



# FAYETTE COUNTY OFFICE OF THE SHERIFF

**James Custer**

Sheriff

61 E MAIN ST

UNIONTOWN, PA 15401

PHONE (724) 430-1295 FAX (724) 430-4030

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## SHERIFF SALE REQUIREMENTS (REAL ESTATE)

- 1 ORIGINAL WRIT OF EXECUTION FILED WITH THE PROTHONOTARY
- 2 WRITTEN INSTRUCTIONS BY THE ATTORNEY INFORMING THE SHERIFF OF SERVICES NEEDED
- 3 CURRENT ADDRESS(ES) OF OWNER(S) TO MAIL THE WRIT, LEVY, AND DESCRIPTION
- 4 ADDRESS OF PROPERTY FOR SALE FOR POSTING OF HANDBILLS
- 5 1 COPY OF THE NOTICE OF SALE (ADDITIONAL COPIES IF SHERIFF IS SERVING NOTICE OF SALE, 1 COPY FOR EACH DEFENDANT NEEDING SERVED PER ADDRESS)
- 6 IF ANOTHER COUNTY IS TO BE DEPUTIZED A SEPARATE CHECK PAYABLE TO SAID COUNTY FOR THEIR SERVICE FEES
- 7 1 ADVERTISING(SHORT) DESCRIPTIONS WITH CASE CAPTIONS
- 8 1 FULL LEGAL DESCRIPTION
- 9 COPY OF THE PA.R.C.P 3129.1 AFFIDAVIT
- 10 ADVANCE FEE OF \$2500.00

NOTE ALSO, THAT PA.R.C.P. 3129(a) FORBIDS THE SHERIFF FROM SELLING PROPERTY UNLESS EITHER THE SHERIFF OR THE PLAINTIFF SERVE THE NOTICE OF SALE IN ACCORDANCE WITH RULE 3129.2(c)(2) AFFIDAVIT PRIOR TO THE DATE OF SALE. ACCORDINGLY, FOR ALL REAL ESTATE EXECUTIONS, THE SHERIFF MUST RECEIVE FROM THE PLAINTIFF A COPY OF AN AFFIDAVIT WHICH DESCRIBES THE PLAINTIFF'S SERVICE OF THE NOTICE OF SALE IN THE MANNER REQUIRED UNDER PA.R.C.P 3129.1 IF THE PLAINTIFF'S AFFIDAVIT IS NOT RECEIVED BY THE SHERIFF'S OFFICE FIVE(5) DAYS PRIOR TO THE DATE OF SALE, THE SHERIFF WILL STAY THE SALE GENERALLY AND RETURN THE WRIT TO THE PROTHONOTARY, UNLESS THE PLAINTIFF CONTINUES THE SALE TO A DATE CERTAIN IN ACCORDANCE WITH PA.R.C.P 3129.3

EVERYONE IS ALSO REMINDED THAT FOLLOWING THE SALE, THE PURCHASER MUST SUPPLY TO THE SHERIFF A REALTY TRANSFER TAX STATEMENT OF VALUE FOR THE PROPERTY BEING SOLD AND A FULL COPY OF THE MORTGAGE.

A FULL COPY OF THE LEGAL DESCRIPTION AND ADVERTISING DESCRIPTION MUST BE EMAILED PRIOR TO THE SALE IN WORD FORMAT TO [rmurray@fayettepa.org](mailto:rmurray@fayettepa.org)

ALL ATTORNEYS MUST REGISTER WITH **REAL AUCTION** TO MANAGE THEIR CASES FOR UPSET BIDS

THERE WILL BE **NO** ASSIGNMENT OF BIDS. THE DEED WILL REFLECT THE ORIGINAL PLAINTIFF UNLESS A COURT ORDER DIRECTS THE SHERIFF TO DEED THE PROPERTY TO ANOTHER OWNER, OR THE ASSIGNMENT OF BID IS FILED WITH THE PROTHONOTARY PRIOR TO THE SHERIFF SALE.