



**AFTAB PUREVAL**  
**HAMILTON COUNTY CLERK OF COURTS**

**FREE mortgage counseling: Call 211 (United Way) or 1-888-995-HOPE (4673)**

**Foreclosure Timeline**

**This timeline can play out in less than 180 days! Don't wait...Act immediately...Contact your lender.**

First 30-90 days	Owner is behind in mortgage payments
20 days later	Owner receives letter stating that within 10 days legal proceedings will occur.
30 days later	Legal proceedings begin when mortgage company files complaint (lawsuit)
28 days later	Owner has 28 days from receipt of complaint by mail to respond, or file an answer with the clerk of court. <b>This must be done.</b> Owner has <u>no ability to stop foreclosure</u> by dodging certified mail. Legal advice is recommended.
Within 5-30 days later	Mortgage lawyer files a motion for default judgment if owner does not file a response or answer with the clerk of court.  Judge will sign default judgment, frequently without owner's knowledge. This judgment will order the appraisal and sale of the property.  Mortgage lawyer files with the clerk of court a legal form known as a praecipe for an order of sale which also orders the appraisal of the property; this is usually done without the knowledge of the owner.
Within 3 days later	Clerk delivers the praecipe to the Sheriff.
During the next 3 months	An appraisal is ordered and completed, frequently without the owner's knowledge.  The sale date is set, usually around 5 months after the <i>order of sale</i> is filed.  The sale is advertised in the newspaper and/or legal news for 6 weeks. This may be the only notice the owner gets of the sale date.
Day of Sale	Sheriff will auction the property to the highest bidder. Bidding generally starts at 2/3 of the appraised value.
7-60 days after sale	A legal form called a confirmation entry is filed by the mortgage lawyer with the clerk of court. This orders the sheriff to prepare a deed, and gives the new owner the right to file for a writ of possession. After the confirmation entry is filed, signed by the judge, and recorded by the clerk, there is nothing that can be done to stop the sale by the owner. Only rare legal irregularities can stop the sale at this point. Even bankruptcy cannot stop the sale.  Sherriff deed is issued; new owner files for writ of possession.  Sheriff will place a red tag on the door of the house stating that you have 10 days to move out of your home. This may be extended for up to 7-10 days for hardship; any time needed beyond that will require consent of the new owner. If owner does not move out, the sheriff will enter and remove his/her belongings and place them on the curb.