Foreclosure Process

Judicial

Title Review

- Defects
- Assignments
- Judgments
- Death, Divorce, Bankruptcy

First Legal: Complaint/Petition Filed

- Lis Pendens
- Defendants Named
- Junior Liens
- HOA
- Taxing Authority

Service on Defendants

- Ways made: Sheriff; Process Server; Certified Mail; Publication

Answers/Responses Filed

- Defenses
- Counterclaims and Cross Claims
- Default

Judgment

- Motion made
- What's included in judgment?
- Priority Established
- Extinguishes rights

Sale Held

- Who conducts?
- Bidding Method and Issues
- Publication and Mailing Requirements Met?

Redemption Period

- Available?
- Rights and amounts apply
- How preserved and can it be waived?
- Cut off for redemption

Sale Confirmed

- When is confirmation made?
- Any rights extinguished?
- Documents necessary?
- Hearing required?
- Publication required?

Foreclosure Deed Issued

- When, how and by whom is it issued?
- What is conveyed?
- Vesting Instructions

Pursuit of Deficiency

- Verify if allowable in jurisdiction
- Bankruptcy issues?
- Timing or limitations applicable?