

An aerial, high-angle view of a dense urban skyline, likely New York City, featuring numerous skyscrapers and buildings. The image is in grayscale and has a dark, semi-transparent overlay. The text is centered over the middle of the image.

SYNDICATE LEGAL & FINANCIAL

Foreclosure Defense

Syndicate Legal & Financial – Foreclosure Defense



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If you're facing a non-judicial foreclosure in the State of California, **you may be entitled to file a lawsuit against your mortgage lender.** A non-judicial foreclosure is one in which the lender doesn't file an actual foreclosure lawsuit but, instead, goes through either the Clerk of Court or the Sheriff's Office in the county where your home is located.

The lender is, nonetheless, required to send you a notice of default and to allow you a specific number of days to catch up with your missed mortgage payments. Non-judicial foreclosures are generally based on failure to make mortgage payments.

in order to successfully sue your mortgage lender, you'll need to prove that they violated California's applicable state laws, which include the Homeowner Bill of Rights.

This typically means that one of the following applies (but is in no way limited to):

- The lender failed to follow the rules and requirements that guide foreclosure,
- The lender failed to comply with California's mediation requirements, and
- The lender cannot prove ownership of the promissory note.

Bringing a successful lawsuit against your lender is a legal challenge that only applies in highly specific situations. If you believe this option may apply in your situation, you may be able to delay the foreclosure sale of your home for months, possibly years (depending on litigation timelines), and may be able to reach a pre-trial settlement / loan modification with your Lender.



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