



## South Carolina

### **Foreclosure Posting Requirements**

All foreclosures are by Judicial process. The process is commenced by the filing of a complaint and a lis pendens. The complaint is served generally by personal service, although service by mail or publication is occasionally allowed. The defendants have thirty (30) days to answer or face default. Upon default, the Court sets the matter for hearing before a Hearing Officer who issues the Judgment and Order for Sale. The Notice of Sale must be posted at the Courthouse for at least three (3) weeks prior to sale and be published for three (3) consecutive weeks prior to sale. There is no post-sale redemption period. Deficiency awards are generally available, but the borrower may seek to limit the size of the award if the sale price was less than the appraised value.

### **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:**

<b>Timeline Step</b>	<b>Days for Step</b>	<b>Total Days</b>
Lis Pendens filed	1	1
Complaint filed and served	10	11
Default if no answer	31	42
Hearing held; Order of Sale issued	20	62
Posting and Publication	21	83
Sale (time dependent on deficiency sought or waived)	1-30	84-113

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