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Foreclosure Laws and Procedures By State

Compare all state foreclosure timelines on this simple one-page chart and click on any state name to read about detailed foreclosure procedures for that state.

Before continuing, please note that if you're currently facing or potentially facing foreclosure, you probably have a handful of [foreclosure questions](#). We have a [Frequently Asked Questions](#) section that can help.

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State	Non-Judicial	Judicial	Comments	Process Period (Days)	Sale Publication (Days)	Redemption Period (Days)	Sale/NTS
Alabama	•	•	•	49-74	21	365	Trustee
Alaska	•	•	•	105	65	365*	Trustee
Arizona	•	•	•	90+	41	30-180*	Trustee
Arkansas	•	•	•	70	30	365*	Trustee
California	•	•	•	117	21	365*	Trustee
Colorado	•	•	•	145	60	None	Trustee
Connecticut	•	•	•	62	NA	Court Decides	Court
Delaware	•	•	•	170-210	60-90	None	Sheriff
District of Columbia	•	•	•	47	18	None	Trustee
Florida	•	•	•	135	NA	None	Court
Georgia	•	•	•	37	32	None	Trustee
Hawaii	•	•	•	220	60	None	Trustee
Idaho	•	•	•	150	45	365	Trustee
Illinois	•	•	•	300	NA	90	Court
Indiana	•	•	•	261	120	None	Sheriff
Iowa	•	•	•	160	30	20	Sheriff
Kansas	•	•	•	130	21	365	Sheriff
Kentucky	•	•	•	147	NA	365	Court
Louisiana	•	•	•	180	NA	None	Sheriff
Maine	•	•	•	240	30	90	Court
Maryland	•	•	•	46	30	Court Decides	Court
Massachusetts	•	•	•	75	41	None	Court
Michigan	•	•	•	60	30	30-365	Sheriff
Minnesota	•	•	•	90-100	7	1825	Sheriff
Mississippi	•	•	•	90	30	None	Trustee
Missouri	•	•	•	60	10	365	Trustee
Montana	•	•	•	150	50	None	Trustee
Nebraska	•	•	•	142	NA	None	Sheriff
Nevada	•	•	•	116	80	None	Trustee
New Hampshire	•	•	•	59	24	None	Trustee
New Jersey	•	•	•	270	NA	10	Sheriff
New Mexico	•	•	•	180	NA	30-270	Court
New York	•	•	•	445	NA	None	Court
North Carolina	•	•	•	110	25	None	Sheriff
North Dakota	•	•	•	150	NA	180-365	Sheriff
Ohio	•	•	•	217	NA	None	Sheriff
Oklahoma	•	•	•	186	NA	None	Sheriff
Oregon	•	•	•	150	30	180	Trustee

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Pennsylvania	•	•		270	NA	None	Sheriff
Rhode Island	•	•		62	21	None	Trustee
South Carolina	•			150	NA	None	Court
South Dakota	•	•		150	23	30-365	Sheriff
Tennessee		•		40-45	20-25	730	Trustee
Texas	•	•		27	NA	None	Trustee
Utah				142	NA	Court Decides	Trustee
Vermont	•			95	NA	180-365	Court
Virginia	•	•		45	14-28	None	Trustee
Washington	•	•		135	90	None	Trustee
West Virginia		•		60-90	30-60	None	Trustee
Wisconsin	•	•		290	NA	365	Sheriff
Wyoming	•	•		60	25	90-365	Sheriff

* Judicial Only Mouseover the symbol to view state-specific comments

The foreclosure process varies somewhat from state to state, and depends primarily on whether the state uses mortgages or deeds of trust for the purchase of real property. Generally, states that use mortgages conduct judicial foreclosures; states that use deeds of trust conduct non-judicial foreclosures. The principal difference between the two is that the judicial procedure requires court action on a foreclosed home.

To foreclose in accordance with the judicial procedure, a lender must prove that the mortgagor (borrower/homeowner) is in default. Once the lender has exhausted its attempts to resolve the default with the homeowner, the next step is to contact an attorney to pursue court action. The attorney contacts the mortgagor to try to resolve the default. If the mortgagor is unable to pay off the default, the attorney files a lis pendens (lawsuit pending) with the court. The lis pendens gives notice to the public that a pending action has been filed against the mortgagor. The purpose of the action is to provide evidence of a default and get the court's approval to initiate foreclosure.

Non-judicial foreclosures are based on deeds of trust that contain the power of sale clause. The clause enables the trustee to initiate a mortgage foreclosure sale without having to go to court. The trustee is typically required to issue a notice of default and notify the trustor (borrower/homeowner) accordingly about the default status. If the trustor does not respond, the trustee then initiates the steps for conducting the mortgage foreclosure sale of the home.

The above table represents our current knowledge of which states use mortgages (judicial) or deeds of trust (non-judicial) or both. The table also includes estimated foreclosure timelines for each state. Please check with your local county government to verify this information. Inform us of any errors at info@realtytrac.com.

If you are currently facing the risk of foreclosure, you can find a wealth of information on RealtyTrac, as a form of [free foreclosure help](#). You'll find that in some cases, you might be able to [avoid foreclosure](#).

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