



# KANSAS FORECLOSURE TIMELINE

<b>First 30 days</b>	30 days delinquent notice from mortgage servicer.
<b>60-90 days</b>	60 and/or 90 days delinquent notice from mortgage servicer.  Mortgage servicer sends file to legal for foreclosure process. File can be sent electronically or by other sources of mail. (60 or 90 days delinquency will depend on the mortgage servicer)
<b>Within 10-20 days</b>	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. During this time the attorney gets the title.  Borrowers (all parties) are named, includes second mortgages and any liens.
<b>Next 21-62 days</b>	Attorney then places publication 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 attaches to the mortgage as well.
<b>20 days from date of service</b>	If served personally, the parties have 20 days from the date of service to file a response.  If no answer is filed, the note and the mortgage then merge and a default judgment may be entered after the answer time has expired. If an answer is file.
<b>Within 10-30 days</b>	After judgment has been entered, you must wait 10 days before you may start execution and have a sale. 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.
<b>Day of sale</b>	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.
<b>Redemption period 3-12 months</b>	3 months if less than 1/3 of the first mortgage indebtedness has been paid – 12 months if less than 1/3 of the first mortgage indebtedness is still due and owing. The period for mortgage balances in between is left up to the court to establish. This redemption period will be identified as a journal entry in the petition.  If 2/3 of the home value is not secured by mortgages, then the redemption period is typically 12 months. As always, the court may expand or contract the redemption period when a party files a motion and persuades the court to do so.  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. <ul style="list-style-type: none"> <li>• During redemption period, the owner can do whatever they want with the property, could live there or could rent it to people without telling them about the foreclosure. However, the lender can terminate the stay of redemption period if illegal activities are happening there.</li> <li>• If the property is being rented to someone, the notice of sheriff's sale should be sent to the tenant as well as the property owner. Paying and receiving rent has nothing to do with the foreclosure.</li> <li>• The borrower can sell their redemption rights to others and quit claim the property to them or sell their redemption rights for cash.</li> </ul>
<b>After redemption period</b>	At the expiration of the redemption period, a sheriff's deed will be issued to the holder of the certificate or purchase issued to the purchases at the sheriff's sale.  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.