

General Information:

Please note that you are directly responsible for all costs incurred in the levy process. Should the property sell for a sufficient amount, your entire deposit will be returned to you. However, should the property not sell for an amount sufficient to cover all costs and Sheriff's fees, the remainder will be deducted from your deposit.

The levy process is not guaranteed to be successful. Once again, the plaintiff or their representative is strongly encouraged to be present at the sale in order to protect their interest.

Prior to the first date of publication, the plaintiff is required to send, via certified mail to the defendant, a copy of the Notice of Sheriff's Sale, Notice of Sheriff's Levy, and the aforementioned affidavit pursuant to F.S. 56.27. The 2 Notices will be provided to you by this office.

Any property owned by a defendant is subject to levy, with the exception of real property protected by homestead exemption. Property held in the name of multiple parties (i.e. John Doe **and** Jane Doe) is not subject to levy when judgment is against only one, or some, of the owners. However, property registered in an **or** fashion (i.e. John Doe or Jane Doe) may be levied upon even if the judgment only lists one of the individuals.

Motor vehicles, other personal property and real property, if levied upon, are subject to all existing liens, and potential buyers will be notified of this prior to sale.

A \$500.00 liquidation fee will be collected from the defendant in the event they choose to satisfy the execution prior to the sale. In the event that the sale proceeds, this fee will be deducted from the sale amount. This amount goes to the levying plaintiff/creditor. This liquidation fee does not count towards satisfaction of the judgment.

The bidding is open to the general public (including the defendant), with the exception of Flagler County Civil Process employees.

The Flagler County Sheriff's Office does not put levies on hold, unless some clarification is needed from the court in order to proceed. If you request that we stop a levy and cancel the sale, all paperwork and the remainder of the deposit will returned to you.

The Flagler County Sheriff's Office does not supply any legal advice or forms. You will be required to supply all required forms, and they will need to be in proper form. If you submit anything improper, it will be returned as improper. We will not advise what corrections are needed other that the form is improper. If you have any questions, they should be directed to an attorney for legal guidance. Our legal advisors are not available to the public.