

If you are in danger of foreclosure or have already had a complaint filed against you:

Call Community Legal Aid Immediately on our Legal HelpLine at: 1 (800) 998-9454

For more information and local resources go to:

www.ohiolegalservices.org

www.clevelandfed.org

www.hud.gov/foreclosure/

www.com.ohio.gov/SaveTheDream



New clients please call the Legal HelpLine:

1 (800) 998-9454

Monday thru Friday • 9 am to 4 pm

Community Legal Aid Services, Inc. is an Ohio not-for-profit corporation providing free civil legal services to the poor in central northeast Ohio.

www.CommunityLegalAid.org

If there is one concept that our nation cherishes more than any other, it is the commitment that is carved in stone at the Supreme Court. The legend reads:

Equal Justice Under Law

- James Kilpatrick



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Seeking justice, changing lives.

Overview of Foreclosures and Foreclosure Timeline



*Columbiana · Mahoning · Medina · Portage
Stark · Summit · Trumbull · Wayne*

This information is not intended to serve as legal advice, but is for information purposes only.

What is Foreclosure?

Foreclosure is the legal process your loan servicer must follow to end your ownership rights to your home if you have failed to make your mortgage payments. If you have been unable to make other payment arrangements with your servicer, your servicer may file for foreclosure.

Foreclosure Timeline:

Day 1: You fail to pay the mortgage payment by the due date, the first of the month.

Day 16-30: Late charges are assessed on the payment. The mortgage servicer attempts to make contact with you to find out what happened.

Day 45-60: The servicer sends you a "demand" letter because you failed to pay. The servicer has the right to demand the entire amount of the loan.



Day 90: The servicer refers the loan to the foreclosure department and hires a local attorney or other firm to start the foreclosure proceedings.

The servicer then files the proper legal documents at the Court of Common Pleas. This is called a "complaint." Once the case is filed, the court will send you a copy of the complaint by certified mail and/or through delivery by a sheriff's deputy.

What happens next depends on what, if any, action you take. If you do nothing, the process may move swiftly. The servicer may file a motion with the Court for a "default judgment." This could happen one month after you receive court papers. The court may give the servicer a judgment quickly, setting up the house for a sheriff's sale.

If you take action in response to the complaint, you must do so within 28 days. An attorney can help you through this process. Contact Ohio State Legal Services Association (www.oslsa.org) or the Ohio State Bar Association (www.ohiobar.org) to find an attorney.

Day 150+: Once a court grants a judgment to foreclose, the sheriff will appraise the value of your house. Following the appraisal, the sheriff will schedule a sale and then advertise the sale of your property in the local newspaper for at least three consecutive weeks. The sale is a public sale which is held either at a designated area in the courthouse or at the sheriff's office.



Again, this may happen sooner or later, because times are only approximate. The property must sell for at least two-thirds of its appraised value. The sheriff will report the results of the sale to the court. The loan servicer will then ask the court to confirm the sale. This means the court will approve the sale, order a new deed for the buyer, and distribute the money from the sale. There may still be a chance to save your home. Contact a housing counselor immediately.

After the Sale: You have the right to buy back your home before the sale is confirmed. This "right to redeem the property" allows you to pay the amount you owe against the house in full. You will also owe any additional fees and costs incurred as a result of the foreclosure. Typically, it will take 30 days to "confirm" the sheriff's sale.

Confirmation: You will be given a notice by the sheriff to leave. The amount of time varies by county. Call your local sheriff to check or to try to negotiate for more time.