

How to Stop and Avoid Foreclosure in Today's Market



This Guide Aims To Help You...

Navigate the foreclosure process

Discover all of your options

Find the solution or solutions that may help you stop or avoid your foreclosure

And gain control over your foreclosure situation from here on out



www.gratefulnutshomes.com

541-833-0223

Turn the page and let's get started...

It's no surprise that millions of Americans have lost their homes to foreclosure. Ten years ago this was big news, front page news, but now foreclosure is back page news. Today when an employer lays off hundreds it's in the news one day, and gone the next. The economic downturn, record unemployment rates, and the drastic drop in housing prices is yesterday's news.

However, people are still facing foreclosure every day. It's not over. The downturn of 2007 is not over. The pain is still very much real. If you have been able to pay your mortgage payments through all of this, yet find yourself still struggling, you are not alone.

Not being able to pay your mortgage – no matter the reason – will red flag your account and can eventually lead to foreclosure proceedings. If you find yourself already in the foreclosure process, don't despair. Even though homeowners certainly never plan on being delinquent on their mortgage payments or losing their homes, hope is not lost.

This idea of losing a home is certainly stressful and scary but there are ways out of foreclosure **so you don't ruin your credit score** or have a foreclosure on your record.

Educating yourself is key to understanding the process, finding resources to help you, and **knowing some different solutions to take to get out of foreclosure**. The key is you must take action, rather than sitting back and waiting for someone to come rescue you.

When Life Hands You Lemons, Call Your Lender



Homeowners default on their mortgages for a variety of reasons but the most common ones are:

- divorce
- sudden unemployment
- death in the family
- the inability to pay an adjustable interest rate that increases
- medical bills

Mortgage lenders do understand the hardships people face and they prefer not to initiate foreclosure proceedings, but their main goal in this business is to protect their asset, which is your home.

Obviously, **the best solution for all parties involved is to avoid this process altogether**, *(and we can evaluate your situation to see how we can potentially help you avoid foreclosure all together)* so if you expect you can't make a payment, **call your lender immediately**.

Do not be embarrassed, ashamed, or think you'll just pay extra next month. One missed payment is all it takes to signal the lender that there might be a problem.

Here are some possible resolutions your lender might consider:

1. **Forbearance** – Lenders might consider giving you extra time before taking legal action to work out a payment plan that you can afford.
2. **Repayment Plan** – This option adds a small amount to your current monthly payments for a specified period of time until the amount of the missed payment is collected.
3. **Note Modification** – Your lender might consider making changes to the conditions of the loan, such as freezing the interest rate for an adjustable mortgage or extending the length of the loan.
4. **HAMP** – Oregon has some money available for certain mortgage loans and can be used to help make mortgage payments, but there are criteria to meet.
5. **Debt Forgiveness** – If you can develop a plan to be current with your loan after this missed payment, your lender might forgive or waive this missed payment. Keep in mind, however, that this option rarely happens.

The key to getting great results with your lender is to work with a qualified team with experience in working with the banks to help home owners out of their situation. Grateful Nuts Homes, LLC has helped many home owners in situations just like yours work with the bank to get great results... and **the good thing is that it doesn't cost you a thing at all :-)**

Understanding the Foreclosure Process

Okay, if you already know the foreclosure process and exactly how it works... go ahead and skip this section. But, knowing the foreclosure process well can help you more effectively avoid foreclosure or get your property sold more quickly at a fair price.

So... here we go...

Pre-Foreclosure is the preliminary stage of the foreclosure process, it starts before legal filings are made by the lender and continues until the actual seizure of house, which is called the foreclosure. So, unless your house has already been sold, or foreclosed on, **this is the optimal time to stop a foreclosure**, because at the sooner you take action, the less your credit rating will be damaged.



Simply put, at this point you have some people you can call:

- 1) speak with your lender,
- 2) call a real estate broker and put your home on the market,
- 3) call a private investor who is willing to purchase your house with cash / or take over the existing loan.

How does the Foreclosure Process work?

In the United States there are two types of foreclosure processes, some states use one, some states use the other, and some states recognize both as legal processes. Oregon is a state that recognizes both processes. These processes are labeled: “Judicial Foreclosure” and “Non-Judicial Foreclosure,” and they mean exactly what they sound like they mean; which is the Judicial Foreclosure goes before the judge, and the non-judicial does not go before the judge. Who is the judge? It’s the county judge. However, make no mistake, if your losing your house to foreclosure; there is a team of attorneys behind the foreclosure processing it no matter if it’s going through judicial or non-judicial. So, you should “legal up” yourself.

The basic differences between the two types of foreclosures in Oregon are the title of the documents you receive in the mail, the number of days of the proceedings before the date of foreclosure, and your redemption rights. So, let’s break it down:

Judicial Foreclosure:

The lender’s lawyers (or Trustee) sends the Notice of the Foreclosure to the homeowner – this document is called a “*Lis Pendens*” (which means lawsuit pending).

The number of days until the court date is usually less than 60 days, and normally about 30 days.

After the foreclosure (the court date – at which the home was auctioned off, or attempted to be auctioned off) the homeowner has 180 days to redeem the house by paying the purchase price, with interest, the foreclosure costs and the purchaser’s expenses in operating and maintaining the property. The borrower must file a notice with the county sheriff to redeem the property.

Non-Judicial Foreclosure:

The lender’s lawyers (or Trustee) sends the Notice of Default to the homeowner, then sends the Notice of Sale to the homeowner. The Notice of Sale will tell the homeowner when and where the sale of the house will take place. It will most likely be at the courthouse, just not in the sheriff’s office, instead it will be “at the courthouse steps”.

There are 180 days for the homeowner to prepare for the sale. There are no redemption rights given to the homeowner, because the 180 days are granted before the sale, not after.

All the documents in both types of foreclosures are filed in the public records under the homeowners' names and under the address. Anyone can look the documents up on the internet for most counties across the United States. However, some counties are still not on the internet. The Lis Pendens, Notice of Default, and Notice of Sale are clear indications that a homeowner is behind in payments and the home might possibly be seized. In some states, Oregon included, the notice is also placed on the front window of the home itself.

The law requires the sale to be advertised a few times in the newspaper alerting the public (and you) to the possibility that the home will be available for sale or auction. It is also advertised on the web. Once the home has been auctioned off, the previous tenants (owners too) are required to move out. There are additional tenant rights if a term rental agreement is in place.

What can you do?

What can I do to help?

Not all lenders are created equal!

If you've read some of the blogs I've written on Grateful Nuts Homes website you know that I am passionate about working with the lenders.



As you can see, the foreclosure process can move quite rapidly. Once the Notice of Default / Lis Penden is filed, your options as a homeowner are limited, which is why it's imperative to contact your lender PRIOR to them filing the notice, as soon as possible!

Ways to Stop a Foreclosure

If your lender wouldn't work with you, there are other options to stop the foreclosure proceedings.



1. **Sell Your Home** – Speak with experienced real estate agents who are familiar with the home prices in your area so you can get an accurate market analysis. Although listing with a discount broker might sound like a reasonable way to save money, interview different agents and find one with strong marketing and sales experience. A discount broker will not save you money if s/he can't sell the home before the foreclosure process ends.
2. **Consider a Short Sale** – If your home is worth less than what you owe on the loan, you might be a candidate for a short sale. Grateful Nuts Homes works with your real estate broker to negotiate with the lender to see if they would be willing to take less than the full amount due on the loan. Keep in mind that this DOES NOT affect your credit the same as a foreclosure would, however; not all loans or homeowners qualify for short sales.

To find out if you qualify, contact us now at 541-833-0223



3. **Sign a Deed-in-Lieu of Foreclosure** – This essentially means the homeowner is signing the deed (to the home) back to the lender, thus closing out the loan and stopping foreclosure proceedings. This does show up on one's credit as deed-in-Lieu, but the rating hit is not as bad as a foreclosure. There is a slight chance that you might be able to negotiate terms to stay in the home or rent the home for a lower price until the home is sold if you deed back the home in lieu of foreclosure.
4. **HAMP** - In 2016 Oregon was granted \$36,425,456 from the federal government to help homeowners make their mortgage payments. This is called the Hardest Hit Fund, (HHF) which started under the TARP (Troubled Asset Relief Program) in 2010. The program will pay up to \$20k to cover past due payments or fees incurred during a period of unemployment or financial distress in order to bring your mortgage current. <http://www.oregonhomeownerhelp.org/en/homeowner-education-program-home>
5. **Chapter 13 Bankruptcy** – If these other avenues fail to stop the foreclosure, homeowners can file Chapter 13 bankruptcy which legally puts a “stay” on the foreclosure. At this point, all creditors are legally bound to stop their collection efforts, including selling the home in the foreclosure process. However, there are some exceptions and homeowners may still risk losing their homes but bankruptcy attorney can help explain the legalities. Filing bankruptcy costs money, the cheapest starting rate I've heard of is \$5000.

[WANT TO KNOW MORE ABOUT THE LEGAL TERMS USED IN REAL ESTATE? GO TO ANOTHER ONE OF MY REAL ESTATE WEBSITES: <http://www.ORREIA.net> OREGON REAL ESTATE INVESTORS ASSOCIATION CLUB. CLICK ON **OTHER RESOURCES** > THEN **REAL ESTATE GLOSSARY**.]

Of course, if the lender won't work with you and you're unable to stay in the home... your options are a bit more limited... but there's still **HOPE** to save your credit rating, save you money, and get you out of your situation without hassle.

We can evaluate your specific situation for you to lay it out in clear-to-understand terms exactly which options are realistic and exactly what each option can do for you and your family. Just get a hold of us and tell us a bit about your property... from there we'll get back to you within 24 hours with a clear explanation of what will help you reach your goals in your specific situation. Just call us 24/7: 541-833-0223.



Resources to Help You Avoid Foreclosure

After speaking to their lenders, homeowners should look for local resources to help determine the best course of action. Some local resources may be:

- NEDCO – Foreclosure Intervention
541-345-7106.
212 Main St. Springfield, OR

- Oregon Homeownership Stabilization Initiative



- [Grateful Nuts Homes](#) – a local, honest real estate foreclosure solutions provider. Non-biased analysis of your situation, with years of experience with many people from all sorts of situations. (*And, we never charge a fee, ever!*) Please call or text: **541-833-0223**



Also, homeowners should make as many calls as possible rather than playing the waiting game. For instance, if your lender takes 5 or more days before letting you know if they will work with you, you could have made dozens more phone calls doing research and setting up an alternative course of action.

In Closing



We understand it's easy to be overwhelmed with the threat of foreclosure and the risk of losing one's home. We've done our best to explain the basics of the process in this report, so if you find yourself in this situation, please seek the help of professionals in your area.

Our company is a Real Estate Foreclosure Solutions expert in Lane County and have worked with countless home owners in situations just like yours either avoid foreclosure all together, save their credit. If the home can't be saved.... we've helped home owners sell their properties quickly with NO FEES to the homeowner, and all cash offers.

So, if you want a full, **no-hassle**, **no-obligation**, **unbiased** review of your situation where we can lay out in easy to understand details EXACTLY what solutions will work for YOUR SPECIFIC SITUATION... contact Grateful Nuts Homes anytime.

After you tell us some basic information about your situation, we'll get back to you within 24 hours with a list of your options, the pros and cons of each... so you can make a well-informed decision for what is best for you and your family.

***Want Us to Help You Review Your Situation
To Lay Out ALL Your Options?***

Call Grace Today!

grace@gratefulnuts.com

541-833-0223

