

Rights of Redemption

Rights of Redemption and the Amount Payable for Redemption

When real property is sold at a tax sale, whether to an individual or to Decatur County, the owner, creditor, or any person having an interest in the property may redeem the property from the holder of the tax deed.

After July 1, 2002, the owner, creditor, or any other person with interest in the property, must pay the tax deed purchaser, the amount paid for the property at tax sale, plus 20% premium for the first year or fraction of a year, plus any taxes paid on the property by the purchaser after the sale, plus any special assessment on the property, and a 10% premium of the amount for each year or fraction of a year, which has elapsed since the date of sale plus costs. A premium of 20% must also be paid when Decatur County is the purchaser (O.C.G.A. § 48-4-42).

The owner, creditor, or any other person with an interest in the property may redeem the property at any time during the twelve (12) months following the tax sale. The purchaser of the tax deed cannot take actual possession of the property during this time and the tax deed purchaser is not authorized to receive rents or make any improvements to any structure on the property or grade any lot prior to this time.

When the property has been redeemed (all monies due the purchaser paid as prescribed by law), the purchaser shall then issue a quitclaim deed to the owner of the property (as stated on the Fi.fa.) releasing the property from tax deed.

This redemption of the property shall put the title conveyed by the tax sale back to the owner, subject to all liens that existed at the time of the tax sale. If the redemption was made by any creditor of the owner or by any person having any interest in the property, the amount expended by the creditor or the person interested shall constitute a first lien on the property (O.C.G.A. § 48-4-21, 48-4-40, 48-4-41, 48-4-42, 48-4-43, and 48-4-44).