



Foreclosure Posting Requirements

All foreclosures are Judicial. The mortgagee begins the foreclosure process by filing a complaint, with loan documents attached, and a lis pendens with the County Recorder. Service is attempted personally twice before alternative service is allowed. Once service is complete, Default Judgment may be obtained after the expiration of the twenty (20) day answer period. Any defendant may challenge the Complaint and request an evidentiary hearing. Once the Judgment is entered, the mortgagee may request that the Sherriff conduct a sale of the property to satisfy the judgment. The Sherriff is responsible for all notice of the sale, including by publication and posting. Once the sale is conducted, the mortgagor may challenge the process, including notice deficiencies.

Foreclosure Auction Locations

Most states direct the specific location where a sheriff, trustee or creditor may conduct a foreclosure sale. Often the direction is as vague as 'any public place within the county in which the property is located.' Other times, the statute requires that a foreclosure sale only be held at the site of the property to be foreclosed. Foreclosure sales can be conducted at public auction held at the front door of a courthouse of the superior court in the judicial district where the property is located, unless the deed of trust specifically provides that the sale shall be held in a different place.

Foreclosure Timeline:

Timeline Step	Days for Step	Total Days
Complaint filed	1	1
First Attempt at service	20	21
Second Attempt at service if necessary	20	21-41
Constructive Service	10	21-41
Answer Period	20	41-71
Entry of Judgment	1	42-72
Request to Sell filed once judgment final	11	53-83
Notice period for sale	14 min.	67-97
Sale	1	68-98
Confirmation	30	98-128

(Timeline is for non-judicial foreclosures. Intervals are optimal and assumes no delays.)