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Purchasing Property Sold Through Court or Sheriff's Sale

Dear Reader:

The following document was created from the CTAS website (ctas.tennessee.edu). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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Purchasing Property Sold Through Court or Sheriff's Sale

Reference Number: CTAS-645

A judge, sheriff, court clerk, court officer, or employee of any court commits an offense who bids on or purchases, directly or indirectly, for personal reasons or for any other person, any kind of property sold through the court for which the judge, sheriff, court clerk, court officer, or employee discharges official duties. A bid or purchase in violation of this provision is voidable at the option of the person aggrieved. This offense is a Class C misdemeanor, with no incarceration. T.C.A. § 39-16-405. See Op. Tenn. Atty. Gen. 99-105 (May 10, 1999) (purchase of confiscated items by law enforcement officers, city or county employees at public auction).

In addition, no sheriff, deputy sheriff, or constable may purchase, either directly or indirectly, any property sold through their own judicial sale no matter which court is involved. T.C.A. §§ 8-8-206 and 8-10-116. See *also* Op. Tenn. Atty. Gen. 99-105 (May 10, 1999) (purchase of confiscated items by law enforcement officers, city or county employees at public auction).

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