Behind on Your Mortgage in Texas? A One-Page Foreclosure Checklist

General information, not legal advice. Confirm your dates with your own attorney.

Know your dates

- Open every letter from your lender or servicer and write down each date.
- Notice of default (homestead): certified mail and at least 20 days to cure before a notice of sale.
- Notice of sale: at least 21 days before the sale.
- Sale day: generally the first Tuesday of the month at the county courthouse.
- With a 20-day cure and 21 days' notice, the first serious letter and the auction can be only weeks apart.

Ask for help early

- Call your servicer about loss mitigation (repayment plan, modification or forbearance).
- Talk to a HUD-approved housing counselor (free foreclosure prevention counseling): consumerfinance.gov/find-a-housing-counselor.
- Talk to your own attorney about your exact deadlines.
- Have ready: how far behind you are, whether a sale date has posted, and roughly what you owe.

If you decide to sell

- The loan is paid off at closing from the sale proceeds under the standard TREC resale contract.
- Tell any buyer the sale date on the first call so the title company can order the payoff right away.

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