



Model Foreclosure Timelines

A State by State Guide



Important Information

US Default Management's Model Foreclosure Timelines offers a compilation of estimated timelines only. The estimated timelines represent optimum circumstances and are based on uncontested actions. They allow for no delays due to missing documents and assume quick provision of requested figures from the servicer as well as timely execution and return of documents by the servicer.

These estimated foreclosure timelines have been provided by individual attorneys licensed in each state represented, but are by no means exhaustive of all points of view, scenarios, problems, issues or happenstances which may exist or arise from case to case.

Disclaimer

This publication and all of the information contained herein is intended as and provided for general information purposes only and should not be interpreted or relied on as legal advice.

Foreclosure law is very complex and constantly changing as local, state and federal legislatures and regulators propose and pass new procedures and regulations. The estimated timelines contained herein may not reflect the newest or most current legal advances and as such, should never be relied on as a sole source of information. Readers should always seek advice from an attorney licensed in the relevant jurisdiction and familiar with local legal customs prior to acting on any information contained in this publication.



Alabama
Model Foreclosure Timeline*

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Title ordered (if applicable)	2	3
Loan docs reviewed	15	18
Acceleration letter sent/pub/sale date scheduled	1	19
Publish (and sale date must be 19 days from 1 st pub and 32 days from initial communication with debtor)	31-41	50-60
Sale held	1	51-61
Deed recorded	1-15	55-76

* Assuming uncontested actions, with all necessary documents provided, assignments recorded and no title issues.

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Alaska
Model Foreclosure Timeline*

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Notice of default recorded	10	11
Publication	35	46
Sale held	45	91
Deed recorded	10	101

* Assuming uncontested actions, with all necessary documents provided at referral, assignments recorded, no title issues, timely provision of figures and timely return of executed documents.

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Arizona
Model Foreclosure Timeline*

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file/Order TSG/prepare SOT	1	1
Sale Scheduled/ Notices sent	20	21
Review TSG	8	29
Send notice for publication and posting	26	55
Order IRS bringdown/send notice to IRS if required	14	69
Trustee sale held	30	99

* Assuming uncontested actions, with all necessary documents provided at referral, assignments recorded, no title issues, timely provision of figures and timely return of executed documents.

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**Arkansas
Model Foreclosure Timeline***

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Title ordered/Loan docs reviewed	14	15
Notice of Default filed	7	22
Request for bid	47	69
Sale held**	14	83
Deed recorded	10	93

* Assuming uncontested actions, with all necessary documents provided at referral, assignments recorded, no title issues, timely provision of figures and timely return of executed documents.

** The shortest time to sale can be no less than NOD plus 61 days.

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California
Model Foreclosure Timeline*

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Record NOD	1	2
Send 10 day notices	10	12
Receive/review Trustee Sale Guarantee	3	15
Publication/mailing	90	105
Reinstatement period	(up to 5 days before sale)	115
Sale	24	129

* Assuming uncontested actions, with all necessary documents provided, assignments recorded and no title issues.

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**Colorado
Model Foreclosure Timeline***

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file/Title ordered	1	1
File sent to public trustee	29	30
Sale scheduled/NED recorded	15	45
Notice published	55	100
Rule 120 hearing**	11	111
Sale date	35	146
Redemption expires	12	158
Deed recorded	14	172

* Assuming uncontested actions, with all necessary documents provided at referral, assignments recorded, no title issues, timely provision of figures and timely return of executed documents.

** This is not dependent on Publications.

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Connecticut
Model Foreclosure Timeline*

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
File complaint	59	60
Serve complaint	7	67
Judgment date**	123	190
Sale	90	280

* Assuming uncontested actions, with all necessary documents provided, assignments recorded and no title issues.

** If mediation is required, add 127 days. Mediations usually occur between service and judgment.

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**Delaware
Model Foreclosure Timeline***

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
File complaint	29	30
Service complete	25	55
Default judgment entered	23	78
Request sheriff's sale	11	89
Advertising complete	90	179
Sale held	8	187
Sale confirmed**	45	232
Deed recorded	65	297

* Assuming uncontested actions, with all necessary documents provided at referral, assignments recorded, no title issues, timely provision of figures and timely return of executed documents.

** Confirmation is dependent on payment of sheriff's invoice by the servicer.

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District of Columbia Model foreclosure timeline*

There is not yet sufficient data from the new judicial procedure to create a model timeline

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**Florida
Model Foreclosure Timeline***

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Review title	6	7
File complaint	15	22
Service completed	60	82
Draft/send Aff of Amount Due	5	87
Receive Aff. Of Amount Due	15	102
File motion for judgment, default	5	107
Hearing, judgment, sale date set	90	197
Publication	16 – 90**	213 - 303
Sale	14 – 90 **	227 - 393

* Assuming uncontested actions, with all necessary documents provided at referral, assignments recorded, no title issues, timely provision of figures and timely return of executed documents.

** Hearings and non-jury trials are often set out 2-3 months; sale dates are often set 2-3 months from the date of judgment.

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Georgia
Model Foreclosure Timeline*

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file/Order title	1	1
Sale scheduled	3	4
Pub time	30	34
Deed under Power sent to Lender/Request for bid	1	35
Sale held	10	46
Deed requested	10	56
Post sale searches	2	58
Deed sent for recording	3	61

- * Assuming uncontested actions, with all necessary documents provided at referral, assignments recorded, no title issues, timely provision of figures and timely return of executed documents.
- ** Sale cannot be scheduled until title is clear and AOM recorded. Issues with title or counties that take longer to record the AOM will cause delays.

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Hawaii Model Foreclosure Timelines*

Judicial Foreclosure

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Complaint Filed	30	31
Service	40	71
Entry of Default	30	101
Summary judgment	30	131
Auction	90	221
Confirmation	40	261
Conveyance	60	321

Nonjudicial Foreclosure

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Sale scheduled	10	31
Publication	90	121
Posting	10	131
Auction	30	161
Conveyance	35	196

* Assuming uncontested actions, with all necessary documents provided at referral, assignments recorded, no title issues, timely provision of figures and timely return of executed documents.

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Idaho
Model Foreclosure Timeline*

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
TSG Ordered/ Received/ Reviewed	6	7
SOT prepared	3	10
SOT recorded	5	15
Notice of Default recorded	20	35
Sale scheduled/ NOD sent to borrower	1	36
Publication/service completed	45	81
Deed sent to lender for execution	63	144
Sale held	1	145
Deed recorded	10	155

* Assuming uncontested actions, with all necessary documents provided at referral, assignments recorded, no title issues, timely provision of figures and timely return of executed documents.

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Illinois
Model Foreclosure Timeline*

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Complaint filed	30	31
Complaint served	60	91
Default judgment entered**	60	151
Sale held	165	316
Redemption expiration	45	361
Deed recorded	10	371

* Assuming uncontested actions, with all necessary documents provided at referral, assignments recorded, no title issues, timely provision of figures and timely return of executed documents.

** Court dockets are often backed up, causing delays to this process.

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Indiana
Model Foreclosure Timeline*

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Complaint filed	30	31
Service completed	45	76
Default judgment entered/ Redemption expires	60	151
Advertising completed	75	226
Sale held	15	241
Deed recorded	10	251

* Assuming uncontested actions, with all necessary documents provided at referral, assignments recorded, no title issues, timely provision of figures and timely return of executed documents.

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**Iowa
Model Foreclosure Timeline***

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Complaint filed	25	26
Complaint served	34	60
Default judgment entered	60	120
Advertising complete	60	180
Sale held	15	195
Deed recorded	15	210

* Assuming uncontested actions, with all necessary documents provided at referral, assignments recorded, no title issues, timely provision of figures and timely return of executed documents.

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**Kansas
Model Foreclosure Timeline***

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Title reviewed	5	6
File complaint	5	11
Service complete	10	21
Default period ends	60	81
Judgment entered	5	86
Stay of execution expires	15	101
Publication starts	10	111
Sale held	30	141
Redemption expires	90	231
Deed recorded	15	246

* Assuming uncontested actions, with all necessary documents provided, assignments recorded and no title issues.

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Kentucky
Model Foreclosure Timeline*

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Complaint filed	30	31
Service completed	30	61
Response Period Expires	20	81
Motion for judgment filed	60	141
Judgment entered	60	201
Sale held	60	261
Confirmation of sale	30	291
Deed recorded	30	321

* Assuming uncontested actions, with all necessary documents provided at referral, assignments recorded, no title issues, timely provision of figures and timely return of executed documents.

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**Louisiana
Model Foreclosure Timelines***

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
File complaint	30	30
Complete service	60	90
Enter default	45	135
Service of judgment	30	165
Writ issues	55	220
Service of Writ	45	265
Advertisement	30	295
Sale	10	305
Deed recorded	40	345

Executory Process:

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
File petition for executory process	30	30
Writ issues	30	60
Service of Writ	75	135
Sale	60	195
Deed recorded	40	235

* Assuming uncontested actions, with all necessary documents provided, assignments recorded and no title issues.

** In cases where a borrower is absent or property is vacant, a Curator must be appointed, this adds to service times.

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**Maine
Model Foreclosure Timeline***

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Complaint filed	30	31
Service completed	30	61
Motion for special assignment/ witness list/exhibit list filed	30	91
Trial scheduled	250	341
Judgment docketed	7	348
Redemption period expires	90	438
Advertising complete	45	483
Sale held	20	503
Deed recorded/ report of sale filed	50	553

* Assuming uncontested actions, with all necessary documents provided at referral, assignments recorded, no title issues, timely provision of figures and timely return of executed documents.

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**Maryland
Model Foreclosure Timeline***

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
45 day NOI sent	7	8
Case sent to court for docketing	45	53
Service completed	25	78
Sale date set	44	122
Title update received	7	129
1 st publication	7	136
Sale held	15	151
Report of sale to court	15	166
Sale ratification	60	226
Audit sent to court	5	231
Audit ratified by court	60	291
Deed recorded	75	336

* Assuming uncontested actions, with all necessary documents provided at referral, assignments recorded, no title issues, timely provision of figures and timely return of executed documents.

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**Massachusetts
Model Foreclosure Timeline***

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive/review file	1	1
Obtain title report/prepare assignment and demand affidavit	5	6
Assignment and affidavit recorded	24	30
Complaint filed	0	30
Order of Notice received by Land Court	5	35
Service completed	50	85
Judgment entered/ Certification and affidavits sent to lender for execution	10	95
Affidavit recorded/Notices and certification sent to borrower	20	115
Sale held	45	160
Deed recorded	100	260

* Assuming uncontested actions, with all necessary documents provided at referral, assignments recorded, no title issues, timely provision of figures and timely return of executed documents.

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Michigan Model Foreclosure Timeline*

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Title ordered (confirmed)	1	1
Review title	10	11
Publication Reviewed and sent	5	16
Publication (at least 28 days)	34	50
Posting	0 (done 15 days after 1 st pub)	50
Sale	0	50
Redemption expires	180 (rare circumstances 365)	230

* This is assuming uncontested actions, with all necessary documents provided, no title issues are present, redemption expiration acceleration and adjournments are not requested, and assignments already recorded and no mediation is requested by the borrower.

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**Minnesota
Model Foreclosure Timeline***

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Title reviewed/ sale set/ POA or notice of pendency recorded	30	31
First publication	7	38
Service complete	23	61
Sale held/ sheriff's cert recorded	40	101
Redemption expires	180	281

* Assuming uncontested actions, with all necessary documents provided, assignments recorded and no title issues.

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**Mississippi
Model Foreclosure Timeline***

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
45 day notice sent	7	8
Substitution of trustee executed and recorded	38	46
Publication started/ notice of sale posted	30	76
Sale held	30	106
Deed recorded	15	121

* Assuming uncontested actions, with all necessary documents provided at referral, assignments recorded, no title issues, timely provision of figures and timely return of executed documents.

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Missouri
Model Foreclosure Timeline*

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Review title	14	15
Record Substitution of Trustee**	4	19
Schedule sale	5	24
Publication	7	31
Sale	30	61
Deed recorded	5	66

* Assuming uncontested actions, with all necessary documents provided, assignments recorded and no title issues.

** Assuming Substitution of Trustee is provided with referral.

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Montana
Model Foreclosure Timeline*

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Sale date set/ Notice of Sale sent for recording	10	11
Service complete	10	21
Publication/posting complete	75	96
Sale held	45	141
Deed recorded	5	146

* Assuming uncontested actions, with all necessary documents provided at referral, assignments recorded, no title issues, timely provision of figures and timely return of executed documents.

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Nebraska Model Foreclosure Timelines*

Non-Judicial

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Substitution of Trustee sent for execution	10	11
Substitution of Trustee and Notice of Default filed and served	10	21
30 reinstatement period expires	30	51
Notice of sale publication complete	40	91
Trustee's sale held	20	111
Deed recorded	10	121

Judicial

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Complaint/lis pendens/praecipes filed	11	12
Service completed	7	19
Redemption expires	20	39
Publication	30	69
Sale held	14	83
Confirmation of sale	14	97
Deed recorded	20	117

* Assuming uncontested actions, with all necessary documents provided at referral, assignments recorded, no title issues, timely provision of figures and timely return of executed documents.

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Nevada
Model Foreclosure Timeline*

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file – Substitution of Trustee/ Notice of Default prepared	1	1
Notice of Default recorded	2	3
10 day mailings & mediation notice sent to borrower on owner occupied properties	8	11
Election for mediation expires/certification requested	40	51
Redemption expires	41	92
Publication and posting	1	93
Sale held	24	117
Trustee’s sale deed prepared	2	119

* Assuming uncontested actions, with all necessary documents provided, assignments recorded and no title issues.

** The single largest delay is the result of attempting to obtain a Certificate from the Mediation Administrator’s Office regardless of the borrower electing Mediation or not electing. A Sale CANNOT be scheduled without the issuance of a Certificate.

*** A Trustee Sale may only be postponed 3 times after which a new Notice of Sale must be posted and published.

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**New Hampshire
Model Foreclosure Timeline***

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Acceleration mailed to borrower	5	6
Foreclosure sale set	30	36
First Publication	7	43
Sale Held	30	73
Deed recorded	5	78

* Assuming uncontested actions, with all necessary documents provided at referral, assignments recorded, no title issues, timely provision of figures and timely return of executed documents.

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**New Jersey
Model Foreclosure Timeline***

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Complaint filed	30	31
Service complete	30	61
Default filed	70	131
Notice of intent to file judgment mailed	20	151
Judgment filed	15	166
Judgment entered	100	266
Sale date set	60	326
Sale held	30	356
Redemption expires	10	366
Deed recorded	25	392

* Assuming uncontested actions, with all necessary documents provided at referral, assignments recorded, no title issues, timely provision of figures and timely return of executed documents.

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**New Mexico
Model Foreclosure Timeline***

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Complaint filed	30	31
Service completed	45	76
Default date	30	106
Judgment entered	45	151
Sale held	45	196
Sale confirmed	30	226
Redemption expires/Deed recorded	30	256

* Assuming uncontested actions, with all necessary documents provided at referral, assignments recorded, no title issues, timely provision of figures and timely return of executed documents.

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**New York
Model Foreclosure Timeline***

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
File complaint	20	21
Service	30	51
Default period expires	30	81
Settlement Conference	60	141
Application for OoR	5	146
OoR entered, appoint referee	180	326
Oath & Report submitted and returned by Referee	30	356
File motion for judgment	20	376
Judgment entered	180	556
Sale	60	616

* Assuming uncontested actions, with all necessary documents timely provided, assignments recorded and no title issues.

** If a defendant cannot be located for service and an order of publication is required this will further add to the timelines – on average 180 days.

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**North Carolina
Model Foreclosure Timeline***

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Appointment of Substitute Trustee recorded	30	31
Notice of Hearing filed	25	56
Service completed	30	86
Hearing held**	20	106
Posting/publishing/serving of order of sale complete	20	126
Sale held	30	156
Upset period expires***	10	166
Deed recorded	5	171

* This is assuming uncontested actions, with all necessary documents provided, no title issues are present, redemption expiration acceleration and adjournments are not requested, and assignments already recorded and no mediation is requested by the borrower.

** The clerk of each county plays a direct role in the ability to schedule hearings, in some of the more urban counties it is not uncommon to wait three months for a hearing.

*** The ten day upset bid period resets after each upset bid

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**North Dakota
Model Foreclosure Timeline***

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Service of Notice of Intent to Foreclose completed	75	76
Complaint filed	10	86
Service completed	15	101
Time to answer expires	20	121
Judgment entered	35	156
Sale held	70	226
Redemption expires	60	286
Deed recorded	10	296

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Ohio
Model Foreclosure Timeline*

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
File complaint	7	8
Serve complaint	30	38
Default judgment entered	60	98
Sale	120	218
Confirm sale	45	263

* Assuming uncontested actions, with all necessary documents provided, assignments recorded and no title issues.

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**Oklahoma
Model Foreclosure Timeline***

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Title Work Received	30	31
Complaint filed	30	61
Service completed	60	121
Time to answer expires	30	151
Judgment entered	60	211
Sale held	59	270
Sale confirmed	30	300
Deed recorded	15	315

* Assuming uncontested actions, with all necessary documents provided at referral, assignments recorded, no title issues, timely provision of figures and timely return of executed documents.

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Oregon
Model Foreclosure Timeline*

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Trustee Sale Guarantee Report Ordered/Reviewed/SOT sent for execution	20	22
SOT & NOD recorded ; NOS served	14	36
Publication & NOD expires	130	166
Sale	0	166
Trustee Deed recoded	10	176

* Assuming uncontested actions, with all necessary documents provided, assignments recorded and no title issues.

** Also assuming all figures and executed documents are timely received from client

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Pennsylvania
Model Foreclosure Timeline*

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Complaint filed	20	21
Service complete	30	51
Default judgment enters	30	81
Sale held**	90	171
Deed recorded	60	231

* Assuming uncontested actions, with all necessary documents provided at referral, assignments recorded, no title issues, timely provision of figures and timely return of executed documents.

** Monroe County is setting sale dates at approximately eighteen months out.

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**Puerto Rico
Model Foreclosure Timeline***

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Present mortgage to registry for recording **		
Complaint filed **	30	30
Service complete	30	60
File default/drop/Non-Military Affidavit	30	90
Request entry of judgment	30	120
Final judgment entered	30	150
Publish final judgment	10	160
Request order and writ of execution of final judgment	20	180
Sale date set	60-90	240-270
Publish notice of sale	16	256
Motion to submit supporting documents/Judicial sales deed	14	270
Sale held***	0	270
File deed with property registry	10	280

* Assuming uncontested actions, with all necessary documents provided, assignments recorded and no title issues.

** Recording the mortgage or deed can take a year or more – the complaint cannot be filed before the deed is recorded.

*** Sale can be held a maximum of 90 days after judgment

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**Rhode Island
Model Foreclosure Timeline***

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Foreclosure notices sent to borrower	45	46
Notice period expires	30	76
Service by publication completed	21	97
Sale held	7	104
Deed recorded	30	134

* Assuming uncontested actions, with all necessary documents provided at referral, assignments recorded, no title issues, timely provision of figures and timely return of executed documents.

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**South Carolina
Model Foreclosure Timeline***

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Title Exam Ordered	10	10
Complaint filed	10	20
Service complete	30	50
Order of reference filed	30	80
Hearing Date Scheduled	30	110
Hearing held/judgment entered	10	120
Property Advertised for Sale	30	150
Sale held / Deed Issued**	30-90	180-240

* This is assuming uncontested actions, with all necessary documents provided, no title issues are present, redemption expiration acceleration and adjournments are not requested, and assignments already recorded and no mediation is requested by the borrower.

** Depending on the county

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**South Dakota
Model Foreclosure Timeline***

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Complaint filed	39	40
Service complete	60	100
Default judgment entered	60	160
Advertising complete	43	203
Sale held	7	210
Redemption expires	180	390
Deed recorded	21	411

* Assuming uncontested actions, with all necessary documents provided at referral, assignments recorded, no title issues, timely provision of figures and timely return of executed documents.

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**Tennessee
Model Foreclosure Timeline***

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Title/Loan docs reviewed	10	11
First publication of sale	10	21
Sale held	26	47
Deed recorded	10	57

* Assuming uncontested actions, with all necessary documents provided at referral, assignments recorded, no title issues, timely provision of figures and timely return of executed documents.

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Texas
Model Foreclosure Timelines*

Non-Judicial Foreclosure

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Review title	10	11
Notice to IRS 7425(c)	1	12
Acceleration Notice/NOS	6	18
Posting to sale	21	39
Sale	1	40

Judicial Foreclosure

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Application Processing	21	22
Affidavit drafted/executed	30	52
Application filed	2	54
Response period	44	98
Motion for default filed	3	101
Court order allowing non-judicial foreclosure of the property	14	115
Non-judicial process to sale	See table above (40 days)	155

* Assuming uncontested actions, with all necessary documents provided, assignments recorded and no title issues.

** Sale dates are only on the first Tuesday of each month so there is potential delay for sale dates

Foreclosure involving probate:

Creditor's Administration Opened by Attorney:

Upon notice that a borrower is deceased:

1. Determine date of death: 1 day
2. Obtain CAD value or recent BPO: 2 weeks
3. Determine amount of debt: 1 day
4. Heir research: 1 day to 2 weeks if outsourced
5. Review title report for possible recordings in real property records (Ex: Affidavit of Heirship):
2 weeks from request of updated title report to review

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6. Review probate docket(s): 1 day if available online
7. Request Death Verification Letter (“DVL”) from Texas Department of State Health Services: 2 weeks to 2 months to receipt
8. Send Heir Intention Letters (“HIL”) to determine if there was a will, if property occupied, gather additional information about heirs, etc: 3 weeks; 1 week draft and mail, 2 week response time
9. Request formal probate research as not all counties are online: 1 week to 2 months response to request
10. If property occupied or if there is equity:
 - a. Prepare and file Application for Administration: 1 – 2 months, for research, determining occupancy, equity, etc.
 - i. First Legal met with filing of application*
 - b. Send notices to heirs via certified and first class mail: 1 day
 - c. Await appointment of Attorney Ad Litem (“AAL”), if applicable: 1 – 2 months
 - d. Coordinate with AAL and proposed administrator to set hearing. AAL must have had time to conduct research and prepare his report: 1 month
 - e. The administrator will be appointed at the hearing: 1 day
 - f. Probate claim is prepared and submitted to client for execution: 1 week to draft and send; 2 weeks to 2 months for execution and receipt
 - g. Probate claim is filed: 2 days after receipt of executed claim
 - h. Probate claim is allowed by the administrator and approved by the court: 2 months
 - i. Application to Foreclose is prepared and submitted to client for execution: 1 week to draft; 2 weeks to 2 months for execution and receipt
 - j. Application to Foreclose is filed and hearing set: 1 week
 - k. Application to Foreclose is granted at hearing: 1 day
 - l. DMP closed and probate hold lifted: 2-3 days after order allowing foreclosure if pending fee approval

Underwriting Approval Obtained

Upon notice that a borrower is deceased:

1. Determine date of death: 1 day to 1 month if additional documentation required
2. Obtain CAD value or recent BPO: 2 weeks
3. Determine amount of debt: 1 day
4. Heir research (via Accurant, TLO, Ancestry, online obituaries, etc): 1 day to 2 weeks if outsourced
5. Review title report for possible recordings in real property records (Ex: Affidavit of Heirship): 2 weeks from requesting of updated title report to review
6. Review probate docket(s): 1 day if available online
7. Request Death Verification Letter (“DVL”) from Texas Department of State Health Services: 2 weeks to 2 months to receipt
8. Send Heir Intention Letters (“HIL”) to determine if there was a will, if property occupied, gather additional information about heirs, etc: 1 week to draft and mail; 2 week response time
9. Request formal probate research as not all counties are online: 1 week to 2 months response to request

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10. **If no equity, no pending probate and NOT a Home Equity Loan:**

- a. Proceed with request for Underwriting Approval (“UA”): 1 week to draft and send; 1 to 2 weeks to receipt of executed UA letter
- b. Upon receipt, close DMP file and allow foreclosure to proceed: 1 to 2 days upon receipt of UA letter

****First Legal met upon posting**

-OR-

Proceeding to Determine Heirship Required

Upon notice that a borrower is deceased:

1. Determine date of death: 1 day
2. Obtain CAD value or recent BPO: 2 weeks
3. Determine amount of debt: 1 day
4. Heir research (via Accurint, TLO, Ancestry, online obituaries, etc): 1 day to 2 weeks if outsourced
5. Review title report for possible recordings in real property records (Ex: Affidavit of Heirship): 2 weeks from request of updated title report to review
6. Review probate docket(s): 1 day if available online
7. Request Death Verification Letter (“DVL”) from Texas Department of State Health Services: 2 weeks to 2 months to receipt
8. Send Heir Intention Letters (“HIL”) to determine if there was a will, if property occupied, gather additional information about heirs, etc: 1 week to draft; 2 week response time
9. Request formal probate research as not all counties are online: 1 week to 2 months response to request
10. If property occupied or if there is equity:
 - a. Prepare and file Application for Administration: 1 -2 months, depending on depth of research required, necessity of determining occupancy, equity, etc.
****First Legal met with filing of application**
 - b. **Prepare Application to Determine Heirship, as required in particular counties and/or courts:** 1 -2 months, filed simultaneously with application for letters of administration
 - i. This requires substantial research to locate two disinterested witnesses with adequate knowledge of the decedent and willingness to testify.
 - c. **Send notices to heirs via personal citation and/or publication, as required in particular counties and/or courts. This could cause a delay of_____.** 1 to 3 months for court to issue citation, 1 month for service and return of citation by constable/sheriff, process server
 - d. Await appointment of Attorney Ad Litem (“AAL”), if applicable: 1 -2 months
 - e. Coordinate with AAL, proposed administrator **and witnesses** to set hearing. AAL must have had time to conduct research and prepare his report: 3 – 6 months
 - f. The administrator will be appointed at the hearing: 1 day
 - g. Probate claim is prepared and submitted to client for execution: 2 weeks to 2 months for execution and receipt
 - h. Probate claim is filed: 2 days after receipt of executed claim

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- i. Probate claim is allowed by the administrator and approved by the court: 2 months
- j. Application to Foreclose is prepared and submitted to client for execution: 1 week to draft; 2 weeks to 2 months for execution and receipt
- k. Application to Foreclose is filed and hearing set: 1 week
- l. Application to Foreclose is granted at hearing: 1 day
- m. DMP closed and probate hold lifted: 2 -3 days after order allowing foreclosure if pending fee approval

-OR-

Probate Case Opened by 3rd Party

Upon notice that a borrower is deceased:

1. Determine date of death: 1 day
2. Obtain CAD value or recent BPO: 2 weeks
3. Determine amount of debt: 1 day
4. Heir research (via Accurint, TLO, Ancestry, online obituaries, etc): 1 day to 2 weeks if outsourced
5. Review title report for possible recordings in real property records (Ex: Affidavit of Heirship): 2 weeks from requesting of updated title report to review
6. Review probate docket(s): 1 day if available online
7. Request Death Verification Letter ("DVL") from Texas Department of State Health Services: 2 weeks to 2 months to receipt
8. Send Heir Intention Letters ("HIL") to determine if there was a will, if property occupied, gather additional information about heirs, etc: 1 week to draft and mail, 2 week response time
9. Request formal probate research as not all counties are online: 1 week to 2 months response time
10. If probate case located:

- a. Request copies of documents

i. If Application to Probate Will or Application for Independent Administration has been filed and order entered, the DMP will be closed and probate hold lifted 6 months from entry of order.

***First Legal will not be met until DMP is closed and posting has occurred.*

ii. If Application for Dependent Administration has been filed and order entered, we will file a claim and Application to Foreclose. (see timelines in creditor's administration above)

***First Legal met when claim is filed.*

iii. If Will probated as Muniment of Title or Small Estate Affidavit filed and order entered, DMP will be closed upon receipt and review of relevant documents from the court.

***First Legal will not be met until DMP is closed and posting has occurred.*

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**US Virgin Islands
Foreclosure Timeline***

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Referral to complaint filed	65	65
Service complete**	60	125
Default package	60	185
Default judgment filed	25	210
Sale	90-150	300-450
Redemption	180	480-630
Deed recorded	60-365	540-995

* Assuming uncontested actions, with all necessary documents provided at referral, assignments recorded, no title issues, timely provision of figures and timely return of executed documents.

** Assuming defendants are not deceased and service is not required in Puerto Rico.

*** This data is based on information from one attorney only.

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Utah
Model Foreclosure Timeline*

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file, review for spoc, collateral documents and order title.	2	2
Obtain Title Report	10	12
Prepare/execute/record Assignment, if needed	45	57
Prepare/ execute/record Substitution of Trustee	45	57
Notice of Default recorded	1	58
Redemption period expires	90	148
Publication completed	30	178
Sale held	1	179
Deed recorded**	4	183

* Assuming uncontested actions, with all necessary documents provided at referral, assignments recorded, no title issues, timely provision of figures and timely return of executed documents.

** Depending on the county, deeds can take up to a month to record.

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**Vermont
Model Foreclosure Timeline***

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Complaint filed	30	31
Service complete	15	46
Time to answer expires	20	66
Default judgment enters	60	126
Judgment decree entered	30	156
Redemption expires	180	336
Sale held	45	381
Sale confirmed	45	426
Deed recorded	30	446

* Assuming uncontested actions, with all necessary documents provided at referral, assignments recorded, no title issues, timely provision of figures and timely return of executed documents.

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Virginia
Model Foreclosure Timeline*

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Prepare and send Substitution of Trustee for execution	10	11
Schedule sale date	15	26
Publication/posting complete	21	47
Sale held	2	49
Deed recorded	15	64

* Assuming uncontested actions, with all necessary documents provided at referral, assignments recorded, no title issues, timely provision of figures and timely return of executed documents.

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**Washington
Model Foreclosure Timeline***

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Substitution of Trustee recorded	20	21
Notice of Default recorded/ mailed/posted	30	51
Expiration of 30 notice period	31	82
Notice of Trustee Sale recorded/ mailed/posted**	5	87
Publication complete	95	182
Sale held	1	183
Deed recorded	14	197

* Assuming uncontested actions, with all necessary documents provided at referral, assignments recorded, no title issues, timely provision of figures and timely return of executed documents.

** Borrower may request mediation via an attorney or housing counselor at any time before the Notice of Trustee's sale is issued. If mediation is requested, the process will be delayed.

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**West Virginia
Model Foreclosure Timeline***

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Substitution of Trustee prepared and sent for execution	17	18
Substitution of Trustee recorded/ notice of sale sent and published	5	23
Sale held	22	45
Deed recorded	10	55

* Assuming uncontested actions, with all necessary documents provided at referral, assignments recorded, no title issues, timely provision of figures and timely return of executed documents.

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**Wisconsin
Model Foreclosure Timeline***

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Complaint filed	24	25
Service complete	45	70
Default judgment hearing/entry of default judgment	50	120
Redemption expires**	60	180
Sale held	10	190
Confirmation of sale	30	220
Deed recorded	14	234

* Assuming uncontested actions, with all necessary documents provided at referral, assignments recorded, no title issues, timely provision of figures and timely return of executed documents.

** Redemption is 60 days unless owner occupied, then it is 180 days.

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**Wyoming
Model Foreclosure Timeline***

ACTION	DAYS TO COMPLETION	TOTAL DAYS
Receive file	1	1
Sale scheduled/ Notice of Intent sent	10	11
Notice of sale sent to borrower	10	21
Publication/ posting complete	30	51
Sale held/ Certificate of Sale recorded	14	65
Redemption expires	120	185
Deed recorded	30	215

* Assuming uncontested actions, with all necessary documents provided at referral, assignments recorded, no title issues, timely provision of figures and timely return of executed documents.

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