

The Foreclosure Timeline

What happens from the first missed payment to the trustee's sale, and how much time is at each step

This is how a non-judicial foreclosure works in California on a normal home loan. Dates below are minimums set by state and federal law; lenders often move slower, but never faster.

1

Missed payments · the first 120 days

Late fees start after the grace period on your statement, usually 15 days. Federal rules say the lender cannot start foreclosure until you are **more than 120 days behind**. During this window the servicer must tell you about options like a modification or repayment plan. Most people stop opening the mail here. Don't; this is the cheapest point to fix it.

2

Notice of Default · recorded at the county

The lender's trustee records a Notice of Default (NOD) with the county recorder and mails you a copy. From the recording date you have **at least 90 days** before the lender can take the next step. The NOD states the amount you are behind as of that date; it grows every month with interest, late fees, and the trustee's costs.

3

Notice of Trustee's Sale · 90+ days after the NOD

This sets the auction date, which must be **at least 20 days out** and is usually three to five weeks. It is posted on the house, mailed to you, recorded, and published in a local paper. This is the step most people react to. By now the options are fewer and the numbers are bigger.

4

Trustee's sale · the auction

The house is sold to the highest bidder, or goes back to the lender if nobody bids above what is owed. You can still **reinstate up to 5 business days before the sale**, and the lender can still accept a payoff until the gavel falls. If the house sells for more than what is owed, the extra (the "surplus") belongs to you and the trustee must notify you. Be careful of companies that offer to "recover" it for a large fee.

5

After the sale

Ownership transfers when the trustee's deed records. The new owner serves a 3-day notice to the former owner (tenants get 90 days), then files for eviction if you haven't left. Any equity you had is gone at this point.

The Dates That Matter

Keep these four numbers in mind

120 days behind	The earliest a lender can record a Notice of Default.
90 days after the NOD	The earliest a sale date can be set.
20 days after the sale notice	The earliest the auction can happen. Usually 3 to 5 weeks.
5 business days before the sale	Your last day to reinstate by right. After that it's up to the lender.

THREE THINGS PEOPLE GET WRONG

- **"It's postponed, so I'm fine."** A postponement moves the date; it doesn't end the process. The sale can be reset with little notice. Ask the lender for the postponement in writing and for the new date.
- **"I applied for a modification, so they can't sell."** Only once your application is **complete**. California's dual-tracking rule stops the lender from recording a sale notice or selling while a complete application is under review. Get the word "complete" from them in writing.
- **"If I just ignore it, it'll take years."** In California the whole process can run in about four months from the NOD. It usually takes longer, but you can't count on that.

OPTIONS ALONG THE WAY

At every stage above, people end up going one of five ways. Which ones are still open depends on how far along you are, how much equity you have, and your income.

- **Reinstate:** bring the loan current in one payment. Ask the lender for the reinstatement figure in writing.
- **Loan modification:** new terms from the lender so you can keep paying.
- **Bankruptcy:** an attorney conversation. Pauses the sale; doesn't erase the debt.
- **Sell before the sale date:** the way most people keep their equity instead of losing it at auction.
- **A sale where the loan stays in place:** fits some situations and not others; explained in person, in writing.

Our "5 Options After a Notice of Default" guide goes through each one.

Want to know exactly where your house is on this timeline?

Call or text (661) 271-6299

We'll pull the recorded dates and tell you which options are still open. No obligation.

Kern Home Solutions Group is a local real estate company in Bakersfield. We buy houses and we walk homeowners through their options, including the ones where we make nothing. We are not attorneys and we are not your loan servicer; nothing here is legal advice. A HUD-approved housing counselor can also help at no cost: 1-800-569-4287 (HUD) or 1-888-995-4673 (HOPE Hotline).