

Excess Funds

Under O.C.G.A. 48-4-5, you may be eligible for excess tax sale funds if one of the following applies:

1. You were the owner of record at the time of the tax sale.
2. You were the owner of record of a security deed affecting the property at the time of the sale. (Must present a copy of the recorded Security Deed along with a current statement showing the balance owed.)
3. You had a recorded equity interest or claim at the time of the tax sale.
4. If property owner is deceased, and you are an heir filing a claim, provide a copy of the Letters of Testamentary or other Court Documents as well as a death certificate of the decedent.

The Tax Commissioner's Office will not accept applications from third parties with the exception of attorneys licensed to practice law in Georgia. The office does not recognize applications from asset recovery firms or non-attorneys who purport to represent claimants. A licensed attorney should submit a written, notarized statement from the claimant authorizing to act on the claimant's behalf.

Funds are released to the claimant or attorney. After reviewing an application, additional information or documentation may be required.

Tax Commissioner's Office may interplead funds to the Bartow County Superior Court in the event one or more claims are filed. The expenditures of litigation are obtained from the excess funds upon a court order.

Excess Funds are maintained for five (5) years from the date of sale pursuant to O.C.G.A. 48-4-5 (c) before forwarding to the Georgia Department of Revenue, Unclaimed Property Division.

STATE OF GEORGIA

BARTOW COUNTY

CLAIM OF TAX OVERAGE AND RELEASE

Property Tax Map Reference: _____

Property Address: _____

Date Sold: _____

Sale Amount: _____

Excess Funds: _____

Check Appropriate Box: ☐ Property Owner

☐ Security Deed/Lien Holder

☐ Executor/Administrator of Estate/Heir

I am formally requesting the excess funds from the sale of the property. **I understand lienholders will be priority in receiving the excess funds.** I also understand that the County Attorney will determine the disbursement of the excess funds.

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The undersigned does hereby agree not to hold the Tax Commissioner of Bartow County, his agents, and employees, and indemnify them from and against all claims.

This _____ day of _____, 20____

PLEASE SEND ALL CORRESPONDENCE TO:

Printed name: _____

Signature: _____

Address: _____

Phone: _____

**** PLEASE NOTIFY THE OFFICE IF YOUR ADDRESS OR PHONE NUMBER
CHANGES. ****

☐ Copy of Driver's License

Time / Date received _____

Witness _____

NOTARY

Sworn to and subscribed before me this

_____ day of _____, 20____

My commission expires: _____