



# Iberia Parish Clerk of Court

## OBTAINING A PROPERTY BOND

### FOR PROPERTY IN IBERIA PARISH

#### 1 - INITIAL STEPS TO SEE IF A PROPERTY BOND IS APPLICABLE

##### 1.0 CONTACT THE JUDGE WHO PLACED THE BOND ON THE PERSON INCARCERATED IN JAIL TO OBTAIN PERMISSION TO USE A PROPERTY BOND. NOT ALL JUDGES OR SITUATIONS MAY BE APPROVED.

1.1 As an Iberia Parish property owner who is seeking a property bond for a person currently incarcerated in jail, you will have numerous steps to obtain a property bond. The following steps are intended as a guide to assist you. This process requires you to visit all applicable facility locations.

1.2 You should first contact the jail where the person is incarcerated to see if there are any holds on them. If there are holds, they may not accept a property bond.

- NOTE: A hold placed on an incarcerated person may prevent any bond from being used to bond the incarcerated person out of jail.

1.3 If there are no holds on the person and they are incarcerated in a jail outside of Iberia Parish, you should find out if they will accept a property bond from property located in Iberia Parish. If they do, proceed to step 3. If they do not accept property bonds from Iberia Parish, there may be nothing else you can do.

#### 2 - ASSOCIATED FEES

2.0 All fees are collected at the time of that specific service is performed. You are responsible for paying each step along the way.

- \$20 - \$30 for a Mortgage Certificate (depending the number of names listed) (STEP 3.2)
  - NOTE: Every person whose name is listed on the mortgage certificate MUST be present. If all parties are not present, the process cannot continue unless the proper legal documentation is present, allowing for their absence.
- \$110 to record the Lien & Privilege (depending on the number of pages, the price may increase)
  - This is prepared and signed at the Iberia Parish Jail, even if the incarcerated person is jailed in another Parish. THIS IS A COURTESY THIS IS SOMETIMES EXTENDED.
  - You will bring the prepared Lien & Privilege to the Civil Department of the Iberia Parish Sheriff Office (located in the Iberia Parish Court House) to have this document notarized.
  - You will bring the signed and notarized Lien & Privilege to the Iberia Parish Clerk of Court to record and pay the estimated \$110 recording fee.

##### FUTURE FEES:

- \$60 to cancel the Lien.
  - NOTE: This is done at the request of the property owner(s) and may be years later. THIS IS NOT AUTOMATICALLY COMPLETED. It is up to the property owner(s) to request and pay for the cancellation.
  - NOTE: The property owner(s) may have to request cancellation paperwork from the District Attorney's office in order to cancel the Lien.



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#### **3 - PROPERTY ASSESSMENT – TAX ASSESSORS OFFICE**

- 3.0** The property owner(s) must go to the **Iberia Parish Tax Assessor office, located at 121 W PERSHING ST, STE 100, NEW IBERIA, LA 70560**, to obtain written, detailed assessment on the property.
- 3.1** Property owner(s) brings the Tax Assessor document(s) back to the Iberia Parish Clerk of Court Office.
- At this point all persons listed on the assessment must be present and have a valid I.D.
  - Those persons listed on the assessment are the **ONLY** persons that can sign the property bond paperwork.
- 3.2** The Iberia Parish Clerk of Court will use the Tax Assessor document(s) to generate a Mortgage Certificate for the property owner(s) to ensure there is enough equity in the values of the property.
- This is the \$20 - \$30 fee listed in section 2.0.

#### **4 – LIEN MORTGAGE – IBERIA PARISH SHERIFF OFFICE**

- 4.0** The property owner(s) brings the Tax Assessor document(s), Mortgage Certificate (as outlined in STEPS 3.0, 3.1 and 3.2) and proper identification to the **Civil Department of the Iberia Parish Sheriff's Office, located at 300 IBERIA STREET, IBERIA PARISH COURTHOUSE), NEW IBERIA, LA 70560**
- 4.1** Iberia Parish Sheriff Deputy prepares the Lien & Privilege which will be signed by the property owner(s).

#### **5 – RECORDING – IBERIA PARISH CLERK OF COURT**

- 5.0** The property owner(s) brings the notarized documents (STEP 4.2) to the Iberia Parish Clerk of Court office to record.
- This is the estimated \$110 recording fee listed in section 2.0.
- 5.1** You will receive a Certified Copy of the recorded Lien & Privilege from our office.



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#### **6 – POSTING OF THE PROPERTY BOND – JAIL**

- 6.0** The property owner(s) will bring the Certified Copy of the Lien & Privilege (STEP 5.1) back to the **JAIL WHERE THE INCARCERATED PERSON IS JAILED.**
- 6.1** If accepted, the Jail will post the property bond to release the incarcerated person.

#### **7 – CANCELLING THE PROPERTY BOND**

- 7.0** Once the previously incarcerated person has completed their sentence and completed their probation conditions OR if their case was dismissed, the property owner(s) may choose to cancel the property bond.
- NOTE: This is not automatically done. It is the responsibility of the property owner(s) to request and pay to Cancel.
- 7.1** The property owner(s) must bring a copy of the recorded Lien & Privilege to the **District Attorney's Office, located at 300 Iberia Street, 2<sup>nd</sup> Floor, New Iberia, LA 70560**, and request that the District Attorney prepare the necessary paperwork to cancel the property bond.
- 7.2** The property owner(s) must bring the completed paperwork from the District Attorney's office down to the Iberia Parish Clerk of Court office.
- This is the \$60 cancellation fee listed in section 2.0.
- 7.3** After paying the cancellation fee, the lien will be cancelled and no longer affect the property.

#### **DOCUMENT HISTORY**

- REV. 00 01/27/2023 Wess Robison** To document the for reference only process for obtaining property bonds.
- REV. 01 08/21/2023 Wess Robison** To change section 4 where the jail does not prepare the Lien, the Civil Department of the Sheriff's office does.
- REV. 02 3/26/2024 Wess Robison** To add 1.0 regarding obtaining judge's permission.