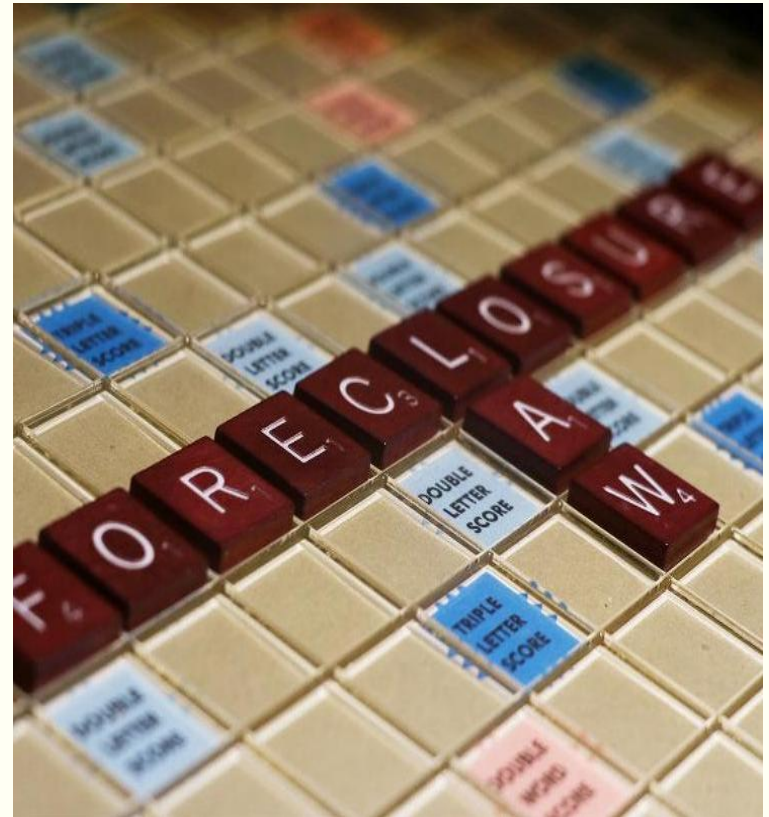


NJ FORECLOSURE TIMELINE

A step-by-step timeline for
uncontested residential
foreclosures in New Jersey.

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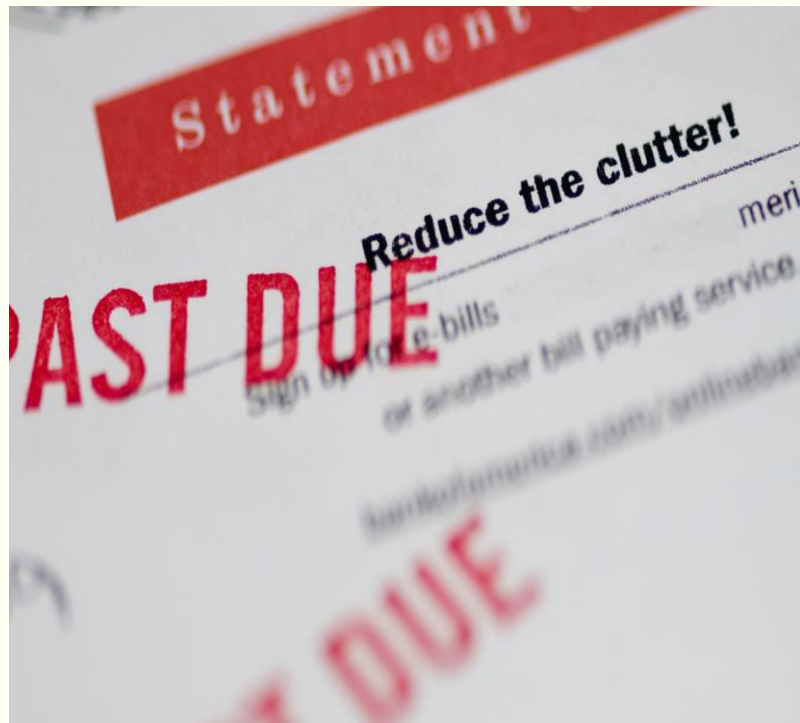


The Primary Stages of Residential Foreclosure Cases in New Jersey*

- Pre-Foreclosure Default Notice
- Foreclosure Litigation
- Sheriff Sale
- Eviction

*Due to a backlog in processing foreclosure cases it can take between 18 – 24 months to complete a residential foreclosure case in New Jersey.

This outline is intended to provide a general timeline of the primary stages of an uncontested foreclosure case in New Jersey. This outline further assumes a scenario where it is not necessary for the lender to file an Amended Complaint adding additional parties to the foreclosure case.



Pre-Foreclosure Default Notice

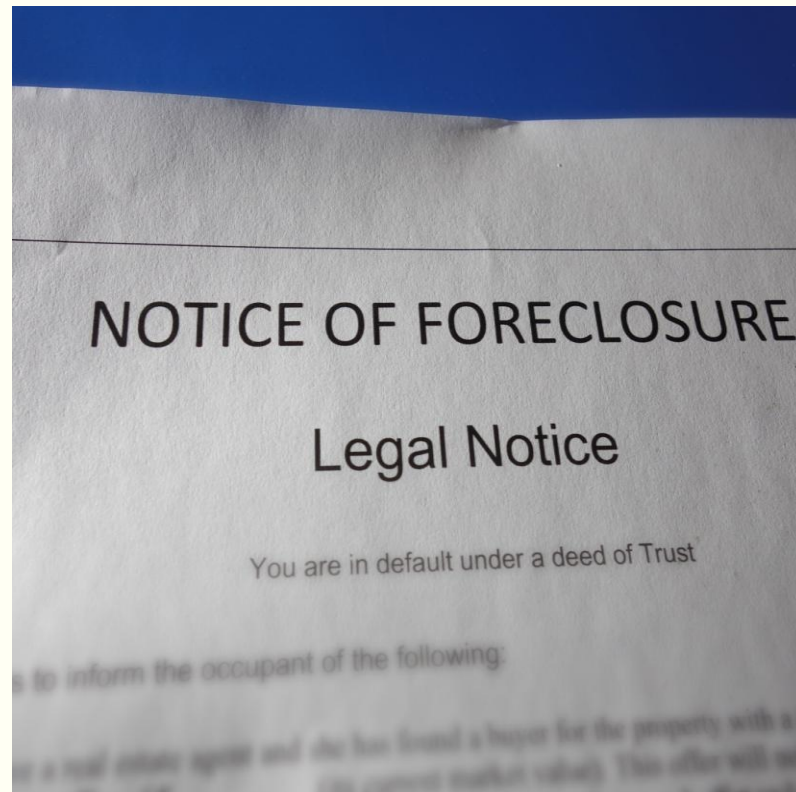
If a mortgage default has occurred, the lender or its attorney must first serve the borrower with written notice of default notifying the borrower of the amount required to cure the default.

In mortgage defaults involving non-payment it is not uncommon for a lender to wait 6 months to a year before issuing a formal written default.

Borrower has 30 days to cure the default.

Absent borrower curing the default within this 30-day period the lender is permitted to file a foreclosure Complaint in the Superior Court of New Jersey.

Notice must be served on borrower by **certified mail and regular mail.**



Foreclosure Litigation (Uncontested by Homeowner)

Lender's Steps

- **Complaint filed:** with Court Summons and Complaint served by process server.
- **Notice of Lis Pendens:** Document filed with the County Clerk to serve as public notice of filing of foreclosure case. Cuts off any subsequent liens filed against property.
- **Request to Enter Default:** If borrower does not Answer the Complaint then lender applies for default.
- **Judgment Notice:** Lender required to server written notice to borrower that it intends to apply for entry of final judgment.
- **Final Judgment:** Lender applies for entry of final judgment, usually by notice of motion served on borrower.

Borrower/Homeowner Timeline

- 35 days to file an Answer
- Default entered by Court within 30 days.
- Borrower has 14-days to notify lender of borrower's good faith belief to cure loan default within 45 days.
- Due to backlog of foreclosure cases, it typically takes a minimum of **2-3 months** for the Court to enter final judgment of foreclosure together with a writ of execution authorizing the Sheriff to seize and sell the property.

Sheriff Sale

Lender's Steps

- **Deliver Final Judgment and Writ of Execution to Sheriff with Deposit for Sale:**
- **Sale Scheduled by Sheriff:**
- **Sale Conducted:** If there is no third party bidder the lender acquires property at sale for minimum bid. Lender is now the equitable owner of the property.
- **Sheriff's Deed:** Absent timely objection by borrower within 10 days of the sale the sheriff will deliver a deed to the lender or winning third party bidder. Deed is recorded with County Clerk.
- **Eviction:** Lender makes arrangements with County sheriff to evict owner and any occupants not protected by New Jersey's anti-eviction act. Requires lender to hire locksmith and moving company. Alternatively lender may offer borrower 'cash for keys'.

Borrower/Homeowner Timeline

- Typically takes **2-3 months** for County sheriff to schedule a sale. Sale date is advertised in official newspapers for 4 consecutive weeks.
- **Borrower can adjourn sale for two 2-week periods.** Any further adjournment requests require Court approval.
- Borrower has **10 days** to object to sale, and can still reacquire the property in this 10-day period by paying foreclosure judgment. Borrower can also file motion to extend the 10-day redemption period, but motion must be filed within the 10-day period.
- Usually takes County sheriff **2 weeks** from date of sale to deliver deed to bank or winning bidder.
- Typically takes about **60 days** for the sheriff to proceed with a forced eviction. Sheriff usually gives homeowner several opportunities to vacate the premises voluntarily. If owner refuses, then sheriff will schedule a firm eviction date and direct lender to have a locksmith and moving company appear at the property at a set date and time. Homeowner can ask Court to stay eviction due to hardship, but Court will condition any stay upon owner paying bank's or winning bidder's carrying costs pro rated for the duration of the stay.

Have Questions?

Contact us Today.

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