

KANSAS FORECLOSURE TIMELINE

First 30 days	<i>30 days delinquent- notice from mortgage servicer.</i>
60-90 days	Owner has the RIGHT to stay in the property. <i>60 and/or 90 days delinquent- notice from mortgage servicer.</i>
Within 10- 20 days	Owner has the RIGHT to stay in the property. <i>After the attorney receives the file, it generally takes 10-20 days to institute foreclosure action. Attorney sends 30-day collection letter to request information but does not have to wait 30 days to foreclose.</i>
Next 21-62 days	Owner has the RIGHT to stay in the property. <i>Attorney then places a notice of the suit in the newspaper for 3 weeks to catch any parties that may have a claim that are not known or on whom service cannot be attained. Answer date is 41 days from the first date of publication. State related child support can attach to the mortgage as well.</i>
20 days from date of service	Owner has the RIGHT to stay in the property. <i>If served personally, the parties have 20 days from the date of service to file a response. If no answer is filed, a default judgment may be entered after the answer time has expired.</i>
Within 10- 30 days	Owner has the RIGHT to stay in the property. <i>After judgment has been entered, there is a 10 day period before execution. The notice of sale must be published for 3 consecutive weeks and the sheriff's sale must be held between 7-14 days after the last day of publication.</i>
Day of sale	Owner has the RIGHT to stay in the property. <i>Sheriff's sale occurs. At the sale, the taxes are collected if they are delinquent, then the proceeds from the sale go to payment of the plaintiff's judgment and then to any inferior liens to the first mortgage. Once the property is purchased at the sale, the current holder of the certificate to purchase does not have possession of the property until the expiration of the redemption period.</i>
Redemption period 3-12 months	Owner has the RIGHT to stay in the property. <i>During this buy back period, the owner can repurchase the property at the sale price plus interest, late fees, taxes, insurance, expenses incurred and attorney fees. If the court finds, either before or after the sale, that the property has been abandoned, is not occupied in good faith or illegal activities are happening there, they may extinguish the redemption period. The court may set a different redemption period depending on the value of the home verses the amount of liens. The borrower can redeem during the entire redemption period but the same is exclusively the right of the borrower for the first 60 days of a 90 day period and in the last 30 days any lien holder may redeem.</i>
After redemption period	Owner must vacate the property if not redeemed. <i>At the expiration of the redemption period, a sheriff's deed will be issued to the holder of the certificate to purchase. Upon the expiration of the redemption period a writ of assistance may be issued by the court to remove anyone from the property and deliver the same to the purchaser at the sale. Once writ of assistance is issued and served, the house MUST be vacated. Deficiency judgments are possible, also possible tax implications involved.</i>

**** Information adapted from the Kansas Attorney General's Office website. This is not legal advice. We recommend consulting your attorney if you have any specific questions about the foreclosure process.**



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