

# INDIANA



## Foreclosure in a Nutshell

Judicial	Non-Judicial	Process Period (Days)	Sale Publication (Days)	Redemption Period (Days)	Sale/NTS
•		261	120	None	Sheriff

**Comments:** Judicial Foreclosures only

Indiana handles foreclosures through the court system. A typical foreclosure process can take about nine months.

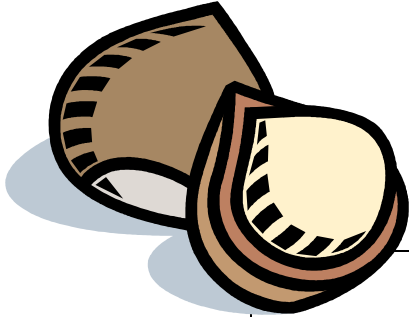
### Pre-foreclosure Period

The foreclosure process begins when the lender files a complaint in court against the borrower. Indiana law does not require that a lender send a default notice to the borrower before filing the complaint, but most lenders do. The date the mortgage was executed controls the pre-foreclosure period between filing the complaint and the foreclosure sale. Most often it is three months, but for older mortgages, it can be six or 12 months. There is no waiting period for abandoned properties. The owner may agree to dismiss this pre-foreclosure period, allowing the sale to proceed; however, this causes the lender to lose its rights to pursue any debt not satisfied by the foreclosure sale. After the pre-foreclosure period expires, a copy of the order of sale and judgment are issued and certified by the clerk to the sheriff. After receiving the order, the sheriff proceeds with the foreclosure sale.

At any time before the foreclosure sale, a borrower may satisfy the judgment by paying the debt, interest, and costs; the complaint must then be dismissed.

The sheriff appoints an auctioneer to conduct the foreclosure sale. The notice of sale must be published once a week for three weeks in a local newspaper, and the first publication must occur 30 days before the sale. The sheriff also must post the notice in at least three public places, as well as the county courthouse. The borrower is served with the notice of sale by the sheriff. Immediately after the foreclosure sale, the sheriff transfers the property ownership to the winning bidder. If a lender postpones the sale, another sheriff's sale request must be filed, and the notices must be re-served and republished.

Once the sale is complete, a borrower no longer has redemption rights.



## Resources

**a. Indiana Housing Finance Authority:**

Fort Wayne: <http://www.fwha.org/>  
Indianapolis: <http://www.indyhousing.org/>  
Marion: <http://www.marionha.com/>  
Muncie: <http://www.muncieha.com/>  
South Bend: <http://www.hasbonline.com/index.php>  
Vincennes: <http://www.vhanet.org/>

**b. Indiana State Foreclosure Task Force:**

[http://www.in.gov/core\\_old/3043.htm](http://www.in.gov/core_old/3043.htm)

**c. HUD:**

<http://www.hud.gov/offices/pih/pha/contacts/states/in.cfm>