

# Foreclosure Sale Postponement — Your Instructions and Form

**Your deadline was** \_\_\_\_\_. Your form and filing instructions are below - but unfortunately, it is likely too late for you to file.

**You may still be able to save your home if you act quickly!** For additional information about foreclosure postponement and foreclosure prevention resources available in Minnesota, visit the MN Home Ownership Center's website at [www.hocmn.org](http://www.hocmn.org).

**Your deadline is** \_\_\_\_\_, which is 15 days before the sale date of \_\_\_\_\_ (adjusting for weekends and holidays). You don't have much time to file your form. Your form is on the next page, and the steps on this page tell you how to file it properly.

**NOTE:** Your deadline fell on \_\_\_\_\_. Some offices take that day off, and others don't. As a result, **your deadline may be** \_\_\_\_\_. Call the Recorder to find out - soon. Their phone number is below.

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1. Before you print, review your form carefully for any mistakes. If you need to change anything, you will need Microsoft Word. Public computers (like at libraries) have Microsoft Word.
2. Print your form - but do not sign it yet! Public computers also have pay printers, often for \$0.10 per page. Attach a copy of your NOTICE OF MORTGAGE FORECLOSURE SALE.
3. Get your form Notarized. That means, take it to a person called a "Notary Public," and sign it in front of him or her. After witnessing your signature, the Notary will also sign the form, making it legally valid. You can often find a Notary at the Courthouse or bank. Some charge \$1, but not at the Courthouse.
4. Make three copies of your notarized form (including the NOTICE you attached in Step 2). You should now have a total of four copies. Put one copy with your personal records at home.
5. Take the original and the remaining two copies to the \_\_\_\_\_ County Recorder or Registrar of Titles, located at:

**NOTE:** Do not complete Step 5 until **after** the first publication of the NOTICE (eg., in a newspaper.)

File the original form there. You will have to pay a recording fee of \$50-55. Bring cash or a check. The County Recorder will put the date and filing information on the remaining two copies of your form. You will need them for the next steps.

***TIP:** File your papers as soon as you can. Call the Recorder ahead of time to get their office hours, and show up early. It could take over an hour to file your papers. Unexpected problems may cause delays - so do not wait until the last day!*

6. File one copy with the \_\_\_\_\_ County Sheriff - who is conducting the sale - at this address:

Some County Sheriffs charge fees to file your form, and others don't.

7. Deliver one copy to the attorney or law firm conducting the foreclosure. The attorney's name and contact information is on PAGE 2 of your NOTICE OF MORTGAGE FORECLOSURE SALE. Call ahead to see if they want you to send the form via fax, mail, or in-person.

***TIP:*** *You may be angry at the attorney - but do try to be polite. If you can show you are willing to work with them, it could help you save your home.*

8. Finally, follow up the next day with the Sheriff and the foreclosure attorney. Make sure they received your form, and confirm the new sale date.

(Top 3 inches reserved for recording data)

**AFFIDAVIT OF POSTPONEMENT**  
**Minn. Stat. 580.07**

**Minnesota Uniform Conveyancing Blanks**  
**Form 60.8.1 (2011)**

State of Minnesota, County of \_\_\_\_\_

\_\_\_\_\_  
(whether one or more, "Owner"), being first duly sworn on oath, states as follows:

1. \_\_\_\_\_ the owner(s) or mortgagor(s) of the real property (the "**Property**") situated in \_\_\_\_\_ County, Minnesota, legally described in the attached published Notice of Mortgage Foreclosure Sale (the "**Notice**"), and make this affidavit for the purpose of postponing the foreclosure sale of the Property pursuant to Minnesota Statutes, section 580.07, subdivision 2, for five months from the date scheduled in the attached Notice if the original redemption period is six months, or for 11 months if the original redemption period is 12 months.

2. The Property is classified as homestead under Minnesota Statutes, section 273.124, is occupied by \_\_\_\_\_ as a homestead, and is improved with not more than four dwelling units.

\_\_\_\_\_ has elected to shorten \_\_\_\_\_ redemption period from any foreclosure sale of the Property to five weeks in exchange for the postponement of the foreclosure sale for five months if the original redemption period was six months, or for 11 months if the original redemption period was 12 months.

Check here if all or part of the described real property is Registered (Torrens)

Owner

(signature) \_\_\_\_\_

(signature) \_\_\_\_\_

**Note: The published Notice of Mortgage Foreclosure Sale must be attached to this document and recorded in order for it to be enforceable.**

**Note: After recording, Minn. Stat. 580.07 subd. 2 requires that a copy of this recorded affidavit be filed with the County Sheriff and delivered to the attorney foreclosing the mortgage.**

Signed and sworn to before me on *(month/day/year)*, by \_\_\_\_\_.

(Stamp)

*(signature of notarial officer)*  
Notary Public, Minnesota  
My commission expires: *(month/day/year)*

THIS INSTRUMENT WAS DRAFTED BY: