

INFORMATION TO CLAIM EXCESS SALE PROCEEDS FROM DELINQUENT TAX SALE

The procedure to claim excess sale proceeds from a delinquent tax sale is set forth in T.C.A. §67-5-2702, and requires filing a motion with the Court. The motion must be signed. The person signing the motion should attach a copy of his/her driver's license. The motion should also provide a mailing address, daytime telephone number, and email address (if available). A copy of the motion shall be served, in the manner prescribed by the Rules of Civil Procedure, on all parties to the tax sale action.

The motion should include the name(s) of all persons or entities claiming an interest in the excess sale proceeds, and specify the basis under which the claim is made. The motion should also provide sufficient identifying information and/or documentation to confirm the proper person or entity entitled to receive the excess sale proceeds.

A copy of any document to support the claim should be attached to the motion. Copies of the following documents have been attached to motions previously filed: deed, property tax receipt, and mortgage record. The Clerk and Master's Office cannot confirm what documentation is sufficient to support a claim.

The Clerk and Master is appointed to hear and determine claims to recover excess sale proceeds. An order will be entered either granting or denying the motion. A check will be mailed if the motion is granted.

The Clerk's and Master's Office is prohibited from providing legal advice or recommending a specific course of action, other than to seek the assistance of an attorney. This information is provided for informational purposes only. It is not intended as a substitute for legal advice.