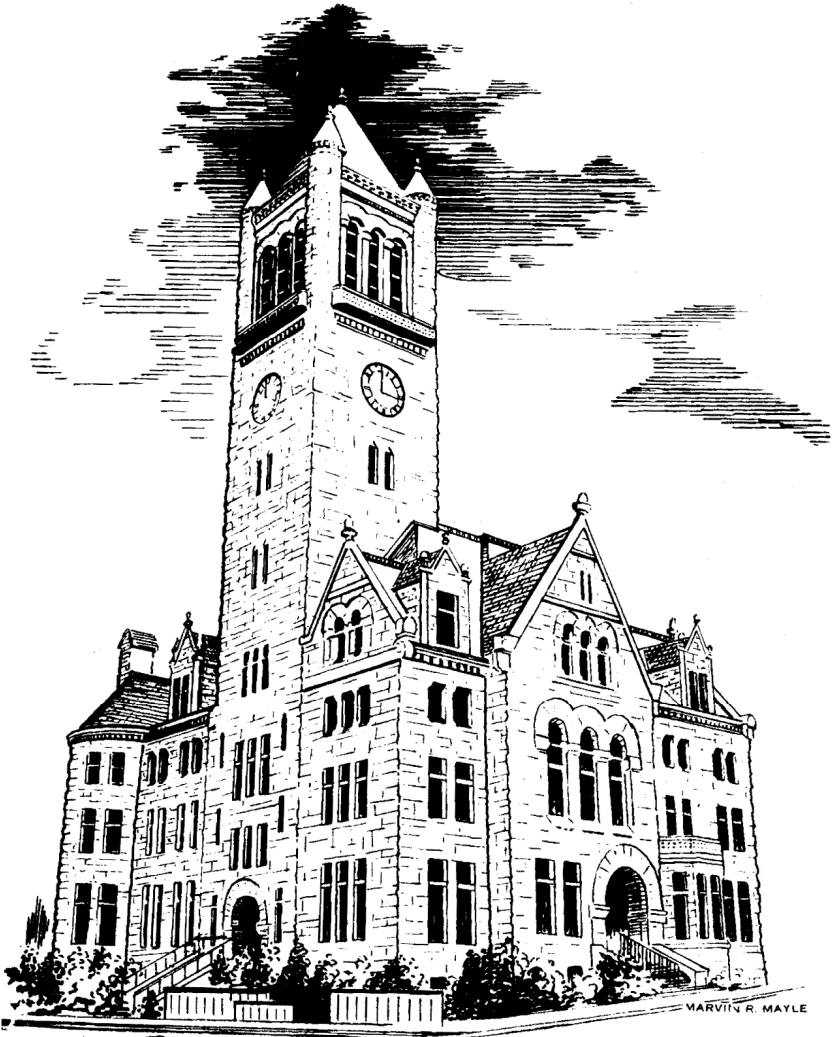


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Third Publication

DENNIS CHAW, a/k/a DENNIS ALBERT CHAW, late of Perryopolis Boro, Fayette County, PA (3)

Executrix: Melissa Ann Hice
c/o Massaro Law, LLC
152 East Otterman Street
Greensburg, PA 15601
Attorney: Joseph Massaro

IRMA M. DAVIS, late of Luzerne Township, Fayette County, PA (3)

Co-Executors: Gene E. Davis and
Joyce L. Kielbasa
c/o 51 East South Street
Uniontown, PA 15401
Attorney: Anthony Dedola

ROBERT MCINTYRE, a/k/a ROBERT NICHOLAS MCINTYRE, late of Belle Vernon, Fayette County, PA (3)

Administratrix: Christine McIntyre
c/o Schneider Bell
1375 East 9th Street, Suite 900
Cleveland, Ohio 44114
Attorney: Justin Stark

Second Publication

RONALD CURRAN, a/k/a RONALD EARL CURRAN, late of Perryopolis, Fayette County, PA (2)

Executrix: Candance Beth Santo
c/o 125 Constitution Street
Perryopolis, PA 15473

PATRICIA ANN HULL, a/k/a PATTI ANN HULL, a/k/a PATTI A. HULL, late of Stewart Township, Fayette County, PA (2)

Personal Representative: Holly D. Hull
c/o Watson Mundorff, LLP
720 Vanderbilt Road
Connellsville, PA 15425
Attorney: Timothy J. Witt

RONALD E. KROFCHECK, late of Perryopolis Borough, Fayette County, PA (2)

Personal Representative:
Gregory M. Krofcheck
c/o Watson Mundorff, LLP
720 Vanderbilt Road
Connellsville, PA 15425
Attorney: Timothy J. Witt

CHARLES LEO MARKIEWICZ, late of Redstone Township, Fayette County, PA (2)

Executrix: Blanch Linda Markiewicz
281 Third Street
Allison, PA 15413
c/o 183 Market Street, Suite 100
Kingston, PA 18704-5444
Attorney: David E. Schwager

LARRY DALE SALISBURY, a/k/a LARRY SALISBURY, late of Springhill Township, Fayette County, PA (2)

Executor: Dave Salisbury
c/o Higinbotham Law Offices
68 S. Beeson Boulevard
Uniontown, PA 15401
Attorney: James E. Higinbotham, Jr.

LINDA MARIE SMITH, late of Georges Township, Fayette County, PA (2)

Administrator: Larry Monroe Smith
c/o Ricardo J. Cicconi Law Office
P.O. Box 953
Uniontown, PA 15401
Attorney: Ricardo J. Cicconi

WILLIAM R. TOLNAI, JR., late of Menallen Township, Fayette County, PA (2)

Personal Representative:
Pamela S. Springer
c/o Higinbotham Law Offices
68 S. Beeson Boulevard
Uniontown, PA 15401
Attorney: James E. Higinbotham, Jr.

First Publication

HELEN M. CZUCHAN, late of Uniontown,
Fayette County, PA (1)

Executor: Joseph Czuchan, Jr.
c/o 96 East Main Street
Uniontown, PA 15401
Attorney: Anne N. John

**EDWARD R. FIKE, a/k/a EDWARD
RONALD FIKE**, late of Uniontown, Fayette
County, PA (1)

Personal Representative:
Kimberly Fike Marshall
c/o Watson Mundorff LLP
720 Vanderbilt Road
Connellsville, PA 15425
Attorney: Timothy J. Witt

ERIC LEAR, a/k/a ERIC L. LEAR, late of
Saltlick Township, Fayette County, PA (1)

Administrator: Patrick S. Lear
c/o Geary, Loperfito & Generelli, LLC
159 Lincoln Avenue
Vandergrift, PA 15690
Attorney: Alaine Generelli

**COLTON SHRONTZ, a/k/a COLTON
RYAN SHRONTZ**, late of Menallen Township,
Fayette County, PA (1)

Administratrix: Colleen Rea Shrontz
c/o Peacock Keller, LLP
95 West Beau Street, Suite 600
Washington, PA 15301
Attorney: L. Dawn Haber

LEGAL NOTICES

*** NONE ***

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JUDICIAL OPINION

IN THE COURT OF COMMON PLEAS OF FAYETTE COUNTY, PENNSYLVANIA
CIVIL DIVISION

IN RE: SALE OF DELINQUENT :
PROPERTIES EXPOSED FOR :
SALE SEPTEMBER 24th, 2025 :
:
PARCEL ID# 30-26-0173 :
:
EUGENE GROOMS, SR., Executor of the :
Estate of JESSIE MAE GROOMS; :
SHEILA GROOMS, heir to the Estate :
of JESSIE MAE GROOMS, :
Petitioners, :
v. :
FAYETTE COUNTY TAX CLAIM BUREAU, :
Respondent, and :
VINCENT L. SICKLES, : No. 2729 of 2025, G.D.
Intervenor. : President Judge Steve P. Leskinen

OPINION AND DECREE

LESKINEN, P.J. April 2, 2026
Before the Court is a Petition for Exceptions to Disapprove, Set Aside, or Void Tax Sale. For the reasons set forth below, the Petition is hereby granted and the sale is voided and set aside.

FACTUAL AND PROCEDURAL HISTORY

The property at issue is designated as Fayette County Tax Parcel No. 30-26-0173, known as 2008 Railroad St. in Redstone Township, Fayette County, Pennsylvania ("Property"). The record owners of the Property at the time of the sale were Richard L. Grooms and Jesse Grooms, his wife, who took title by deed from Walter and Margaret Bester dated October 12th, 1967. (The Court takes judicial notice of the deed filed in the Fayette County Recorder of Deeds at Deed Book 1050 Page 972.) Richard L. Grooms predeceased Jesse Grooms, who died in December of 2012. Jesse Grooms executed a Last Will and Testament dated April 8th, 2011, naming her son, Eugene Grooms, Sr., as Executor, and devising her real property to her daughter, Sheila Grooms. The heirs have not been able to locate the original will and have a pending petition before the Orphan's Court to admit a copy of the Will for probate.

The Tax Claim Bureau's ("TCB") record for the Property at the time of the sale listed Richard L. and Jesse Grooms at a mailing address of PO Box 39, Cardale, Pennsylvania, 15420, as the owners of the Property. Sale notices sent by the Tax Claim Bureau in March and June of 2025 were returned with the mailing card signed by Marvin Settles, the ex-husband of Sheila Grooms {1}. The Property has been occupied by Sheila Grooms since December of 2014. The Property was sold at Upset Sale on September 24th, 2025, to Intervenor, Vincent Sickles, for \$4,577.00.

{1} Sheila Grooms and Marvin Settles separated on May 2nd, 2025, and were divorced on September 23rd, 2025.

DISCUSSION

One of the most fundamental tenets of both our state and federal constitutions is that no person shall be deprived of property without due process of law. *Hess v. Westervick*, 366 Pa. 90, 96 (Pa. 1950). "Before a State may take property and sell it for unpaid taxes, the Due Process Clause of the Fourteenth Amendment requires the government to provide the owner notice and opportunity for a hearing appropriate to the nature of the case." *Jones v. Flowers*, 547 U.S. 220, 223 (2006) (internal quotations omitted). As the U.S. Supreme Court held in *Jones* (at 234):

[Petitioner] should have been more diligent with respect to his property, no question. People must pay their taxes, and the government may hold citizens accountable for tax delinquency by taking their property. But before forcing a citizen to satisfy his debt by forfeiting his property, due process requires the government to provide adequate notice of the impending taking.

Our courts and legislature have also recognized the need to ensure that a buyer at a tax sale is purchasing more than just a lawsuit. *Hess* at 99. A tax sale that provides no value to a prospective bidder serves no purpose. The legislature has sought to prevent invalidation of sales for minor irregularities, but this creates a substantial responsibility in the taxing authorities to ensure that an owner is not deprived of valuable property because of carelessness or oversight. *Hess* at 98. The focus, when reviewing a challenge to a tax sale, is not on the alleged neglect of the owner, which is often present in some degree, but on whether the taxing authority has complied with every statutory requirement. *Jenkins v. Fayette County Tax Claim Bureau*, 176 A.3d 1038, 1043 (Pa. Cmwlth. 2018). "A failure by a tax claim bureau to comply with each and every statutory requirement will nullify a sale." *Id.*

The first issue before this Court is the threshold issue of Petitioners' standing to challenge the sale. Whether a party has standing to challenge a tax sale is based on whether that party has "the requisite substantial, direct and immediate interest in the sale of property to qualify as an aggrieved party." *Moore v. Keller*, 98 A.3d 1, 4 (Pa. Cmwlth. 2014). Here, Eugene Grooms, Sr., is named as a Petitioner as the Executor of the Estate of Jesse Mae Grooms. However, as of the date of the hearing in this matter on March 23rd, 2026, no Letters Testamentary had been issued, as the matter of the admission of a photocopy of the Will was still pending. Therefore, Eugene Grooms, Sr., would not have standing as the Executor of the Estate of Jesse Mae Grooms where no will was yet been admitted to probate. Sheila Grooms, however, would have the requisite substantial, direct, and immediate interest required to challenge the tax sale either as a devisee of the Property under the will or as an intestate heir.

The second issue before the Court is whether the TCB gave sufficient notice of the sale. Section 602(e)(1) of the Tax Sale Law, 72 P.S. §5860.602(e)(1), requires the TCB to send a Notice of Sale "at least thirty (30) days before the date of the sale, by United States certified mail, restricted delivery, return receipt requested, postage prepaid, to each owner as defined by this act." (emphasis added.) 72 P.S. §5860.102 defines an "owner" as:

"Owner," the person in whose name the property is last registered, if registered according to law, or, if not registered according to law, the person whose name last appears as an owner of record on any deed or instrument of conveyance recorded in the county office designated for recording and in all other cases means any person in open, peaceable and notorious possession of the property, as apparent owner or owners thereof, or the reputed owner or owners thereof, in the neighborhood of such property; as to property having been turned over to the bureau under Article

VII by any county, "owner" shall mean the county.

This Court finds that the last owners of record for the Property were Richard L. Grooms and Jesse Grooms, his wife. When real property is owned by more than one person, including a husband and wife, §5860.602(e)(1) requires notice to be sent to each named owner of property. In re Upset Tax Sale Held 11/10/97, 784 A.2d 834, 836 (Pa. Cmwlth., 2001). The TCB did not establish at the hearing that the required notices were sent separately to both record owners. Further, the cards returned from the Certified Mail bore the signature of Marvin Settles rather than Richard L. Grooms or Jesse Grooms. When the return receipt is not signed by the owner the TCB is obligated under §5860.602(e)(2) to send an additional notice by first class mail with proof of mailing to the owner who did not sign for their notice. In re Upset Tax Sale at 836. The record is clear that the TCB did not take these additional steps, nor did the TCB attempt to personally serve the occupants of the Property. "The burden of examining the return receipt cards to ensure that the notices are acknowledged by the persons to whom they were sent is one imposed on the TCB by statute and cannot be relieved by the Courts." *Id.* at 837 (quoting Mangine Appeal, 487 A.2d 45 (Pa. Cmwlth. 1985)). The failure to send separate notices to each record owner and the failure to send an additional notice via first class mail are both fatal flaws in the notice process, each of which would serve as independent grounds to overturn the sale. {2}

WHEREFORE, the Court issues the following Order:

DECREE

AND NOW, this 2nd day of April, 2026, after hearing and upon the consideration of Exceptions to Disapprove, Set Aside or Void Tax Sale, the Petition is hereby GRANTED and the tax sale of property parcel number 30-26-0173 located in Redstone Township, Fayette County, PA is hereby VOIDED and SET ASIDE.

This Order is contingent upon Petitioners paying by cash or certified funds all delinquent taxes, in the amount of \$2,743.33 by 4:00 P.M. on Thursday, April 30th, 2026. If the Petitioners comply with these requirements, the Tax Claim Bureau shall refund the purchase price of \$4,348.15 and a 5% buyer's premium of \$228.85, for a total of \$4,577.00 to the purchaser, Vincent Sickles.

If Petitioners fail to comply with these requirements, the Petition shall be DISMISSED, the exceptions and objections to the Upset Sale shall be DENIED and the Tax Claim Bureau shall issue a deed to the highest bidder, Vincent Sickles.

The Court hereby ORDERS that the Tax Claim Bureau shall update the mailing address and contact information for the parcel identified above to Sheila Grooms with a mailing address of P.O. Box 276, Republic, Pennsylvania, 15475.

The owners are obligated to comply with all applicable laws and notify the Tax Claim Bureau of any changes to the ownership of the property or the mailing addresses of the property owners. Unless or until the Tax Claim Bureau has received such notice of a change in ownership or contact information, the information herein shall be presumed valid.

STEVE. P. LESKINEN,
PRESIDENT JUDGE

ATTEST:
PROTHONOTARY

{2} The Court need not address the issue of whether Sheila Grooms was an "Owner Occupant" pursuant to 72 P.S. §5860.102, and therefore entitled to personal service, due to the other fatal defects in service.