



North Carolina

Foreclosure Posting Requirements

Foreclosures may be by Judicial or Non-Judicial Process. To commence a Non-Judicial foreclosure, a Notice of Hearing is filed and served by certified mail on all parties to the mortgage and junior lien holders. The hearing is before the Court Clerk, who validates the right to foreclose. Under a new statute, the Court Clerk may delay the hearing for up to sixty (60) days to allow for the borrower to cure the default. The Notice of Sale must be posted for a period of not less than twenty (20) days prior to the sale in a designated public posting area. The Notice of Sale must be published for two (2) consecutive weeks ending not more than ten (10) days prior to the sale. The Notice of Sale must be mailed to all parties at least twenty (20) days prior to the sale. There is no post sale period of redemption. Deficiency awards are available under limited circumstances.

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
Recording of Notice of Hearing and Service	10	11
Hearing and appeal period	71	82
Notice of Sale posted	20	102
Notice of Sale mailed	20	102
Notice of Sale published	8	8
Sale (within ten days of end of publication)	1	103

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