



Foreclosure Posting Requirements

Once the successor Trustee has been appointed, the Notice of Default is recorded with the county Office of the Recorder. Notice is provided by mail to parties listed as entitled to Notice in the Deed of Trust and any party that files a Request for Notice with the Office of the Recorder prior to the Notice of Default. The default may be cured within ninety (90) days, and if cured, a Notice of Cancellation is recorded. Once ninety (90) days has elapsed from the recordation of the Notice of Default and no cure is made, the Trustee records a Notice of Sale setting the Time, Date, and Location. The Notice of Sale follows the form provided by statute. The Notice of Sale must be posted on the property and published in a legal newspaper. As of January 1, 2010, there will be an additional requirement to post on a website. The Notice of Sale must also be mailed to parties entitled to the Notice of Default above. Once the notice period has ended, the sale is held. The sale may be postponed by oral postponement for up to 45 days. A longer postponement requires restarting the process from the recordation of the Notice of Sale.

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 |
| Recordation of Notice of Default | 1 | 1 |
| Notice mailed to: | | |
| Parties to Deed of Trust if Deed so orders | 10 | 10 |
| Other parties requesting notice | 10 | 10 |
| Recordation of Notice of Sale | 90 | 91 |
| Notice | | |
| Publication of Notice of Sale | 21 | 112 |
| Posting of Notice of Sale on Property | 20 | 112 |
| Publication on Website (as of 1/1/2010) | 30 | 121 |
| Sale | 1 | 122 |
| Turnover/recordation of Trustee's Deed | 3 | 125 |

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