

FORECLOSURE SALES BASIC INFORMATION FOR SUCCESSFUL THIRD PARTY BIDDERS

AFTER THE FORECLOSURE/SHERIFF SALE:

1. **Eligible Third-Party Bidder Affidavit.** Wisconsin Statute [§846.155](#) requires all third-party bidders to meet several requirements. An Affidavit must be completed (form CV-550 available in the Clerk of Court office or online [here](#)) and filed at the Clerk of Court office with copies provided to all signers and service providers prior to the date of the Confirmation of Sale.
2. **A successful 3rd party bidder** will need to have the required down payment with them at the time of the sale in the form of a certified, cashier, or bank check payable to the Clerk of Court. Once all sheriff sales are completed, an agent from the sheriff's office should escort you to the Clerk of Court office where you will pay and receive a receipt for your down payment. If you are not escorted, please provide a copy of the **notice of sheriff sale** to the Clerk so they can confirm & properly apply the down payment to the correct file. The next important event to pay attention to is the confirmation of sale.
3. **Confirmation of sale hearing or order.** The Court needs to take up and make decisions on whether to approve the sale. The attorney for the plaintiff is responsible for arranging the confirmation process and providing notice to the successful bidder. The Court may rule on confirmation through a court hearing or upon receipt of motion and order filings. The sheriff's report of sale and deed needs to be on file for the confirmation process, otherwise delay will occur.
4. **Staying informed.** The successful bidder should make and stay in contact with the attorney handling the sale. If the attorney is not keeping the successful bidder informed, any party can follow case events by accessing the court record under www.wicourts.gov (case search>circuit court). The successful bidder has the right to appear at any hearing and should wait to pay any balance due or back taxes until after the sale is confirmed.
5. **After a sale is confirmed.** If the sale is confirmed, the Court needs to sign the order and file it with the Clerk of Court. If the attorney for the plaintiff does not provide the successful bidder with a copy of the confirmation order, a copy may be purchased through the Clerk of Court office during 8a-5p business hours. Copy fees of \$1.25 per page apply.
6. **Confirmation order terms.** The confirmation order has directives to both the clerk and the successful bidder and should be thoroughly reviewed. Confirmation orders usually allow the successful bidder 10 days to pay the balance due. The successful bidder is responsible for calculating the due date and timely paying the balance due which is payable to the Clerk of Court in the form of a certified, cashier, or bank check. Upon timely payment, the deed documents may be released for recording through the Register of Deeds office.
7. **Recording the Sheriff Deed:** In compliance with legislation (2017 WI Act 104), once the Court confirms the sale and the purchaser complies with the terms of the sale, the clerk will deliver the deed documents to the Register of Deeds (ROD) [unless otherwise ordered by Court]. If the property transfer and recording fee was not provided for in the confirmation order, it will be the successful bidder/new owner's responsibility to contact and pay those fees to the ROD. After the ROD records the documents, they will return the deed documents to the name and address shown on the deed. If you find error in the deed documents, you should contact the attorney for the plaintiff.
8. **Writ of assistance.** If a writ of assistance is needed to remove any occupants from the property, it is the new owner's responsibility to draft and provide the writ to the Court along with a \$5.00 fee. Once the writ is granted and signed by the Court, the new owner will need to contact and provide the writ to the Sheriff's department for service.