

**CALIFORNIA
FORECLOSURE TIMELINE**

Functions To Be Performed	No. of Days After File Received
1. Receipt of Referral from Client – Trustee Sale Guarantee is Ordered and Notice Of Default prepared	1
2. Notice of Default Recorded – 1 st Legal	3
3. Trustee Sale Guarantee report received and reviewed	9
1. 10-Day Mailings to Borrower & Parties with Recorded Request for Notice	12
5. 30-Day Mailings to All Parties in the Chain of Title	32
6. Substitution of Trustee prepared, executed & recorded	35
7. 3 Month Redemption Expires	94
8. Publication of Notice of Sale for 3 consecutive weeks	95
9. Posting of Notice of Sale	98
10. Trustee Sale Held	118
11. Trustee’s Deed Upon Sale Recorded	120
12. Post Sale Functions for FHA & VA Title Package completed Within guidelines upon receipt of conveyance information	

COMMENTS

These timelines assume that no delays occurred during the foreclosure process. Delays may occur if the Substitution of Trustee is not returned for recording or if an assignment is missing or other title issues arise. A Trustee Sale may only be postponed 3 times for beneficiary purpose but for an unlimited number of times for Bankruptcy or Mutual Benefit. We advise that any postponements for Mutual Benefit is approved in writing by the borrower in the form of Written Forbearance Agreements.

**CALIFORNIA
BANKRUPTCY MOTION FOR RELIEF TIMELINE
AND
ADDITIONAL SERVICES PROVIDED**

Functions To Be Performed Previous Action	Days After	No. of Taken
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1. Referral Received/File Set-Up	1	
2. Motion for Relief Filed:		2-5
<p>A Chapter 7 Motion for Relief can be filed as long as there is 20% or less equity cushion in the property. A Chapter 13 Motion for Relief can be filed for lack of post petition payments and/or bad faith. However each District Court has certain criteria that must be met when considering a Motion for Relief. The specific Districts are as follows:</p> <p>a: Southern District: Can file a Motion after the expiration of the grace period of the first missed post-petition payment. Plan does not need to be confirmed.</p> <p>B: Central District: The Debtor is to pay all pre-confirmation, post-petition payments directly to the lender and file a <u>Declaration with the Court providing proof that the payments</u> were made. However, the Debtor can show up at the 341(a) and/or Confirmation Hearing with the payments and they have to be accepted. If the Debtor fails to make the pre-confirmation, post-petition mortgage payments, the Trustee will move for dismissal of the case. Due to this local rule, a Motion cannot be filed until after the Plan is confirmed.</p> <p>C: Eastern District: In all Chapter 13 cases filed on or after July 1, 2003, the Chapter 13 Trustee pays both the pre-petition and post-petition payments. The Chapter 13 Plan is to list the ongoing monthly payment and late charge amounts. The lenders are required to provide the Trustee with payment change letters. If the Debtor is not making the plan payments(which includes</p>		

the post-petition payment) the Trustee will move for dismissal. However, if the Trustee's website shows that no disbursements for post-petition payments have been sent, a Motion for Relief Plan does not need to be confirmed to file a Motion.

1. **Northern District:** Can file a Motion after the expiration of the grace period of the first missed post-petition payment. Plan does not need to be confirmed.

1. Hearing Held:

15-30

A hearing on a Motion will be held within 30 days of the filing of the Motion and in some districts can be heard in only 15 days.

4. Relief Order:

3-7

The order will be executed by the Court 3-7 days after the hearing date.

5. Adequate Protection Orders ("APO's"):

14-21

APO's must be executed by all parties.

6. Final Bill:

1

The final bill will be prepared within one (1) day from the date the Order is received.

1. Contested and Continued Cases:

If disputed evidence is provided by both parties, an Evidentiary Hearing will be set by the Court.

The average time to complete a Chapter 7 Bankruptcy case in Nevada is approximately 30-35 days. The average time to complete a Chapter 13 Bankruptcy case in Nevada is approximately 40-45 days.

ADDITIONAL SERVICES PROVIDED:

- Proof of Claims
- Review of Plan
- Objection to Plan

- Attend Confirmation Hearings
- Motion to Dismiss
- Motion for In Rem relief
- Motion for Possession
- Defend Motion to Reinstate the Stay
- Declaration of Breach (Notice of Default)
- Payment Reconciliations
- Motions to Sequester Cash Collateral
- Motions and/or Responses to Sell Property Free and Clear of All Liens

All services are provided on a Flat Fee basis as agreed upon between the firm and client, except in the case of contested matters that are handled on a hourly basis, subject to prior written approved by the client.

**CALIFORNIA
RESIDENTIAL FORCIBLE DETAINER
(EVICTION) TIMELINE**

Functions To Be Performed	No. of Days After File Received
1. Receipt of Referral from Client – Notice to occupant of property to vacate within 3 days from date of letter	1
2. Property inspected to determine occupancy	5
a. If property is vacant – Advise client so that they can secure the property and advise process server	7
b. If property is occupied – Notice is served on occupant	
. If property occupied by owner – 3 days if served personally or 6 days if served by mail	13
. If property occupied by tenant – 30 days	37
3. Proceed with Unlawful Detainer and file Summons and file Summons and Complaint with the Court – Defendant has 15 days to respond	52

a.	If occupant fails to respond – Default is entered and court will enter judgement within 10 to 14 work days & issue writ of possession	66
b.	If occupant files a response with the court – Court will set a trial date within 15 to 35 days and usually writ of possession is entered within 10 to 14 days	97
4.	Writ of Possession is sent to Sheriff to post on property which can take up to 14 days depending on Sheriff schedule	80
5.	Sheriff take action to lockout occupant from property	87

COMMENTS

The average time in California to complete an Eviction is 60 to 75 days. Delays can occur if the Defendant files an answer, which would then require a court date. Delays are often experienced as a result of delays with the Courts not timely setting trial dates or entering judgement. In addition, special consideration must be given if the property is located in a Rent Control area due to additional registration and notice requirements.