



# West Lincoln FormsPak

**Tax Sale Date: October 30, 2024**

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## ***BEFORE YOU SUBMIT A TENDER...***

- **How do tax sales work?**
- **Why ordering an up-to-date title search and execution search could benefit you?**
- **What will happen if the Crown has an interest in a property that you would like to buy?**
- **If the treasurer of the municipality notifies you that you have 14 days to pay the balance of the amount that you tendered, plus HST, land transfer tax and accumulated taxes, and you do not pay this amount within 14 days, would you like to no what will happen?**

**You can learn the answers to all of the above questions by visiting [www.OntarioTaxSales.ca](http://www.OntarioTaxSales.ca) or by clicking on the links below:**

- **What is a tax sale?**
- **Definitions**
- **FAQ**
- **How to buy a tax sale property**

**FORM 6**  
**SALE OF LAND BY PUBLIC TENDER**  
*Municipal Act, 2001*

Ontario Regulation 181/03, Municipal Tax Sales Rules

**THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN**

**Take Notice** that tenders are invited for the purchase of the land(s) described below and will be received until 3:00 p.m. local time on Wednesday, October 30, 2024, at the Township Council Chambers, 318 Canborough Street, Smithville, ON L0R 2A0.

The tenders will then be opened in public on the same day as soon as possible after 3:00 p.m. at the Township Council Chambers, 318 Canborough Street, Smithville, ON L0R 2A0.

**Description of Lands:**

ROLL NO. 26 02 010 003 12300 0000, 702 JOHN ST, CAISTOR CENTRE, PIN 46068-0099 LT, LT 7 W/S JOHN ST TP PL 26 CAISTOR; S/T EXECUTION 98-01123, IF ENFORCEABLE; WEST LINCOLN, FILE NAWL23-005.

**Minimum Tender Amount: \$303,074.63**

According to the last returned assessment roll, the assessed value of the land is \$83,000.00.

ROLL NO. 26 02 020 004 12700 0000, 2434 ST ANN'S RD, ST ANNS, PIN 46077-0113 LT, PT LT 23 CON 6 GAINSBOROUGH AS IN RO682310; WEST LINCOLN, FILE NAWL23-007

**Minimum Tender Amount: \$19,635.01**

According to the last returned assessment roll, the assessed value of the land is \$280,000.00.

ROLL NO. 26 02 020 004 16301 0000, ST ANNS, PIN 46075-0087 LT, PT LT 23 CON 5 GAINSBOROUGH; PT RDAL BTN LOTS 23 & 24 CON 5 GAINSBOROUGH AS IN RO375644 (PARCEL TWO); S/T INTEREST OF THE MUNICIPALITY; WEST LINCOLN, FILE NAWL23-009

**Minimum Tender Amount: \$5,432.13**

According to the last returned assessment roll, the assessed value of the land is \$5,000.00.

ROLL NO. 26 02 020 005 18910 0000, SIXTEEN RD, ST ANNS, PIN 46083-0253 LT, PT LT 2 CON 5 GAINSBOROUGH AS IN RO811695; T/W PLOT 109 S/T RO76023; ; WEST LINCOLN, FILE NAWL23-011

**Minimum Tender Amount: \$42,091.40**

According to the last returned assessment roll, the assessed value of the land is \$576,000.00.

ROLL NO. 26 02 020 007 18614 0000, WELLANDPORT, PIN 46072-0151 LT, PART LOT 13 CON 1 GAINSBOROUGH PART 9 30R6647; S/T DEBTS IN RO667639; S/T EXECUTION 03-00332, IF ENFORCEABLE; TOWNSHIP OF WEST LINCOLN, FILE NAWL23-012

**Minimum Tender Amount: \$5,408.85**

According to the last returned assessment roll, the assessed value of the land is \$9,700.00.

- Tenders must be submitted in the prescribed form and must be accompanied by a deposit of at least 20 per cent of the tender amount, which deposit shall be made by way of a certified cheque/bank draft/money order payable to the municipality.
- Except as follows, the municipality makes no representation regarding the title to, existing interests in favour of the Crown, environmental concerns or any other matters relating to the land(s) to be sold. Any existing Federal or Provincial Crown liens or executions will remain on title and may become the responsibility of the potential purchaser. **Responsibility for ascertaining these matters rests with the potential purchasers.**
- This sale is governed by the Municipal Act, 2001 and the Municipal Tax Sales Rules made under that Act. The successful purchaser will be required to pay the amount tendered plus accumulated taxes and any taxes that may be applicable, such as a land transfer tax and HST.
- Effective January 1, 2023, in accordance with the Prohibition on the Purchase of Residential Property by Non-Canadians Act (SC 2022, c 10, s 235) (the "Act"), non-Canadians are now prohibited from purchasing residential

property in Canada, directly or indirectly, pursuant with the terms as set out in the Act and Regulations under the Act.

- Any non-Canadian who contravenes the Act, or any person who knowingly assists in contravening the Act is liable to a fine of up to \$10,000 and may be ordered that the property be sold, therefore it is highly recommended that any potential purchasers obtain independent legal advice to ensure they will not be in contravention of the Act.
- It is the sole responsibility of the tenderers to investigate into the details of what constitutes a non-Canadian, residential property, any exceptions or exclusions, or any other matters or determinations relating to the Act. The municipality accepts no responsibility whatsoever in ensuring that any potential purchasers comply with the Act.
- Non-Resident Speculation Tax (NRST) applies to the purchase price for a transfer of residential property located in Ontario which contains at least one and not more than six single family residences if any one of the transferees is a non-resident of Canada, foreign entity or taxable trustee.
- The municipality has no obligation to provide vacant possession to the successful purchaser.
- A copy of the prescribed form of tender is available on the website of the Government of Ontario Central Forms Repository under the listing for the Ministry of Municipal Affairs.

Further information regarding this sale, visit:

[www.westlincoln.ca](http://www.westlincoln.ca)

or you may contact:

Lisa Kasko-Young, Property Tax & Payroll Coordinator  
318 Canborough St., P.O. Box 400, Smithville ON L0R 2A0  
Tel: (905) 957-3346 Ext. 6718, Email: [lyoung@westlincoln.ca](mailto:lyoung@westlincoln.ca)

# TENDER TO PURCHASE

## THE CORPORATION OF THE TOWNSHIP OF WEST LINCOLN

To: Name: Donna DeFilippis, Treasurer & Director of Finance  
Address: 318 Canborough Street  
P.O. Box 400  
Smithville, ON L0R 2A0  
Telephone: (905) 957-3346  
For all inquiries, please contact Lisa Kasko-Young, Property Tax and Payroll Coordinator at Ext. 6718

Re: Sale of: (provide description of land, including the street address and municipality in which the land is located, or if there is no street address, the location of the land; and, the property identifier number (PIN) assigned to the land in Ontario's land registration system)

1. I/we hereby tender to purchase the land described above for the amount of \$ \_\_\_\_\_  
( \_\_\_\_\_ dollars)  
in accordance with the terms and conditions of the *Municipal Act, 2001* and the Municipal Tax Sales Rules.
2. I/we understand that this tender must be received by the treasurer's office not later than **3:00 p.m.** local time on **October 30, 2024**, and that in the event of this tender being accepted, I/we shall be notified of its acceptance.
3. I/we enclose a deposit in the form of a certified cheque/bank draft/money order for the sum of \$ \_\_\_\_\_  
( \_\_\_\_\_ dollars)

in favour of **The Corporation of the Township of West Lincoln** representing 20 per cent or more of the tendered amount which will be forfeited if I/we are the successful tenderer(s) and I/we do not pay the balance of the tendered amount, any taxes that may be applicable, such as a land transfer tax and HST and any accumulated taxes within 14 days of the mailing of the notice by the treasurer notifying me/us that I/we are the highest tenderer.

This tender is submitted pursuant to the *Municipal Act, 2001* and the Municipal Tax Sales Rules.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Name of Tenderer	Name of Tenderer
Address of Tenderer	Address of Tenderer
Email &/or Phone Number of Tenderer (optional)	Email &/or Phone Number of Tenderer (optional)

**Pursuant to subrule 6(2) of the Municipal Tax Sales Rules, this tender shall relate to only one parcel of land.**

Personal Information contained on this form, collected pursuant to the *Municipal Act, 2001* and Regulations thereunder, will be used for the purposes of that Act. Inquiries should be directed to the Freedom of Information and Privacy Coordinator at the organization responsible for the procedures under that Act.

**Tax Sale For** (Please insert short description or municipal address of property sufficient to permit the Treasurer to identify the parcel of land to which it relates.)

**Date and time received by  
The Corporation of the Township of West  
Lincoln**

To: **Donna DeFilippis  
Treasurer & Director of Finance  
318 Canborough Street  
P.O. Box 400  
Smithville, ON L0R 2A0**

## INSTRUCTIONS FOR SUBMITTING A TENDER

Tenders must be prepared and submitted in accordance with the *Municipal Tax Sales Rules*

1. **Determine your tender amount:** Your tender must be equal to to the Minimum Tender Amount advertised or more. The successful tenderer will be required to pay Land Transfer Tax, any applicable HST, and accumulated taxes, which are any further taxes, interests or penalties that have accumulated since the first day of advertising.
2. **Prepare Form 7 (TENDER TO PURCHASE) – Copy of Form 7 is in the InfoPak:**
  - a. Form 7 must be typed or legibly handwritten in ink.
  - b. In the section of Form 7 that says “Re: Sale of: (description of land)” enter in the description of the land, including the roll number, file number and municipal address, if that information is available. This can be found on your Title Search Summary or on the Form 6 Tax Sale Ad included in your InfoPak.
  - c. Fill in the remaining information on Form 7.
3. **Prepare a deposit:**
  - a. **At least 20%:** The deposit must be at least 20 per cent of the amount of you tender.  
(Example: If you tender \$5,000.01 – 20% of \$5,000.01 is \$1,000.002 – \$1,000.00 would be less than 20% of the amount you tendered - \$1,000.01 would be the minimum deposit required)
  - b. **Form of Deposit:** Money order, bank draft or cheque certified by a bank or authorized foreign bank within the meaning of section 2 of the Bank Act (Canada), a trust corporation registered under the Loan and Trust Corporations Act or a credit union within the meaning of the Credit Unions and Caisses Populaires Act, 1994.
  - c. **Deposit money order, bank draft or certified cheque must be made out in favour of the municipality.**
4. **Prepare a Tender envelope:**
  - a. Submit a sealed envelope, addressed to the treasurer, indicating on it that it is a tax sale. The tender envelope in this InfoPak is already properly pre-addressed and can be attached to your sealed envelope.
  - b. If a municipal address has been given for the property, enter that address under the heading “Tax Sale For”. If there is no municipal address, it will be necessary to include a short description of the property shown on your Title Search Summary or on the Form 6 Tax Sale Ad.
5. **One parcel only:** A tender shall relate to only **one** parcel of land. If there are two or more properties in a sale and you wish to submit tenders for two properties, you must submit two completely separate tenders and must be submitted in a separate envelope.
6. **No additional terms or conditions:** The treasurer will reject every tender that includes any term or condition not provided for in the *Municipal Tax Sales Rules*.
7. **Submitting your tender:** You can submit your tender in person, or by courier, or by mail. Your tender must be received by the treasurer on or before the time and date indicated in the advertisement for tax sale. If your tender is received late, it will be rejected. In the event of a postal strike or other work slowdown, mail might not be delivered in a timely manner. **If the mailing address includes a Post Office Box, there is no guarantee the municipality will collect their mail before 3 pm on the day of the sale. It is the tenderer’s responsibility to ensure the tender is delivered to the treasurer by 3 pm on sale day.**
8. **If you wish to withdraw your tender:** A tender is withdrawn if the tenderer's written request to have the tender withdrawn is received by the treasurer before 3 p.m. local time on the last date for receiving tenders. The envelope containing a withdrawn tender will be opened at the time of the opening of the sealed envelopes.
9. **Cancellation of sale:** A tax sale can be cancelled by the treasurer at any time before a tax deed or notice of vesting is registered on title.

## TENDERER'S CHECKLIST

The municipality makes no representation regarding the title to the property or any other matters relating to the lands to be sold. The property may be worth much more *or* much less than the minimum tender amount.

**The responsibility for researching this property to see if it is a good investment and researching the legislated requirements and provisions of the tax sale procedure is up to you.**

A Title Search Summary includes an execution search and will outline what will stay on title and become your responsibility after the tax deed is registered, such as crown interests, easements, restrictions, etc. It could be helpful to obtain a Title Search.

It is important to **investigate** to find out the property condition, landuse, zoning, building permits, etc. You would want to make sure it fits in with your plans for the property.

If your tender is accepted and you do not pay the balance of the tender amount owing on time, **your deposit will be forfeited to the municipality** as set out in the *Municipal Tax Sale Rules*.

YES	NO	Requirements for "Submitting a Tender" pursuant to the <i>Municipal Act, 2001</i> and <i>The Municipal Tax Sale Rules</i>
		Tender is submitted using Form 7 <b>NOTE:</b> <i>Form 7 must be addressed to the person who holds the position of Treasurer, or Deputy Treasurer under Section 286(2), even if their Title is different.</i>
		Form 7 is typewritten or legibly written in ink (Description of property can be found on Form 6 Advertisement)
		Form 7 describes/relates to one parcel only (each property requires separate Form 7s and separate envelopes)
		Your Tender Amount is equal to or greater than the Minimum Tender Amount given for the property in the ad
		Deposit is at least 20% of the amount you tender
		Deposit is made by way of money order, or by way of bank draft or cheque certified by a bank or authorized foreign bank within the meaning of section 2 of the <i>Bank Act (Canada)</i> , a trust corporation registered under the <i>Loan and Trust Corporations Act</i> or a credit union within the meaning of the <i>Credit Unions and Caisses Populaires Act, 1994</i>
		Deposit money order, bank draft or certified cheque is made out in favour of the municipality
		Envelope indicates it is for a Tax Sale (You can attach the envelope form the InfoPak/FormsPak)
		An identifiable description of the land or municipal address is shown on the envelope (Description can be added from the Form 6 Advertisement)
		Envelope is addressed to the Treasurer (or Deputy Treasurer) <b>NOTE:</b> <i>Tenders must be addressed to the person who holds the position of Treasurer, or Deputy Treasurer under Section 286(2), even if their Title is different.</i>

**If you answered "YES" to all of the above questions, you are ready to send in your tender!**