



SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

Civil Division
500 Indiana Avenue, N.W. Moultrie Building, Suite 5000
Washington, DC 20001
www.dccourts.gov

NOTICE

FORECLOSURE CALENDAR

Effective **Monday, July 1, 2019**, a revised Decree of Sale will be issued with the entry of a judgment in mortgage foreclosure actions. The updated Decree will require that:

- (1) The Trustee must send notice of the time, place, and terms of the auction to (a) all owners of record, borrowers, and occupants at the time of the notice at least 21 days before the auction date and (b) all junior lienholders at the time of the notice at least 10 days before the auction date;
- (2) If the purchaser fails or refuses to settle within the allotted time frame, the nonrefundable deposit of up to 10% of the price bid will be forfeited; and
- (3) The motion to ratify accounting must be filed with the Court in compliance with the Final Proposed Account Summary Page and the accompanying Itemization Sheet, available at the Civil Actions Clerk's Office or online at dccourts.gov.

If you have any questions, please contact the Civil Actions Branch Clerk's Office at 202-879-1133, located at 500 Indiana Avenue N.W. Room 5000, Washington, DC 20001.

To the extent that {Trustees} have been named as Substitute Trustees as to the Property, the same is ratified and confirmed, or, in the alternative, {Trustees} are appointed as Substitute Trustees for purposes of foreclosure. On the posting of a bond in the amount of \$25,000.00 into the Court, any of them, acting alone or in concert, may proceed to foreclose on the Property by public auction in accordance with the Deed of Trust and the following additional terms:

1. The Trustee(s) must mail, by certified mail, return receipt requested and by first class mail, notice of the time, place, and terms of the auction to (a) all owners of record, borrowers, and occupants at the time of the notice at least 21 days before the auction date and (b) all junior lienholders at the time of the notice at least 10 days before the auction date.
2. In accordance with the contractual provisions in the Deed of Trust and Super. Ct. Civ. R. 308 (b)(1), the Trustees must advertise the time, place, and terms of the auction, in a newspaper of general circulation in the District of Columbia, once a week for four consecutive weeks leading up to the auction.
3. The Trustees may employ an auctioneer for the sale process and incur reasonable costs associated therewith.
4. In compliance with the contractual provisions in the Deed of Trust, the Trustees may appoint an attorney to appear on behalf of the Trustees to supervise and attend the sale.
5. In accordance with the contractual provisions in the Deed of Trust, the Trustees may require a purchaser to post a nonrefundable deposit of up to 10% of the price bid in certified funds, may condition the right to bid or acceptance of bids upon a showing of said deposits, and may reserve the right to reject any bid made by anyone who does not have the deposit in hand at the auction.

6. The deposit required to bid at the auction is waived for the Noteholder and any of the Noteholder's successors or assigns.
7. Pursuant to D.C. Code § 42-817, the Noteholder may bid up to the amount owed on the Note plus all costs and expenses of sale on credit and may submit a written bid to the Trustees which shall be announced at sale.
8. The Trustees will hold any deposit in a non-interest bearing trust account.
9. The Trustees may establish additional terms of sale as may be appropriate in their judgment to promote the best price at the auction so long as any additional terms remain consistent with and do not alter the specific terms and conditions of the Deed of Trust and this Order and Decree of Sale.
10. The Trustees may enter into a contract of sale with the highest qualified bidder subject to ratification by the Court, and any memorandum of sale must indicate that the sale is subject to said ratification.
11. If a Third Party is successful at auction, the bond must be increased to the full amount of the purchase price, which must be posted prior to ratification by this court.
12. Pursuant to Super. Ct. Civ. R. 308 (b)(4), the Trustees must file a Verified Report of Sale with the court within 30 days of the auction. The Verified Report of Sale must specify the time, place, terms of the sale, the purchaser, the purchase amount, and the deposit held, together with an affidavit and documentation establishing that the Trustees complied with the notice and advertisement requirements set forth above.
13. In accordance with the contractual provisions in the Deed of Trust, and unless otherwise ordered at the time of ratification, settlement must occur by payment of all sums due under the bid in certified funds to the Trustees {Days from the Entry of an Order}

ratifying the sale. If the purchaser fails or refuses to settle within the allotted time frame, the nonrefundable deposit of up to 10% of the price bid will be forfeited and the Trustees may apply the nonrefundable deposit toward costs, fees, or their compensation associated with the initial auction and the resale process. Any remaining amount must be credited to the underlying debt.

14. After the purchaser's funds submitted to the Trustees have cleared, the Trustees must execute and deliver a Trustees' Deed, transferring title to the purchaser. The purchaser is responsible for the costs of recording the Deed.
15. In compliance with the contractual provisions in the Deed of Trust and Super. Ct. Civ. R. 308 (d), within {Days of Settlement}, the Trustees shall file evidence of the settlement including a copy of the Trustee's Deed, a proposed accounting and distribution of funds, and a proposed order ratifying the distribution.
16. The motion to ratify accounting must be filed with the Court in compliance with the Final Proposed Account Summary Page and the accompanying Itemization Sheet, available online at dcourts.gov and in the Civil Actions Clerk's Office (500 Indiana Ave. N.W., Suite 5000, D.C. 20001). A completed copy of those documents must be provided to each owner of record, borrower, and all junior lien holders specified in paragraph 1, together with a notice that any claim or dispute with the proposed accounting and distribution must be filed within fourteen (14) days, and that if no claim or objection is filed, the accounting and distribution may be ratified by the court without further hearing.
17. In compliance with the Deed of Trust, the Trustees will be entitled to recover their costs incurred, including reasonable attorney's fees and commissions as authorized by the

Deed of Trust for the execution of duties performed in accordance with the foreclosure and this Decree as part of the settlement.