



West Virginia

Foreclosure Posting Requirements

Foreclosures are generally by non-judicial process. Prior to commencing foreclosure, the lender must send a letter notifying the borrower of the right to cure the default for a period of ten (10) days. Once that period expires, the lender may accelerate the loan and commence foreclosure. The Foreclosure Trustee must publish notice in a newspaper of general circulation for two (2) consecutive weeks. The Foreclosure Trustee must send notice by certified mail to the borrower and any subordinate lien holders requesting notice. The burden is on the borrower and subordinate lien holders to notify the lender of any change in address. There is no post-sale redemption period. Deficiency awards are allowed, but difficult to obtain.

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
Lender sends right to cure letter; cure period runs	13	13
Trustee sends notice to borrower and lien holders	20	33
Trustee publishes notice	8-14	8-14
Sale	1	34

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