

1977 S.C. Op. Atty. Gen. 72 (S.C.A.G.), 1977 S.C. Op. Atty. Gen. No. 77-78, 1977 WL 24420

Office of the Attorney General

State of South Carolina

Opinion No. 77-78

March 10, 1977

*1 Honorable W. R. Free
Master of Bamberg County
Bamberg, South Carolina

Dear Judge Free:

Thank you for your letter of January 12, 1977. The Attorney General referred it to me for response.

In answer to your questions, according to Section 10-1770 of the 1962 South Carolina Code the only time when a mortgagee may bid is at the time of the sale. He may enter initial or additional bid at any other time except that he may enter the single or last bid made by him or in his behalf at the sale. The pertinent language from the statute is as follows:

‘But the mortgagee or his representative shall enter such bid as he desires at the time the sale is made, and he and all persons acting in his behalf shall be precluded from entering any other bid in any amount at any other time except the single or last bid made by him or in his behalf at the sale.’

Bidders other than the mortgagee and the highest bidder at the sale and their representatives may bid at any time during the thirty day period and on the thirtieth day.

I am enclosing a copy of Section 10-1770 for your reference. If our Office can be of further assistance to you, please let us know.

Yours very truly,

M. Elizabeth Crum
Assistant Attorney General

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