
 FORECLOSURE TIME FRAMES

Mortgagees are expected to complete foreclosure within the following time frames. Documented delays which are found to be beyond the control of the mortgagee shall be taken into consideration before any determination is made that reasonable diligence was not followed.

These requirements shall apply to all foreclosure actions commenced on or after March 1, 1990.

STATE	MONTHS	STATE	MONTHS	STATE	MONTHS
Alabama	4	Kentucky	7	North Dakota	10
Alaska	7	Louisiana	6	Ohio	12
Arkansas	5	Maine	22	Oklahoma	7
Arizona	4	Maryland	6	Oregon	7
California	7	Massachusetts	8	Pennsylvania	10
Colorado	7	Michigan	9 /1	Puerto Rico	14
Connecticut	9	Minnesota	12	Rhode Island	3
Delaware	8	Mississippi	4	South Carolina	7
District of Col.	7	Missouri	3	South Dakota	10
Florida	9	Montana	9	Tennessee	4
Georgia	4	Nebraska	6	Texas	3
Hawaii	9	Nevada	7	Utah	5
Idaho	9	New Hampshire	4	Vermont	17
Illinois	13	New Jersey	14	Virginia	5
Indiana	12	New Mexico	7	Washington	6
Iowa	17	New York	13	West Virginia	5
Kansas	12	North Carolina	5	Wisconsin	12
Wyoming	6				

The time frames are measured from the initiation to the completion of foreclosure. Initiation of foreclosure is the first public action required by law, such as filing a complaint or petition, recording a notice of default, or publication of a notice of sale. Completion of foreclosure shall be considered to be the date on which the Sheriff's, Trustee's, etc. deed is recorded except that, any redemption period must have run out before the mortgagee is deemed to have marketable title

/1This 9 months includes the redemption that runs after the foreclosure deed is granted.

(particularly in Michigan). The deed is generally executed after the expiration of the redemption period and before eviction of the occupant. If the property will be directly conveyed to the Secretary, these time frames will be extended an additional thirty days.

Supporting documentation such as attorney's correspondence or copies of court records must be retained in the claim review file. The cause of the delay and the documentation will be examined for justification at the time of the on-site claims review. If not justified, the mortgagee will be required to refund to HUD any unearned debenture interest.

Examples of situations which HUD recognizes as circumstances beyond the control of the mortgagee include; bankruptcy petitions filed after foreclosure initiation, contests of foreclosure, overcrowded court calendars, delays in obtaining service of process, etc. HUD recognizes that prior approval to exceed these time frames would be burdensome or unfeasible for both mortgagees and Field Offices and therefore will not be required.

Completion of foreclosure within these time frames will be considered "reasonable diligence in prosecuting such proceedings to completion" as required by Regulation 203.356. Failure to complete the foreclosure within that time will be considered failure to meet the requirements of the regulation and cause for curtailment of debenture interest [203.402(k)], unless the delay was beyond the control of the mortgagee. Where the mortgagee has exceeded the time frame without acceptable cause, debenture interest will be curtailed to the date which the foreclosure should have been completed.