

TITLE 4: ECONOMIC RESOURCES
DIVISION 5: BUSINESS REGULATION

§ 51547. Sales at Public Auction: Notice; Disposition of Proceeds.

(a) All sales made under 4 CMC §§ 51545 and 51546 shall be made at public auction.

(b) No sale shall be valid unless notice of the sale is published at least once a week for 2 successive weeks prior to the sale, in some newspaper published in the county in which the sale is to take place, or, in case no newspaper is published therein, by posting notices at least 10 days prior to the sale in at least three public places in the county, two of which shall be in the township where the property is to be offered for sale.

(c) The notice shall:

(1) Give a description of the property to be sold.

(2) Give the time and place of the sale.

(3) Give the name of the hotel, inn, motel, or lodging house at which the property or baggage was left.

(4) Give the name of the owner of the property when known.

(5) Be signed by the person conducting the sale.

(d) If the name and residence of the owner of the property upon which the lien is to be foreclosed is known, a copy of the notice shall, at the time of the posting or publication, be delivered to him, if he resides in the county; otherwise, it shall be mailed to him at his last known place of residence.

(e) After paying all costs of keeping the property until the time of sale, the reasonable costs of the sale and the amount due the lien claimant, the remainder, if any, shall be paid to the county treasurer of the county in which the lien is foreclosed with a statement of the innkeeper's claim, the costs of enforcing it, a copy of the published or posted notice, and the amount received for the property sold at the sale. The residue shall be paid into the county school district fund, subject to a right of the guest or boarder, or his representative, to reclaim it within 6 months from the date of the deposit.

Source: PL 15-117, § 2(51447), modified.

Commission Comment: The Commission modified this section pursuant to 1 CMC § 3806(g) by changing "§§ 51544 and 51545" to "4 CMC §§ 51545 and 51546" to correct manifest errors.