: Frequently Asked Questions after the Land Sale.