



Foreclosure Posting Requirements

Both Judicial and Non-judicial foreclosures are allowed in Oklahoma, but certain types of mortgages may only be foreclosed judicially. If a mortgagee elects non-judicial foreclosure, the Trustee must first issue a Notice of Intent to Foreclose. This notice must be mailed, by certified mail, to the mortgagor. This obligation does not apply to mortgages for which there has been 3-4 (depending on Homestead status) prior Notices of Intent in the previous 24 months. Once the Notice of Intent is sent, the borrower has 35 days to cure the default. If the default is not cured, the Trustee then issues and records a Notice of Sale, including an affidavit as to compliance with the Notice of Intent to Foreclose. The Notice of Sale must be personally served upon the mortgagor(s), senior lien-holders, and junior lien or interest holders. Proof of Service must be recorded with the County Clerk. The Trustee shall publish the Notice of Sale for four (4) consecutive weeks commencing at least thirty (30) days prior to the sale. If the property is a homestead, the mortgagor may elect judicial foreclosure up to ten (10) days prior to the sale date by recording and mailing, by certified mail, an election to proceed judicially. If the property is a homestead, the mortgagor may notify the mortgagee or Trustee of the inapplicability of a deficiency action up to ten (10) days prior to the sale. If not such action is taken, a deficiency action may be commenced.

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. In Oklahoma, The sale may be held at the property to be sold, the Courthouse, the business location for the mortgagee, or any other specified public place. The sale must take place between 9:00 AM and 5:00 PM. The Trustee may conduct the sale. A may be orally postponed, but must also be published at least ten (10) days prior to the new sale.

Foreclosure Timeline:

Timeline Step	Days for Step	Total Days
Appointment of Successor Trustee	1	1
Issuance of Notice of Intent (if required)	1	1
Reinstatement period	35	36
Issuance of Notice of Sale	1	37
Personal Service	Unknown	
Publication	29	66
Sale (if judicial foreclosure not elected)	1	30 days after Service

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