

State Law Impact Project: 50 State Summary

State	Non-Judicial Foreclosure Permitted (if Loan Docs Provide)	Non-Judicial Foreclosure Customary	Statutory Notice of Default Required	Statutory Notice of Default Comments	Statutory Notice of Sale Required	Statutory Notice of Sale Comments	Notice of Sale Posting Requirements	Non-Judicial Foreclosure Waives Deficiency Claim	Other Non-Judicial Foreclosure Comments	Non-Contested Non-Judicial Foreclosure Total Time (Months)	Judicial Foreclosure Only	Judicial Foreclosure Waives Deficiency Claims
Alabama	Yes	Yes	No	N/A	Yes	Due minimum 30 days prior to foreclosure, publication once a week for 3 consecutive weeks	None	No	Deed in lieu of foreclosure available, divests borrower of right of redemption but also precludes deficiency judgment	1-2	No	No
Alaska	Yes	Yes	Yes, Combined with Notice of Sale	Due Minimum 90 days prior to foreclosure. Delivery method: certified mail or personal delivery. Record no less than 30 days after default.	Yes, Combined with Notice of Default	Due Minimum 90 days prior to foreclosure. Delivery method: certified mail or personal delivery	None	Yes		3-4	No	No
Arizona	Yes	Yes	No	N/A	Yes	Recording 90 days before foreclosure, mailing 20 days prior to foreclosure, posting, and publication	Yes, at county courthouse 20 days before date of sale. Publication once a week for four consecutive weeks in a county newspaper.	No, must be brought within 3 months.		3-6	No	No, provided deficiency claim preserved during judicial foreclosure
Arkansas	Yes	Yes	Yes, Combined with Notice of Sale	Due Minimum 60 days prior to any foreclosure action. Delivery method: publication, posting, and mailing. Record notice in county.	Yes, Combined with Notice of Default	Due Minimum 60 days prior to any foreclosure action. Delivery method: publication, posting, and mailing	Yes, on internet and at county courthouse via a third party posting service	No, must be brought within 12 months.		4	No	No
California	Yes	Yes	Yes	Due 90 days before sale. Delivery Method: certified mail within 10 days of recording	Yes	Due 20 days before sale. Delivery method: mailing, posting, and publication once a week for 3 consecutive weeks. Must be recorded at least 14 days before sale.	At the property being foreclosed upon and in a public place in the county where the sale will occur.	Yes	Deed in lieu of foreclosure available, divests borrower of right of redemption but also precludes deficiency judgment	4	No	No, provided deficiency claim preserved during judicial foreclosure
Colorado	Yes	Yes	No, but file a Motion of Election and Demand with the Public Trustee	N/A	Yes	Due between 60 and 45 days prior to sale. Publication and mailing	Publication for 5 consecutive weeks starting between 60 and 45 days before sale.	No	Non-judicial foreclosures are handled entirely by a public trustee	3-4	No	No
Connecticut	No	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Yes	No
Delaware	No	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Yes	No
Florida	No	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Yes	No
Georgia	Yes	Yes	Yes, Combined with Notice of Sale	Due minimum 30 days before proposed foreclosure. Delivery method: mailing and publication	Yes, Combined with Notice of Default	Due minimum 30 days before proposed foreclosure. Delivery method: mailing and publication	Publication in county newspaper once a week for 4 consecutive weeks prior to sale	No, but must preserve right to claim deficiency by filing an application for confirmation of sale within 30 days after sale.	N/A	2-3	No	No
Hawaii	Yes	Yes	Yes	Recorded	Yes	Mailing 60 days prior to sale and publication	Once a week for 3 consecutive weeks, the last being 14 days prior to sale	No		2-3	No	No
Idaho	Yes	Yes	Yes	Delivery method: recordation and mailing	Yes	Due 120 days prior to sale date. Delivery method: posting, publication, and mailing/personal service	Posting on the property, publication in a county newspaper for 4 consecutive weeks with the last publication being no less than 30 days before sale.	No		4	No	No
Illinois	No	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Deed in lieu of foreclosure available, divests borrower of right of redemption but also precludes deficiency judgment.	N/A	Yes	No

State Law Impact Project: 50 State Summary

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Alabama	Yes	2-3	Yes	No	Yes, if possession is surrendered within 10 days of foreclosure sale	12	Purchase price at sale plus interest at money judgment rate, all lawful charges with interest; minus value of timber, oil, gas, minerals removed, and diminished value since sale	Yes	Not provided by statute
Alaska	Yes	9	Yes, but can elect not to accept payment and continue with sale if notice of default has been given and reinstatement made twice before	No	None for non-judicial foreclosure. Allowed for judicial foreclosure	12	Amount of purchase price plus interest at 8%, plus taxes and court approved expenses	Not provided by statute	Not provided by statute
Arizona	No	9-11	Yes, up to 5 PM on last day prior to sale	No	No	N/A	N/A	N/A	N/A
Arkansas	Yes	2	Yes	No	None for non-judicial foreclosure. Allowed for judicial foreclosure	12	Amount for which property was sold, plus interest and costs of foreclosure and sale	Not provided by statute	Not provided by statute
California	No	varies	Yes, up to 5 business days prior to sale date	No	Yes, for judicial foreclosures unless deficiency judgment is waived. Not allowed for non-judicial foreclosures.	12 months if sale proceeds are less than the foreclosing mortgage debt; 3 months if the sale proceeds satisfy the foreclosing mortgage debt	Sum of purchase price at sale plus taxes, value of insurance, maintenance, repairs, plus amounts paid on senior liens, plus interest, minus rents and profits received by purchaser	Not provided by statute	Not provided by statute
Colorado	Yes	varies	Yes, before 12 noon on day of sale	No	No statutory right to redeem, unless a junior lienholder	N/A	N/A	N/A	N/A
Connecticut	Yes, suit must be filed within 30 days after redemption period expires	2-3	No	No	No statutory right; Court can set date at which redemption period ends	Court's discretion	Purchase price plus taxes, reasonable value for upkeep/repair and interest	Not provided by statute	Not provided by statute
Delaware	No	5-7	No	No	No statutory right, but owner can redeem property prior to court confirming sale.	Prior to confirmation of sale, depending on loan documents	Controlled by loan documents, include foreclosure costs and fees	Controlled by loan documents	Controlled by loan documents
Florida	Yes, must be filed within 5 years	6-7	No	No	Yes	At any time before the confirmation of sale or the time specified in the judgment, order, or decree of foreclosure	Full amount in final judgment plus interest accruing at judgment rate	Not provided by statute	Not provided by statute
Georgia	Yes, must be filed within 30 days following sale	2-3	No	No	No	N/A	N/A	N/A	N/A
Hawaii	Yes	6	Yes, up to 3 business days before sale for Alternative Power of Sale Process. None for Mortgage	No	No	N/A	N/A	N/A	N/A
Idaho	Yes	6	Yes, within 115 days after notice of default is recorded	No	None for non-judicial foreclosure. Allowed for judicial foreclosure	12 if property is greater than 20 acres, 6 if smaller than 20 acres.	Purchase price plus interest, taxes	Not provided by statute	Not provided by statute
Illinois	Yes	7-12	90 days from service of complaint	No	Yes, unless deficiency judgment is waived	Later of 6 months from date served with summons or 3 months from judgment date.	Principal plus interest, costs of sale. Specified by the court in the judgment	Reasonable expenses determined by Court	Reasonable expenses determined by Court

State Law Impact Project: 50 State Summary

State	Transfer/Conveyance Tax	Transfer/Conveyance Tax Comments
Alabama	Yes, \$0.50 per \$500 of property conveyed	State income tax will be imposed on non-residents for sale of real property located in Alabama.
Alaska	No	Boroughs and cities are permitted to levy a tax on all sales within the boundaries
Arizona	No	N/A
Arkansas	Yes, \$3.30 per \$1000 of consideration in excess \$100	
California	Local Taxes	
Colorado	\$0.01 per \$100 of consideration in excess of \$500	
Connecticut	1.25 percent of consideration paid if consideration exceeds \$2000-other rates for commercial transfers	Controlling interest conveyance tax triggered when transfer of the controlling interest of any entity which directly or indirectly possesses an interest in real property with a value equal to or exceeding \$2000.00
Delaware	2-3% of transfers in excess of \$100	
Florida	.7% per \$100 of consideration, except for Miami-Dade where it is .6%	
Georgia	\$1 per first \$1000 of consideration, \$0.10 per every \$100 afterwards	
Hawaii	Yes, \$0.10 per \$100 of consideration	
Idaho	No	N/A
Illinois	Yes, \$0.50 per each \$500 of value or fraction of \$50	Real Estate Transfer Tax applies to a transfer of a controlling interest in a real estate entity that owns property located in Illinois

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Indiana	No	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Yes	No
Iowa	Yes	No	No	N/A	No	N/A	N/A	Yes	Voluntary foreclosure by agreement between lender and borrower	1-2	No	No
Kansas	No	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Yes	No
Kentucky	No	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Yes (called an action to enforce a lien, identical in process)	Permitted only if borrower was personally served or refused to answer
Louisiana	Yes, by executory process	Yes	Yes	Notice of Seizure by Sheriff	Yes	Publication	Once a week for 30 days	No	Must file a petition and have execution of writ of seizure by Judge on ex parte basis. Mortgage must contain a confession of judgment by the borrower.	2-3	Yes	No
Maine	Yes, against corporations, partnerships, and LLCs	No	None	N/A	Yes, Combined with Notice of Default	Due 21 days before date of sale. Delivery method: registered mail or personal service and publication	Publication in newspaper once a week for 3 consecutive weeks, the first publication no less than 21 days before the day of the sale.	No		2-3	No	No
Maryland	No (unless provided in lease documents but must be ratified by court)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Yes	No
Massachusetts	Yes	Yes	Yes	Due minimum 90 days before sale.	Yes	Due by registered mail at least 14 days prior to sale (21 if deficiency judgment is being sought). Delivery Methods: Mailing and publication	Publication in newspaper once a week for 3 consecutive weeks, the first publication no less than 21 days before the day of the sale.	No, Must give notice to seek deficiency with notice of sale. Permitted only if notice of sale received at least 21 days before sale and record of sale on file 30 days following sale		2-3	No	Permitted only if notice of sale received at least 21 days before sale and record of sale on file 30 days following sale
Michigan	Yes	Yes	No	N/A	Yes	Posting and Publication	Publication once a week for four weeks in county newspaper, posting on property at least 15 days after first publication	No		2	No	No, but permitted only if borrower required to pay a certain sum.
Minnesota	Yes	Yes	Yes, Combined with Notice of Acceleration	Must provide notice of cure rights	Yes	Mailing/Personal Service four weeks prior to sale. Publication also required	Publication once a week for six weeks prior to sale	Yes		2-3	No	No
Mississippi	Yes	Yes	No	N/A	Yes	Recorded, posted, and published	Published in a country newspaper once a week for three consecutive weeks.	No		2-3	No	No
Missouri	Yes	Yes	No	N/A	Yes	Publication, Mailing 20 days prior to sale	In a county with a city larger than 50,000, must be published 20 times continuing to date of sale. In all other, once a week for four weeks up to week of sale	None permitted		2-3	No	None Permitted

State Law Impact Project: 50 State Summary

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Indiana	Yes, but mortgage documents must allow. If lender files waiver which allows sale to proceed without delay, loses right to pursue deficiency judgment.	3	Yes	No	Yes	Up until time of sale. No post-sale right of redemption.	N/A	N/A	N/A
Iowa	Yes	6-12	Yes, 30 days prior to initiating foreclosure. Only available once a year.	No	Yes, but lender can choose to foreclose without redemption with proper notice	6, but can be reduced to 3 if lender waives deficiency judgment	Purchase price plus taxes, insurance, and attorneys' fees	Not provided by statute	Not provided by statute
Kansas	Yes	4-5	No	No	Yes	12 statutory; 3 if default occurs before 1/3 of the original indebtedness has been paid	Purchase price plus interest at statutory rate, plus taxes, insurance and expenses incurred to prevent waste	Not provided by statute	Not provided by statute
Kentucky	Yes	5	No	No	Yes, if sale does not bring at least 2/3 appraised value	12	Original purchase money plus 10% per annum	Not provided by statute	Not provided by statute
Louisiana	Yes	4-9	Yes, in a non-judicial foreclosure. 3 days from issuance of notice of seizure	No	No	N/A	N/A	N/A	N/A
Maine	Yes	7	Within 30 days following notice of default.	No	Yes	3 months. WAIVER: If lender accepts money or anything of value on mortgage debt after foreclosure has begun but before redemption time has expired, the lender waives the foreclosure procedure.	Purchase price plus attorneys' fees, publication, service, and recording fees	Yes	Not provided by statute
Maryland	Yes, must file within 3 years	3-5	No	Yes, up to one day before sale	No	N/A	N/A	N/A	N/A
Massachusetts	Yes, must file within 2 years and must give notice to seek deficiency with notice of sale.	3-4	Yes, prior to foreclosure sale by paying all amounts due and payable	No	Only if lender forecloses by peaceable entry or by action. No right of redemption for non-judicial foreclosure	36	Amount due and payable plus costs of action, taxes, repairs and expenses, minus rents and profits.	"All other necessary expenses" are included in the statute	Not provided by statute
Michigan	Yes		No	No	Yes	12 if property is over 4 residential units or larger than 3 acres. 6 if property is 4 or fewer residential units or smaller than 3 acres.	Sum at which property was sold at foreclosure plus interest at the same rate as the mortgage, plus taxes.	Not provided by statute	Not provided by statute
Minnesota	Yes	6-18	Yes, including foreclosure fees and costs	Yes	Yes	6; 12 if amount due at date of filing notice of sale is less than 2/3 of original principal amount of the loan and the property exceeds 10 acres; or the property exceeds 40 acres.	Sale price plus mortgage note interest (not to exceed statutory rate), taxes, insurance, costs to prevent waste and trespass, and reasonable fees.	Not provided by statute	Not provided by statute
Mississippi	Yes	12	Yes, even if Lender has accelerated the loan (Only for judicial foreclosures)	No	None for non-judicial foreclosure. Allowed for judicial foreclosure	6	Amount remaining on loan plus costs	Not provided by statute	Not provided by statute
Missouri	N/A	18	No	No	Yes	12, provided that borrower provides notice of intent to redeem to person conducting sale 10 days prior to sale	Costs, fees, interest, and principal of underlying debt	"All costs whether general or special" are included in the statute	"All costs whether general or special" are included in the statute

State Law Impact Project: 50 State Summary

State	Transfer/Conveyance Tax	Transfer/Conveyance Tax Comments
Indiana	No	N/A
Iowa	Yes, \$0.80 per \$500 paid for the real property transferred	
Kansas	No	N/A
Kentucky	Yes, \$0.50 per \$500 of value conveyed in deed	
Louisiana	No, except for City of New Orleans	
Maine	Yes, \$2.20 per \$500 of value conveyed, split between grantor and grantee	Tax is imposed on the transfer or acquisition within any 12 month period of a direct or indirect controlling interest in any entity with a fee interest in real property in Maine.
Maryland	Yes, .5% of consideration paid for realty, local transfer taxes up to 1.5 percent of consideration	Transfer taxes are imposed on the transfer or a controlling interest in a real property entity.
Massachusetts	Yes, \$4.56 per \$1000 of consideration	
Michigan	Yes, \$3.75 per \$500 of value for property being transferred, plus local taxes of \$.55-\$.75 per \$500 of value	State transfer tax is imposed on contracts for the transfer or acquisition of a controlling interest in any entity if the real property owned by that entity comprises 90% or more of the FMV of the entity's assets
Minnesota	Yes, \$1.65 plus .33% of value in excess of \$500 plus .23% of debt secured by real estate for mortgage registry	
Mississippi	No	Only on land involving mineral rights
Missouri	No	N/A

State Law Impact Project: 50 State Summary

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Montana	Yes	Yes	No	N/A	Yes	Registered Certified Mailing 120 days before sale, published, posting	Published in a country newspaper once a week for three consecutive week, Posting on property at least 20 days prior to sale	Yes		5	No	No, provided deficiency claim preserved during judicial foreclosure (one action state)
Nebraska	Yes	No	Yes	Filed in office of recorder where property is located	Yes	At least one month following notice of default, publication	Publication once a week for five consecutive weeks, the last publication at least 10 but no more than 30 days prior to sale			3-5	No	No, provided deficiency claim preserved during judicial foreclosure as a continuation of the suit once foreclosure is final
Nevada	Yes	Yes	Yes	Mailed to borrower within 10 days of recording	Yes	Recorded 21 days prior to sale, posted, and published	Posting for at least 20 days in 3 public places, one being the property; publication in local newspaper once a week for 3 consecutive weeks	No		4	No	No, provided deficiency claim preserved during judicial foreclosure (one action state)
New Hampshire	Yes	Yes	No	N/A	Yes	Recorded, Mailed 25 days before sale, and publication	Published in a county newspaper once a week for three consecutive weeks, the first occurring not less than 20 days prior to sale.	No	In order to foreclose, lender must recover possession lawfully and hold it for 1 year before title becomes final through either: 1) entry under process, 2) entry and publication, or 3) possession and publication	2-3	No	No
New Jersey	Yes, only residential	No	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	No	No, unless lender holds mortgage lien and new buyer takes title subject to the lien
New Mexico	Rarely take place, only allowed for business and commercial real estate loans in excess of \$500,000.	No	No	N/A	Yes	Publication or posting and recording	Publication in a county newspaper once a week for four weeks, the last occurring no less than 3 days prior to sale. Posting in 6 of the most public places in the county	No, separate civil action		4-6	No	No
New York	No	No	No	N/A	N/A	N/A	N/A	N/A	N/A	N/A	No	No
North Carolina	Yes	Yes	No	N/A	Yes	Mailing to borrower 45 days before sale, publication, posting	Published in a country newspaper once a week for 2 consecutive weeks, the last being not less than 10 days before sale; posting on county courthouse door 20 days before sale.	No	Upset Bids allowed for 10 days following sale. Any buyer can offer to buy the property for an amount exceeding 10% of the first \$1000 and 5% of any amount over \$1000 of the foreclosure price. Following the bid, a new sale occurs	2-4	No (judicial foreclosures are very rare)	No
North Dakota	Generally no, except for state agencies	No	N/A	N/A	N/A	N/A	N/A	Yes, for commercial property		N/A	No	No, provided deficiency claim preserved during judicial foreclosure (for commercial property)
Ohio	No	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Yes	No
Oklahoma	Yes	Yes	Yes	Certified mail, must give notice of 35 day cure period	Yes	Within 10 days after 35 day cure period, publication	Published in a county newspaper once a week for four consecutive weeks, the first being not less than 30 days before sale.	No		3	No, except for loans originated before November 1, 1986.	No
Oregon	Yes	Yes	Yes, Combined with Notice of Sale	Recorded, Borrower must be served at least 120 days prior to the sale.	Yes, Combined with Notice of Default	Personal Service, publication	Published in newspaper once a week for four weeks, the last notice published at least 20 days before date of sale.	Yes		6	No	No

State Law Impact Project: 50 State Summary

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Montana	No	4	Yes, if smaller than 40 acres	4 months	Yes, if non-judicial and larger than 40 acres. No right of redemption for judicial foreclosures or non-judicial for properties smaller than 40 acres.	12	Purchase price with interest, plus any taxes or assessments, value of repairs and maintenance	Not provided by statute	Not provided by statute
Nebraska	No	6	Yes, at any time up to final confirmation of the sale	No	No, but within 20 days of entry of order of sale can file automatically granted stay of foreclosure to delay sale for up to 9 months	N/A	N/A	N/A	N/A
Nevada	No	12-15	Yes, up to 35 days following recordation of notice of default.	No	None for non-judicial foreclosure. Allowed for judicial foreclosure	12	Purchase price plus 1% per month, taxes	Not provided by statute	Not provided by statute
New Hampshire	Yes	6	No	No	No	N/A	N/A	N/A	N/A
New Jersey	Yes, must be commenced within 3 months from date of sale.	8-12	No	No	Yes	10 day period following sale, right to redeem is revived if deficiency judgment is obtained for a period of 6 months	Full principal, 10% interest, late charges,	No	Not provided by statute
New Mexico	Yes	12	Borrower can cure by paying amount of judgment prior to sale	No	Yes	1 if provided in documents, otherwise 9	Purchase price plus 10% interest, any property taxes paid	Court can order payment for betterments to property	Not provided by statute
New York	Yes, must be brought simultaneously with motion for order confirming sale.	4-9	Borrower can pay the amount due to the court at any time before final judgment and case will be dismissed	No	No	N/A	N/A	N/A	N/A
North Carolina	Yes	6	Borrower can pay amount in full, plus expenses of proposed sale. Only allowed once every 5 years	No	Yes for non-judicial, none for judicial	10 days (Upset Bid)	N/A	N/A	N/A
North Dakota	No (for commercial property)	3	Borrower can bring amount owed to court and court will stay proceedings	No	None for non-judicial foreclosure. Allowed for judicial foreclosure	2	Judgment amount plus expense of judgment sale, post-judgment interest, and advances for property preservation, but not attorney's fees	Not provided by statute	Not provided by statute
Ohio	No	5-6	No	No	Yes	At any time before the court confirms the foreclosure sale	Amount of judgment, plus costs and 8% interest	Not provided by statute	Not provided by statute
Oklahoma	Yes		35 day period following notice of default to cure default	No	No	N/A	N/A	N/A	N/A
Oregon	Yes	10	Borrower has up until 5 days prior to sale	No	None for non-judicial foreclosure. Allowed for judicial foreclosure	6	Auction price plus interests and any taxes, maintenance and other expenses	Not provided by statute	Not provided by statute

State Law Impact Project: 50 State Summary

State	Transfer/Conveyance Tax	Transfer/Conveyance Tax Comments
Montana	No	N/A
Nebraska	Yes, \$2.25 per \$1000 of value transferred	
Nevada	Yes, \$1.95-\$2.55 per \$500 of consideration depending on the county	
New Hampshire	Yes, \$1.50 per \$100 of consideration split between buyer and seller	
New Jersey	Yes, \$1.25 for state and \$0.50 county each \$500 of consideration, additional fees range from \$0.25- \$4.30 per \$500 of consideration.	
New Mexico	No	N/A
New York	Yes, \$2.00 per \$500 of consideration	Real Estate Transfer tax is imposed on the sale or transfer or at least a 50% ownership interest in a corporation, partnership, trust, or other entity that owns or leases real property
North Carolina	Yes, \$1 per \$500 of consideration or value transferred	
North Dakota	No	N/A
Ohio	Yes, local taxes ranging from \$0.10-0.40 per \$100 of value	
Oklahoma	Yes, \$0.75 per \$500 of consideration	
Oregon	No	Exception: Washington County

State Law Impact Project: 50 State Summary

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Pennsylvania	No	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Yes	No
Rhode Island	Yes	Yes	No	N/A	Yes	Mailing 30 days prior to first publication, publication.	Publication in county newspaper once a week for 3 consecutive weeks, the first appearing at least 21 days before sale.	No		2-3	No	No
South Carolina	No	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Yes	No
South Dakota	Yes	No	Yes, Combined with Notice of Sale	See Notice of Sale	Yes	Personal service 21 days prior to sale, publication, and posting	Publication in a county newspaper once a week for four consecutive weeks, posting at the courthouse door and 2 other public places at least 3 weeks prior to sale.	No		2	No	Only if mortgage is a purchase money mortgage
Tennessee	Yes	Yes	Yes	Mailed to borrower	Yes	Mailing, publication, and posting	Publication in a county newspaper at least 3 times, the first appearing 20 days prior to sale. If no newspaper in the county, notice must be posted at least 30 days prior to sale in 5 locations in county	No		2-4	No	No
Texas	Yes	Yes	Yes, Combined with Notice of Acceleration and Notice of Sale	Mailed to borrower	Yes	Posting, recording and personal service	Posting at county courthouse at least 21 days prior to sale	No, must be brought within 2 years		1-2	No	No
Utah	Yes	Yes	Yes	Filed in office of recorder where property is located	Yes	Not earlier than 3 months following recording of notice of default, Publication and posting	Publication once a week for 3 consecutive weeks, the last at least 10 but no more than 30 days before sale; posting on property 20 days before sale, posting at the office of the country recorder.	No		4-5	No	No, provided that deficiency claim preserved during judicial foreclosure.
Vermont	Yes	No	Yes	Registered or Certified mail at least 30 days prior to notice of sale	Yes	Mailing 60 days prior to sale, publication	Publication once a week for three consecutive weeks, no less than 21 days prior to sale	Yes		1-3	No	No, provided that deficiency claim preserved during judicial foreclosure.
Virginia	Yes	Yes	No	N/A	Yes	Mailing 14 days before sale, publication	Publication once a week for four consecutive weeks	No		2-3	No	No
Washington	Yes	Yes	Yes	Mailed at least 30 days before sale AND either personally served to borrower or posted on the property.	Yes	Regular and certified mail 90 days prior to sale, posting and publication	Publication once a week for four consecutive weeks, posting in two of the most public places in the county	Yes	Sale cannot take place later than 190 days following default.	4	No	No
Washington, D.C.	Yes	Yes	Yes, combined with notice of sale	See Notice of Sale	Yes	Certified mail, return receipt requested, 30 days before sale to borrower and Mayor of D.C. or designated agent.	N/A	No		2	No	No, provided that deficiency claim preserved during judicial foreclosure.
West Virginia	Yes	Yes	No	N/A	Yes	Certified mail no less than 20 days before sale, publication and posting	Publication in a county newspaper once a week for four consecutive weeks, and posted on property once a week for two consecutive weeks, as well as on front door of courthouse and 3 other public places	No, but not generally permitted		2-3	No	No
Wisconsin	Yes, via power of sale clause	No	Yes		Yes	Personal service, publication, posting (if no personal service)	Publication in a county newspaper once a week for 6 consecutive weeks	Yes		3	No	No
Wyoming	Yes	Yes	Yes	Certified mail, at least 10 days before publication of notice of sale	Yes	Publication	Publication in county newspaper once a week for four consecutive weeks	No, but must be second written agreement obliging the mortgagor		3	No	No

State Law Impact Project: 50 State Summary

State	Deficiency Claim Can Be Maintained As Separate Proceeding From Foreclosure Action	Non-Contested Judicial Foreclosure Total Time (Months)	Borrower Post-Default Cure Rights (Past Due Installments)	Borrower Post-Default Cure Rights (Entire Debt Only)	Borrower Redemption Rights Post-Foreclosure	Borrower's Redemption Period (Months)	Redemption Price Base Amount	Redemption Price Add-On For Physical Improvements Only	Redemption Price Add-On For Increased FMV
Pennsylvania	Yes	3-4	Borrower has up to one hour before bidding, but no more than 3 times in one year	No	No	N/A	N/A	N/A	N/A
Rhode Island	Yes		Yes	No	Yes	36	Principal and interest on debt, plus repairs, insurance, and expense, minus rents and profits received.	Not provided by statute	Not provided by statute
South Carolina	Yes	5-6	Yes	No	None, but upset bids are allowed for 30 days following sale	1	Upset Bid	N/A	N/A
South Dakota		3-5	Only for judicial foreclosures, by paying amount owed to Court	No	Yes	12, unless property is less than 40 acres and mortgage contains power of sale clause, then 6	Purchase price at foreclosure sale, plus sums paid to protect interest in the property (taxes), plus maintenance expenses, judgment lien interest, and payments on a superior lien	N/A	N/A
Tennessee	Yes		Yes	No	Yes	24	Amount paid by purchasers, plus prime rate interest, plus a sum equal to 10% or more of the price at sale or judgment against creditor	Not provided in statute	Not provided by statute
Texas	Yes	4-5	Yes	No	No	N/A	N/A	N/A	N/A
Utah	Yes, must be brought within 3 months		Can cure within 3 months of filing notice of default	No	None for non-judicial foreclosure. Allowed for judicial foreclosure	Court's discretion	Not provided by statute	Not provided by statute	Not provided by statute
Vermont	No	7	Yes	No	Yes	6	Redemption figure is set by Court at beginning of redemption period	N/A	N/A
Virginia	Yes	9	Yes, but generally waived	Generally waived in loan documents	None for non-judicial foreclosure. Allowed for judicial foreclosure	Court's discretion	Not provided by statute	Not provided by statute	Not provided by statute
Washington	Yes	3-6	Up to 11 days before sale	From 11 days before sale to date of sale	None for non-judicial foreclosure. Allowed for judicial foreclosure	12	Principal and interest on debt, taxes, and assessments	Not provided by statute	Not provided by statute
Washington, D.C.	No	2	Up to 5 days before sale, only allowed once a year	No	No	N/A	N/A	N/A	N/A
West Virginia	Yes	3+	Notice of right to cure served 5 days following default. Borrower must cure within 10 days of receipt of notice.	No	No	N/A	N/A	N/A	N/A
Wisconsin	No		Borrower can bring amount owed to court before judgment and case will be dismissed	No	Allowed up until sale confirmed by the court. Once sale is confirmed, however, no right of redemption.	12 if property is owner occupied, 5 months if property is 20 acres or less and borrower waives right to deficiency judgment	Amount of judgment, interest, and any costs/taxes paid	Not provided by statute	Not provided by statute
Wyoming	Yes	4	No	No	None for non-judicial foreclosure. Allowed for judicial foreclosure	3	Purchase price, with 10% interest and any taxes/assessments	Not provided by statute	Not provided by statute

State Law Impact Project: 50 State Summary

State	Transfer/Conveyance Tax	Transfer/Conveyance Tax Comments
Pennsylvania	Yes, 1% of consideration or fair market value with local transfer taxes of 1-3 percent	Real Estate company is subject to pay a state tax based on the value of the real estate held by the real estate company when it becomes an acquired company under 61 PA. Code. s. 91.292
Rhode Island	Yes, \$2 per \$500 of consideration	
South Carolina	Yes, \$1.85 per \$500 of value	
South Dakota	Yes, \$0.50 per \$500 of consideration payable by grantor	
Tennessee	Yes, \$0.37 per \$100 of consideration plus a mortgage tax of \$0.115 per \$100 of indebtedness in excess of \$2000	
Texas	No	N/A
Utah	No	N/A
Vermont	Yes, 1.25% of value of property transferred	Tax on the gain from the sale or exchange of Vermont land that has been held for less than 6 years
Virginia	Yes, \$0.25 per \$100 of conveyance plus \$0.50 per \$500 of consideration for transfer of realty	
Washington	Yes, 1.28% of selling price plus local tax of 0.3-0.5 percent	Real estate excise tax applies to transfers of controlling interests (50% or more) in entities that own property in Washington
Washington, D.C.	Yes, 2.2% of consideration or fair market value	Certain transfers of interests in corporations, partnerships, and associations are subject to a recordation tax based upon the total consideration price allocable to the real property
West Virginia	Yes, \$1.10 per \$500 of consideration plus local taxes that may run to another \$1.10 per \$500	
Wisconsin	Yes, .3% per \$100 of value	
Wyoming	No	N/A