



# Minnesota

## Foreclosure Posting Requirements

Foreclosures may be under either a Judicial or Non-Judicial process. Prior to commencing foreclosure on owner occupied property, the mortgagee must send to the borrower a Notice of Default and information on Mortgage Prevention Assistance and Counseling. The borrower must be given at least thirty (30) days to cure the default prior to commencing foreclosure. Foreclosure is commenced by filing a Notice of Pendency. The Notice of Sale must be published for six (6) weeks prior to sale. The Notice of Sale must be served on the borrower at least four (4) weeks prior to sale, along with a form notice related to Foreclosure advice (if the property is owner occupied). At the same time, a notice to any tenant must be served on the property. If the mortgagor engages an attorney or trustee to conduct the sale, a power of attorney must be recorded prior to the sale. After the sale, there exists a six (6) to twelve (12) month redemption period. A deficiency award is available.

## 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
Notice of Default and Assistance information sent	30	30
Notice of Pendency recorded	1	31
Publication period, service of notices	36-42	67-73
Sale	1	68-74
Redemption period	180-365	248-439

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