



South Dakota

Foreclosure Posting Requirements

Foreclosure may be by Judicial or Non-Judicial Process. Non-Judicial process, known as Foreclosure by Advertisement, often converts to a Judicial Process. Notice of Sale published four (4) consecutive weeks in legal newspaper. Notice must be served upon the mortgagor and other recorded lien and interest holders at least twenty-one (21) days prior to sale. The mortgagor, successor, or any lien or interest holder may apply to the Court to force the foreclosure to be conducted judicially. A mortgagee may elect to foreclosure judicially as an alternative. There is a redemption period. 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
Publication of Notice	22-28	23-29
Service on entitled parties (at least 21 prior to sale)	1	23-29
Sale	1	24-30

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