

Georgia Senate Approves Foreclosure Notification Bill

Can you imagine living in a state where a mortgage company could take your house away from you through foreclosure without you ever knowing about it? Welcome to Georgia! Before you dive into that bowl of grits for breakfast, make sure you always keep some bags packed because that nasty bank could pounce you out of your house fairly quickly.

Your mortgage company currently has no legal obligation to notify you of their intent to foreclose on your home. However, in a recent online edition of the [Atlanta Journal and Constitution](#), the paper has reported that the Georgia State Senate has approved a bill requiring mortgage companies to notify Georgia consumers before they start a foreclosure action.

Even though there is no law that currently requires them to notify you, most mortgage companies will mail you a certified letter about six weeks before the foreclosure sale date. In Georgia, foreclosures must take place on the first Tuesday of the month. Mortgage companies are required to advertise any house that they intend to foreclose in the legal county newspaper in which the house is located. They must advertise the foreclosure for four weeks prior to the sale date.

In addition, almost every homeowner facing foreclosure will receive letters from local bankruptcy attorneys explaining how Chapter 13 can stop a foreclosure proceeding.

The problem is that many loan modification companies have somehow figured out how to beat bankruptcy attorneys to the punch. Bankruptcy attorneys get names and addresses from the newspaper. In contract, loan modification companies purchase the names and addresses of homeowners who are behind on their mortgage payments long before the foreclosure action starts. Most of the loan modification company mailers are clearly scams. The Federal Trade Commission has cracked down hard on many of these crooks. Some loan modification crooks even purchase the phone numbers of potential victims.

In other cases, homeowners that are behind on payments will receive letters from potential investors who want to explore the option of bringing your house current on the payments while you agree to deed the property to them. The advantage to the investor is that the loan stays in your name. Thus, the investor gets to buy your house using your credit.

The bottom line is that a person who is behind on their mortgage payments can receive so much mail from so many sources that they just decide to ignore it all. Don't make that mistake!

In Georgia, if you ignore your mail, you could end up losing your house to foreclosure without any warning.