

Township of Mattice-Val Cote

SALE OF LAND BY PUBLIC TENDER

TENDER PACKAGE

Municipal Property Address	207 Balmoral Avenue, Mattice-ValCote, ON
Property Description	PCL 4353 SEC CC; LT 232 PL M2C EILBER
Roll no.	5677 007 00424200 0000
File no.	Township of Mattice - Val Cote-2390440

According to the last returned roll, the assessment value of the land is: **\$46,500.00**

Minimum Tender Amount **\$22,798.90**

Your Tender must be received in the office on **June 6, 2024** before 3:00pm local time.

Municipal office address: 500 Hwy 11, PO Bag 129, Mattice, ON, P0L 1T0

Questions regarding the Sale of Land by Public Tender must be submitted in writing via email to the treasurer, Annie Plamondon. aplamondon@matticevalcote.ca

Sale of Land by Public Tender in Ontario: Understanding the Process

A Sale of Land by Public Tender is governed by the *Municipal Act, 2001*, and Ontario Regulation 181/03. In this process, if the property owner fails to pay the "Cancellation Price" within one year from the registration of the certificate and doesn't enter into a tax extension agreement with the municipality, the municipality reserves the right to sell the land through a public tender. This sale is aimed at recovering outstanding tax arrears owed by the property owner.

The Sale of Public Tender package include crucial information regarding the property being offered for sale, the terms and conditions of the tender, and guidelines for potential buyers. Interested parties are urged to thoroughly review the contents of the tender package to make informed decisions and adhere to specific requirements and deadlines associated with the Sale of Land by Public Tender.

Precautions and Limitations of Liability for Sale of Land by Public Tender

Tenderers are solely responsible for investigating and verifying all aspects of interest related to the land before submitting a bid, as the Municipality does not guarantee title or any land matters. Any verbal guidance offered by the Municipality during the tender process is non-binding. In case of discrepancies with the *Municipal Act, 2001*, the Act supersedes.

The treasurer may cancel proceedings before the Tax Deed registration if deemed financially unfavorable for the municipality or due to procedural issues. Postponement of the sale is possible if fairness is compromised.

The Municipality does not own the properties listed for sale and cannot arrange viewings. Properties are sold as-is. The onus is on the tenderer for investigating zoning, access, work orders, environmental concerns, water, hydro, building restrictions, access to public roads, title problems or physical condition of the land and/or any structure(s) thereon. The Municipality is not required to furnish a survey, reference plan, or any document apart from a Tax Deed to a successful purchaser for any parcel of land sold under a tax sale.

However, certain interest in the land will survive the tax sale. The Tax Deed provides the successful tenderer with the title to the land free of all interest except: easements and restrictive covenants tied to the land; estates and interests of the federal or Ontario government; interests or titles obtained through adverse possession by adjacent landowners before the tax deed registration.

The Municipality does not offer vacant possession of any property acquired through a Sale of Land by Public Tender or supply keys to any buildings on the property upon closure. If the purchased property is not vacant, it is the sole responsibility of the tenderer to arrange and cover the costs of securing possession.

Participation in a Sale of Land by Public Tender differs from typical real estate transactions. Prior to submitting a bid, it is strongly advised that individuals seek independent legal counsel to safeguard their interests.

Guidelines for Tender Submission to Purchase Property

Following these instructions ensures a successful and compliant tender submission for property acquisition.

Upon receipt, all sealed tender envelopes are date and time stamped by the treasurer and securely stored unopened. At 3:30 p.m. local time on the closing date, all sealed tenders and withdrawals are publicly opened. Following this, the treasurer reviews all envelopes, tender forms, and bid deposits. Incomplete tenders are rejected, and the deposits are returned via registered mail.

The top two tenders are held until the successful tenderer fulfills all obligations. The chosen tenderer is notified by mail and has 14 days to settle the balance, which includes taxes and registration costs exceeding the initial tendered amount. The successful tenderer must retain a lawyer to manage the transaction and transfer registration.

Failure to remit the remaining balance within the specified period will result in forfeiture of the deposit to the Municipality. The property may then be offered to the second highest bidder with the same terms. If the second highest bidder fails to comply, the deposit is forfeited, leading to the declaration of no successful purchaser.

In cases without tenders or if none remain after review, the treasurer declares no successful purchaser.

Outlined below are the essential steps and guidelines for preparing and submitting tenders in a Sale of Land by Public Tender. Compliance with these instructions is vital to adhere to Municipal Tax Sales Rules. Failure to comply may lead to tender rejection.

1. TENDER AMOUNT

The minimum tender amount for a property is the advertised "Cancellation Price". Your tender must equal or exceed this amount. If successful, you must also pay "accumulated taxes, interest, penalties and admin fees", as well as Land Transfer Tax and applicable HST.

2. TENDER TO PURCHASE FORM (Form 7 enclosed in package)

All tenders must be submitted using the designated Tender to Purchase Form. Ensure that all information is accurately and fully completed, typed, or legibly handwritten in ink.

3. DEPOSIT

- a. Include a deposit of at least 20% of your tender amount.
- b. Round the deposit amount up to the nearest cent
(ex. if your tender is \$10,000.01, the deposit should be at least \$2,000.01).
- c. The deposit must be in the form of a money order, bank draft, or certified check from a recognized financial institution.
- d. Make the deposit payable to the **Township of Mattice-Val Cote**.

4. TENDER ENVELOPE

The tender Form 7 and deposit must be enclosed in a sealed envelope addressed to the treasurer. On the envelope you must indicate: "**For Sale of Land by Public Tender**" and the municipal address and/or legal description of the land for easy identification by the treasurer.

- 5. ONLY ONE PARCEL PER TENDER TO PURCHASE (FORM 7)**
Each Tender to Purchase is for one parcel only. Submit one form, along with a separate deposit in a distinct envelope, for each property if bidding on multiple properties.
- 6. SUBMITTING A TENDER(S)**
Tenders must be received by 3:00 p.m. local time on the specified closing date. The closing time is determined by the clock on the computer at the Tax Department.
Tenders can be submitted in person, by courier, or by mail. Tenderers are responsible for ensuring timely delivery to the treasurer. Delivery must be made to the treasurer by the closing time; otherwise, the tender will be rejected.
- 7. WITHDRAWING A TENDER(S)**
To withdraw a tender, submit a written request to the treasurer by 3:00 p.m. on the closing date. Withdrawals are opened alongside sealed envelopes. The withdrawal envelope must be sealed, addressed the treasurer and mention the Sale of Land for Public Tender.

B&B Law Professional Corporation

238 Elm Street, Unit 200
Sudbury, ON, P3C 1V3

Form 7

Tender to Purchase

Municipal Act, 2001
Ontario Regulation 181/03
Municipal Tax Sales Rules

TO the Treasurer of the **Township of Mattice-Val Cote, Annie Plamondon**

RE Sale of Land Description:

Municipal Address	207 Balmoral Avenue, Mattice-ValCote, ON
PIN	65056-0284
Property Description	PCL 4353 SEC CC; LT 232 PL M2C EILBER; MATTICE-VAL COTE
Roll number	5677 007 00424200 0000

1. I/We hereby tender to purchase the land described above for the amount of \$_____.

2. I/We understand that this tender must be received by the treasurer's office not later than 3:00 pm local time on _____, 20___, and that in the event of this tender being accepted, I/we shall be notified of its acceptance.

3. I/We enclose a deposit in the form of a certified cheque/bank draft/money order for the sum of \$_____ (_____ write amount dollars) in favour of the **Township of Mattice-Val Cote** representing 20 per cent (20%) or more of the tendered amount which will be forfeited if I/we are the successful tenderer(s) and I/we do not pay the balance of the tendered amount, any taxes that may be applicable, such as a land transfer tax, and any accumulated taxes within 14 days of the mailing of the notice by the treasurer notifying me/us that I/we are the successful tenderer.

This tender is submitted pursuant to the *Municipal Act, 2001* and the Municipal Tax Sales Rules.

Dated at _____ on this _____ day of _____, 20_____.

Name of Tenderer

Address of Tenderer

1. _____
2. _____
3. _____

Sale of Land by Public Tender

Municipal Act, 2001
Ontario Regulation 181/03
Municipal Tax Sales Rules

THE CORPORATION OF THE Township of Mattice-Val Cote

Take Notice that tenders are invited for the purchase of the land(s) described below and will be received until 3:00 pm local time on **June 6, 2024** at the Corporation of the **Township of Mattice-Val Cote** located at 500 Hwy 11, PO Bag 129, Mattice, ON, P0L 1T0.

1. Description of Land:

Municipal Address	207 Balmoral Avenue, Mattice-ValCote, ON
PIN	65056-0284
Property Description	PCL 4353 SEC CC; LT 232 PL M2C EILBER; MATTICE-VAL COTE
Roll number	5677 007 00424200 0000

Minimum tender amount: **\$22,798.90**

According to the last returned assessment roll, the assessed value of the land is **\$46,500.00**.

Tenders must be submitted in the prescribed form and must be accompanied by a deposit of at least 20 per cent of the tender amount, which deposit shall be made by way of a certified cheque/bank draft/ money order payable to the municipality.

Except as follows, the municipality makes no representation regarding the title to or any other matters relating to the land to be sold. Responsibility for ascertaining these matters rests with the potential purchasers. The assessed value, according to the last returned assessment roll, may or may not be representative of the current market value of the property.

Pursuant to the Prohibition on the Purchase of Residential Property by *Non-Canadians Act*, S.C. 2022, c. 10, s. 235 (the "Act"), effective January 1, 2023, it is prohibited for a non-Canadian to purchase, directly or indirectly, any residential property, as those terms are defined in the legislation. Contraventions of the Act are punishable by a fine, and offending purchasers may be ordered to sell the residential property.

The municipality assumes no responsibility whatsoever for ensuring bidders/tenderers comply with the Act, and makes no representations regarding same. Prospective bidders/tenderers are solely responsible for ensuring compliance with the Act and are advised to seek legal advice before participating in this sale.

This sale is governed by the *Municipal Act, 2001* and the Municipal Tax Sales Rules made under that Act. The successful purchaser will be required to pay the amount tendered plus accumulated taxes and any taxes that may be applicable, such as a land transfer tax and HST.

The municipality has no obligation to provide vacant possession to the successful purchaser.

Tender packages for properties in a tax sale process will be available at the Township of Mattice-Val Cote.

For further information contact the treasurer Annie Plamondon.

Phone no. **705-364-6511**

Address 500 Hwy 11, PO Bag 129
Mattice, ON, P0L 1T0