**GENERAL INFORMATION ON MORTGAGE FORECLOSURE SALES**

The following is intended to provide some general information regarding mortgage foreclosure sales and information on how such foreclosure sales will be conducted by the St. Clair County Sheriff’s Office. Anyone wishing to participate in a mortgage foreclosure sale should seek information regarding the statutes and case law regarding these matters from their own personal attorney. This document is not intended to nor should it be relied upon by any individual as a full explanation and enumeration of one’s legal rights, responsibilities, duties or obligations. **PLEASE CONSULT YOUR OWN ATTORNEY.**

GENERAL INFORMATION

Foreclosure sales are scheduled by the lender/lender’s attorney, **not** the Sheriff’s Office. Foreclosure sales are scheduled for 1:00 p.m. every Thursday that the court building is open.

In the State of Michigan, foreclosures by advertisement must be published in a newspaper in the County where the foreclosed property is located. Notices are published for a minimum of four weeks with the last publication frequently being, but not required to be, the week prior to the scheduled sale date. Legal notices are sometimes canceled by the lender/lender’s attorney during the publication period and sometimes sales are canceled between the time of the last publication and the actual sale date.

Bidders should also be aware that sales are sometimes adjourned from the original sale date as published. These adjournments are posted at the sale area of the court building. Adjournments can be made for a maximum of one week at a time; however, some sales are adjourned on a week-to-week basis. It is the responsibility of an interested bidder to check to see that any particular property he/she is interested in is still scheduled for sale on a particular day.

**Payments**

There are no payment arrangements for the foreclosure sales. THE TOTAL AMOUNT OF EACH SUCCESSFUL BID MUST BE PAID FOR BY A CERTIFIED OR CASHIERS CHECK. Bidders should have certified checks made payable to themselves or the mortgage holder. If not successful, the bidder can return the funds to his/her bank.

**Bids**

In some cases, the minimum bid for each property is higher than the amount listed in the legal notice. The debt listed in the legal notice is the amount that is due as of the date of the notice. Interest and various other costs are added to that amount to form the minimum bid on the sale date.  Bidders will be required to show their check for at least the minimum bid amount at the time a bid is placed. Please have checks ready for viewing.

Each bidder is strongly advised to obtain legal advice about his/her rights and responsibilities from an attorney who is familiar with real estate law, and in particular, with mortgage foreclosures. A very thorough search of the title of the property you are interested in should be made. Staff and members of the St. Clair County Sheriff’s Office and Civil Division are not attorneys and cannot and will not provide legal advice. We will **NOT** answer any questions regarding bid amount, addresses or bank information. It will be to no avail to call the Sheriff’s Office, attending the sale is the best way to know if a property is selling. Any questions about redemption rights, liens or any other information regarding the legal aspect of the foreclosure sale should be obtained from a trained professional.