



Foreclosure Posting Requirements

Depending to the type of mortgage, either Judicial or Non-judicial foreclosures are available. For most Deeds of Trust, non-judicial foreclosures are an option. Once a successor trustee is appointed, a Notice of Default is filed with the County Recorder. Within ten (10) days, the Trustee must mail, by certified mail, a copy of the Notice of Default to any party who has recorded a request for such notice, which automatically includes the grantor. If the Trustee does not have a valid address for any grantor, the Trustee must publish the notice of Default for 3 consecutive weeks, commencing no later than ten (10) days after recordation. The grantor may cure the default within thirty (30) days of the recordation. If cured, the grantor may require the Trustee to record a cancellation of the Notice of Default. If the default is not cured within thirty (30) days, the Trustee may issue a Notice of Sale. At least 20 days prior to the sale date, the Notice of sale must be mailed by the same manner. The Trustee must publish the Notice of the Sale for five (5) consecutive weeks with the last publication falling between ten (10) and thirty (30) days prior to the sale. Deficiency actions may be filed for ninety (90) days after the sale. Additional procedures and extended timelines apply to unincorporated agricultural property.

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
Appointment of Successor Trustee	1	1
Recordation of Notice of Default	1	1
Notice of Default mailed	1	2
Reinstatement period	30	31
Notice of Sale issued and mailed	1	32
Publication	29	61
Sale	10	71

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