



Foreclosure Posting Requirements

Foreclosures may be by Judicial or Non-Judicial Process. There is no statutory requirement to provide notice prior to commencing a foreclosure, but many Deeds of Trust have contractual notice provisions which must be satisfied. To commence a Non-Judicial foreclosure, the Notice of Sale is recorded and a Successor Trustee appointed. The Notice of sale must be published for four (4) consecutive weeks ending within seven (7) days of the sale. The Notice of Sale must also be posted at the Courthouse. The borrower has a reinstatement right until the sale, but no redemption right after the sale. Deficiency awards are 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
Appointment of Successor Trustee	1	1
Recording of Notice of Sale	1	2
Publication	22-28	24-30
Posting of Notice	22-28	24-30
Sale	1	25-31

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