



Sheriff Sale on Real Property / Mortgage Foreclosure / Tax Sale / Money Judgment

Please follow this checklist to ensure you have ALL documents required for filing NEW real estate.

- Original Writ of Execution** (Obtain from Allegheny County Sheriff's Office)
- Affidavit of Rule 3129.1 (1)**
- Affidavit of Last Known Mailing Address of Defendant(s) (1)**
- Affidavit of Act 91 of 1983 (1)**
- Notice of Sheriff Sale for File (1)**
- All Caps (1)** – *This is for posting of the handbill (Example enclosed)*
- Long Description of the Property (2)** – *Used to prepare Sheriff's Deed*
- Sheriff Form 56 (2)** – *Short description of property for newspaper advertising*
- Claim of Exemption Notice for File (1)** – **ONLY REQUIRED IF MONEY JUDGMENT**
- Copy of Writ of Execution & Claim of Exemption for EACH defendant(s)** - *Front and back with stamped envelope addressed to defendant(s)* – **ONLY REQUIRED IF MONEY JUDGMENT**
- Allegheny County Assessment Web Page** – General Information & Owner History Pages (Both Pages)
- Docket Entry Page (MG Cases)** – Only first page
- Notice of Sheriff's Sale for EACH defendant and a real estate Sheriff's Direction Form with name and address, borough, township or city ward of defendant(s) – **IF ACSO IS SERVING DEFENDANT(S)**
- Check in the amount of \$2,000.00 made payable to **ALLEGHENY COUNTY TREASURER**
- Email Address for all service returns. Direction Sheet on our website.

Plaintiff's Responsibilities

- If we are not serving the defendant(s) by personal service, the plaintiff **MUST** serve them by Certified Mail with Notice of Sale.
- The Plaintiff must serve the Lien Holders by Certificate of Mailing with Notice of Sheriff's Sale.
- Before the sale, an affidavit must be filed that the defendant(s) were served by Certified Mail. They must be done if Sheriff's Office does not make personal service. Original affidavit must be filed with the Allegheny County Department of Court Records, formerly the Prothonotary. Copy must be filed with the Sheriff's Office TWO Friday's before the sale date.
- Plaintiff must upload ALL CAPS (short) and Long (Legal) for each sale accepted by the ACSO to Attorney Portal within 48 hours of Sheriff's Package being accepted.

**** See scheduled filing dates for further information ****



SHERIFF
ALLEGHENY COUNTY

KEVIN M. KRAUS, SHERIFF
JOHN A. KEARNEY, CHIEF DEPUTY

SHERIFF SALE FORMS

UPDATES EFFECTIVE 08/14/23

- No new real estate will be processed after Wednesday 11AM on the last day to file. **THERE WILL BE NO EXCEPTIONS TO THIS RULE.**
- In addition, new filings for the next scheduled sale will start being accepted on the first Monday following the last day to file.
- At the end of each month we will have an earlier cut off time. This is due to our end of the month statistics. Please **check with cashiers** for this date and time.
- **NO REAL ESTATE WILL BE ACCEPTED AFTER 2:00PM DAILY. On the last day to file, PAPERWORK MUST BE FILED BY 11:00AM THAT DAY.** This change is due to the heavy volume of new real estate being filed and the necessity to enter documents and fees into the computer system.
- There is a \$2,000.00 deposit to the Treasurer's Office required for the filing of **EACH** real estate Sheriff's Sale. This fee must be paid **IMMEDIATELY** upon filing; otherwise your filing **WILL NOT** be accepted.
- All documents filed with the Sheriff's Office must contain legible, complete and accurate information.
- No photocopied or faxed documents will be accepted, as this creates numerous problems for all individuals involved in the process of accepting and filing your request to schedule Real Estate for Sheriff Sale. Errors are becoming too frequent. If documents are not legible they will not be accepted. All documents **MUST** be typed.
- Any errors observed, you will be requested to make corrections and return the following day.
- The Allegheny County Sheriff's Office requires that all forms that require signatures be signed and notarized in the State and County in which they are authored.
- No new real estate will be accepted or processed on the day of the Sheriff Sale.

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

CIVIL DIVISION

Plaintiff,
vs.

CASE NO.

Defendant,

AFFIDAVIT PURSUANT TO RULE 3129.1

)
)
) SS:
)
COUNTY OF)

, Plaintiff in the above action, sets forth as of the date the Praecipe for the Writ of Execution was filed the following information concerning the real property of located at and is more fully described as follows:

ALL THE RIGHT, TITLE, INTEREST AND CLAIM OF , OF, IN, AND TO THE FOLLOWING DESCRIBED PROPERTY:

ALL THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE COMMONWEALTH OF PENNSYLVANIA, COUNTY OF ALLEGHENY AND . HAVING ERECTED THEREON A DWELLING BEING KNOWN AND NUMBERED AS DEED BOOK VOLUME , PAGE , BLOCK AND LOT NUMBER .

1. The name and address of the owner(s) or reputed owner(s):

NAME
ADDRESS

2. The name and address of the defendant(s) in the judgment:

NAME
ADDRESS

3. The name and last known address of every judgment creditor whose judgment is a record lien on the real property to be sold:

NAME
PLAINTIFF

4. The name and address of the last record holder of every mortgage of record:

NAME
PLAINTIFF

5. The name and address of every other person who has any record lien on the property:

NAME

6. The name and address of every other person who has any record interest in the property and whose interest may be affected by the sale:

NAME

ADDRESS

7. The name and address of every other person whom the plaintiff has knowledge who has any interest in the property which may be affected by the sale:

NAME

ADDRESS

I verify that the statements made in the Affidavit are true and correct to the best of my personal knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S.A. §4904 relating to unsworn falsification to authorities.

Signature of Filing Attorney
, Esquire

Attorney for Plaintiff

SWORN TO AND SUBSCRIBED BEFORE

ME THIS DAY OF , 20 .

Notary Public

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

CIVIL DIVISION

Plaintiff,
vs.

CASE NO. GD-00-00000

Defendant,

LAST KNOWN MAILING ADDRESS

)
)
) SS:
)
COUNTY OF)

Before me, the undersigned authority, a Notary Public in and for the said County and _____, personally appeared _____, attorney for the Plaintiff, who being duly sworn according to law deposes and says that the owner(s) of the property located at _____ is/are, Defendant(s), _____, who resides at _____, to the best of his/her information, knowledge and belief.

Signature of Filing Attorney
, Esquire

Attorney for Plaintiff

SWORN TO AND SUBSCRIBED BEFORE

ME THIS _____ DAY OF _____, 20 _____.

Notary Public

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

CIVIL DIVISION

Plaintiff,
vs.

CASE NO. GD-00-00000

Defendant,

AFFIDAVIT OF COMPLIANCE WITH ACT 6 OF 1974, 41 P.S.101,ET.SEQ.
AND ACT 91 OF 1983

)
)
) SS:
)
COUNTY OF)

Before me, the undersigned authority, a Notary Public in and for the said County and _____, personally appeared _____, attorney for the Plaintiff, who being duly sworn according to law deposes and says that on _____, Defendant(s) was/were mailed a Notice(s) of Homeowner's Emergency Mortgage Assistance Act of 1983 and Act 6 Notice(s) of Intention to Foreclose by certified mail, return receipt requested and first class U.S. Mail.

Signature of Filing Attorney
, Esquire

Attorney for Plaintiff

SWORN TO AND SUBSCRIBED BEFORE

ME THIS _____ DAY OF _____, 20 _____.

Notary Public

TAX

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

CIVIL DIVISION

Plaintiff,

vs.

CASE NO. GD-00-00000

Defendant,

NOTICE OF SHERIFF'S SALE OF REAL ESTATE

TO:

TAKE NOTICE that by virtue of the Writ of Execution issued out of the Court of Common Pleas of Allegheny County, Pennsylvania, and to the Sheriff of Allegheny County, directed, there will be exposed to Public Sale in Room 410 (Gold Room), Fourth Floor, Court House of Allegheny County,

Pittsburgh, Pennsylvania, via virtual technology at 9:00 A.M., prevailing time, the following described real on , estate, of which , is the owner(s) or reputed owner(s):

Property situate in the , County of , and Commonwealth of Pennsylvania, described at Deed Book Volume , Page , Block - Lot and having erected thereon known as , PA .

The said Writ of Execution has been issued on a judgment in the action of v. , in the amount of \$ detailed as follows:

Table with 2 columns: Description, Amount. Rows include Judgment Amount, Interest From, Servicing Expense From, Attorney Fees From, Costs to be added, Less payments made, and TOTAL.

* Includes credit for payments made on account. Additional interest, costs, servicing expenses, postage / expenses, attorney fees and the record costs of this proceeding, will continue to accrue until the Debt is paid in full.

- Claims against property must be filed at the Office of the Sheriff before, the above sale date.
• Claims to the proceeds must be made with the Office of the Sheriff before distribution.
• Schedule of Distribution will be filed with the Office of the Sheriff no later than thirty (30) days from the sale date.

- **Exceptions to Distribution or a Petition to Set Aside the Sale must be filed with the Office of the Sheriff no later than (10) days from the date when Schedule of Distribution is filed in the Office of the Sheriff.**
- **Attached hereto is a copy of the Writ of Execution. It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment.**
- **You may have legal right to prevent your property from being taken. A lawyer can advise you more specifically of these right. If you wish to exercise your rights, you must act promptly.**

YOU SHOULD TAKE THIS NOTICE AND THE WRIT OF EXECUTION TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL ADVICE.

**LAWYER REFERRAL SERVICE
THE ALLEGHENY COUNTY BAR ASSOCIATION
400 Koppers Building
436 7th Avenue
Pittsburgh, PA 15219
Telephone: (412) 261-0518**

You may have legal rights to prevent the Sheriff's Sale and the loss of your property. In order to exercise those rights, prompt action on your part is necessary. A lawyer may be able to help you.

You may have the right to prevent or delay the Sheriff's Sale by filing, before the sale occurs, a petition to open or strike the judgment or a petition to stay the execution.

If the judgment was entered because you did not file with the Court any defense or objection you might have within fifteen (15) days after service of the Scire Facias you may have the right to have the judgment opened if you promptly file a petition with the Court alleging a valid defense and a reasonable excuse for failing to file the defense on time. If the judgment is opened, the Sheriff's Sale would ordinarily be delayed pending a trial of the issue of whether the plaintiff has a valid claim to foreclose on the tax claim.

You may also have the right to have judgment stricken if the Sheriff has not made a valid return of service of the Complaint or if the judgment was entered before fifteen (15) days after service or in certain other events. To exercise this right you would have to file a petition to strike the judgment.

You may also have the right to petition the Court to stay or delay the execution and the Sheriff's Sale if you can show a defect in the Writ of Execution or service or demonstrate any other legal or equitable right.

TAX

You may also have the right to have the Sheriff's Sale set aside if the property is sold for a grossly inadequate price or if there are defects in the Sheriff's Sale. To exercise this right you should file a petition with the Court after the sale and before the Sheriff has delivered his deed to the property. The Sheriff will deliver the deed if no petition to set aside the sale is filed within ten (10) days from the date when the Schedule of distribution is filed in the Office of the Sheriff.

Date: _____ ,

Signature of Filing Attorney
, Esquire

Attorney for Plaintiff

ALL THE RIGHT, TITLE, INTEREST AND CLAIM OF _____, OF, IN, AND TO THE FOLLOWING DESCRIBED PROPERTY:

ALL THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE COMMONWEALTH OF PENNSYLVANIA, COUNTY OF ALLEGHENY, _____ :

CASE NO.

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

CIVIL DIVISION

Plaintiff,
vs.

CASE NO. **GD-00-00000**

Defendant,

LONG FORM DESCRIPTION

BEING the same premises, which by Deed dated and recorded in the Department of Real Estate of Allegheny County on in Deed Book Volume , Page , granted and conveyed unto .

Block / Lot #		By: _____, Esquire Attorneys for Plaintiff Firm Name
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MF/JUDGE - FORM 56

DEFENDANT(S)

CASE NO.

DEBT \$

NAME OF ATTORNEY(S)

ADDRESS OF ATTORNEY(S)

ATTORNEY TELEPHONE NUMBER:

SHORT DESCRIPTION:

In the Commonwealth of Pennsylvania, County of Allegheny, :

TAX - FORM 56

PLAINTIFF(S)

VS

DEFENDANT(S)

CASE NO.

DEBT \$

NAME OF ATTORNEY(S)

ADDRESS OF ATTORNEY(S)

ATTORNEY TELEPHONE NUMBER:

SHORT DESCRIPTION:

In the Commonwealth of Pennsylvania, County of Allegheny, :

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

Plaintiff,
vs.

CASE NO. GD-00-00000

Defendant,

WRIT OF EXECUTION NOTICE

This paper is a Writ of Execution. It has been issued because there is a judgment against you. It may cause your property to be held or taken to pay the judgment. You may have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

The law provides that certain property cannot be taken. Such property is said to be exempt. There is a debtor's exemption or \$300. There are other exemptions, which may be applicable to you. Attached is a Summary of some of the major exemptions. You may have other exemptions or other rights.

MAJOR EXEMPTIONS UNDER PENNSYLVANIA AND FEDERAL LAW

1. \$300.00 statutory exemption
2. Bibles, schoolbooks, sewing machines, uniforms and equipment.
3. Most wages and unemployment compensation.
4. Social Security benefits.
5. Certain retirement funds and accounts.
6. Certain veteran and armed forces benefits.
7. Certain insurance proceeds.
8. Such other exemptions may be provided by law.

If you have an exemption, you should do the following promptly:

1. Fill out the claim form and demand for a prompt hearing below.
2. Deliver the form or mail it to the Sheriff's Office at the address noted.

You should come to court ready to explain your exemption. If you do not come to court and prove your exemption, you may lose some of your property.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE:

**ALLEGHENY COUNTY BAR ASSOCIATION
LAWYER REFERRAL SERVICE
KOPPERS BUILDING, SUITE 400
436 SEVENTH AVE
PITTSBURGH, PENNSYLVANIA 15219
412-261-5555**

CLAIM FOR EXEMPTION

TO THE SHERIFF:

I, the above-named defendant, claim exemption of property from levy or attachment:

(1) FROM MY PERSONAL PROPERTY IN MY POSSESSION WHICH HAS BEEN LEVIED UPON,

(a) I desire that my statutory \$300.00 exemption be:

(____) (1) Set aside of kind (specify property to be set aside in kind:

(____) (2) Paid cash following the sale of the property levied upon; or

(b) I claim the following exemption: (specify property and basis of exemption) _____

(2) FROM MY PROPERTY WHICH IS IN THE POSSESSION OF A THIRD PARTY, I CLAIM THE FOLLOWING EXEMPTIONS:

(a) My \$300.00 statutory exemption (____) in cash (____) in kind (specify property):

(b) Social Security benefits on deposit in the amount of \$ _____

(c) Other (specify amount and basis for exemption): _____

I request a prompt court hearing to determine the exemption
Notice of the hearing should be given to me at the following:

Name _____

Address _____

Telephone # _____

I verify that the statements made in this claim for Exemption are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. ss 4904 relating to unsworn falsification to authorities.

Date: _____

Defendant: _____

THIS CLAIM TO BE FILED WITH:

SHERIFF OF ALLEGHENY
436 GRANT STREET
ROOM 111, COURTHOUSE
(412)350-4700
FEE IS \$20.00

Note: Under paragraphs (1) and (2) of the Writ, a description of specific property to be levied upon or attached may be set forth in the writ or included in a separate direction to the Sheriff.

Under paragraph (2) of the Writ, the Sheriff may, as under prior practice add as a garnishee any person not named in this writ who may be found in possession of property of the defendant. See Rule 3111(a). For limitations on the power to attach tangible

personal property, see Rule 3108(a). (b) Each court shall, by local rule designate the officer, organization or person to be named in the notice.

MF / JUDGE

ATTORNEY FOR PLAINTIFF

(CASE NUMBER)

Plaintiff

: ALLEGHENY COUNTY

: COURT OF COMMON PLEAS

Defendant(s)

: CIVIL DIVISION

NOTICE OF SHERIFF'S SALE OF REAL ESTATE

To:

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF A LIEN AGAINST PROPERTY.

Your house (real estate) at _____ is scheduled to be sold at the Sheriff's Sale on ____ / ____ / ____ at 9:00 AM, in Allegheny County, Fourth Floor, Gold Room, Courthouse, Pittsburgh, PA via virtual technology to enforce the judgment of \$ _____ obtained by _____ the mortgagee) against you. As a result, a writ of execution has been issued in the amount of \$ _____.

**NOTICE OF OWNER'S RIGHT
YOU MAY BE ABLE TO PREVENT THIS SHERIFF'S SALE**

To prevent this Sheriff's Sale, you must take immediate action:

The sale will be cancelled if you pay to the mortgagee the Back payments, late charges, costs and reasonable attorneys Fees due. To find out how much you must pay, you may call:

1. You may be able to stop the sale by filing a petition asking the Court to strike or open the judgment, if the judgment was improperly entered. You may also ask the Court to postpone the sale for good cause.
2. You may also be able to stop the sale through other legal proceedings.
3. You may need an attorney to assert your rights. The sooner you contact one, the more chance you will have of stopping the sale. (See notice on page two on how to obtain an attorney.)

**YOU MAY STILL BE ABLE TO SAVE YOUR PROPERTY AND YOU HAVE OTHER RIGHTS
EVEN IF THE SHERIFF'S SALE DOES TAKE PLACE.**

1. If the Sheriff's Sale is not stopped, your property will be sold to the highest bidder. You may find out the price bid by calling 412-350-4704.
2. You may be able to petition the Court to set aside the sale if the bid price was grossly inadequate compared to the value of your property.
3. The sale will be recorded only if the purchaser pays the Sheriff the full amount of the bid. To find out if this has happened yet, you may call the Sheriff's Office at 412-350-4704.
4. If the amount due from the purchaser is not paid to the Sheriff, the sale must be rescheduled.
5. You have the right to remain in the property until the full amount due is paid to the Sheriff and the Sheriff gives a deed to the buyer. At that time, the buyer will bring legal proceedings, if necessary, to evict you.
6. You may be entitled to a share of the proceeds which were paid for your house. A proposed schedule of distribution of the money bid for your house will be prepared by the Sheriff within 30 days of the Sale. The schedule will state who will be receiving that money. The money will be paid out in accordance with this schedule unless exceptions (reasons why the proposed distribution is wrong) are filed with the Sheriff within ten (10) days after the posting of the Schedule of Distribution.
7. You may also have other rights and defenses, or ways of getting your home back, if you act immediately after the sale.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, CONTACT THE OFFICE LISTED BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Attorney Signature

Allegheny County Bar Association
Koppers Suite 400, 436 7th
Pittsburgh, PA 15219
412.261.0518

Neighborhood Legal Service Association
928 Penn Avenue
Pittsburgh, PA 15222
412.255.6700