



1

Trustor Defaults on Loan

[§ 57-1-23](#)

The Trustor fails to perform an obligation secured by the Trust Deed, and the Beneficiary directs the Trustee to exercise the power of sale.

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Pre-Foreclosure Notice

[§ 57-1-24.3](#) — APPLIES ONLY TO CERTAIN LOANS

Required where the Beneficiary is a **financial institution** and the loan is a consumer loan on owner-occupied residential property. Before the Notice of Default is recorded, the Beneficiary or Servicer must designate a **single point of contact** and give the Trustor at least 30 days to cure.

2

Notice of Default Recorded by Trustee

[§§ 57-1-24](#) · [57-1-26](#) · [57-1-31](#) — 1 DAY TO MONTHS AFTER DEFAULT (4+ MONTHS AFTER DEFAULT FOR FEDERALLY BACKED LOANS)

Within 10 days the Trustee mails a copy, certified or registered, to the parties to the Trust Deed and anyone who recorded a Request for Notice. If no Trustor address is of record, it is mailed to the property or posted there **within 15 days**.

Three-month reinstatement period. The Trustor, a successor in interest, or a subordinate lienholder may cure by paying all amounts due plus enforcement costs. The loan is reinstated and the Notice of Default cancelled of record.

3

Notice of Sale

[§§ 57-1-25](#) · [57-1-26](#) · [45-1-101](#) — AFTER THE 3-MONTH PERIOD

Published three times, once a week for three weeks, last publication 10 to 30 days before the sale, in a newspaper of general circulation in each county where the property sits. Also online at utahlegalnotices.com for 30 days.

Posted on the property and at the county recorder, and **mailed** to those entitled to notice, at least 20 days before the sale. Rental property carries added tenant-notice requirements.

4

Trustee's Sale

[§§ 57-1-25](#) · [57-1-27](#) — MINIMUM 30 DAYS AFTER NOTICE OF SALE

Public auction to the highest bidder, between 8:00 a.m. and 5:00 p.m. at a **courthouse serving the county**. Any person may bid, including the Beneficiary or the Trustee. The sale may be postponed by public declaration up to **45 days** without renoticing.

5

Payment by New Owner

[§§ 57-1-27](#) · [57-1-28](#) — AT OR SHORTLY AFTER THE SALE

The Trustee may require a deposit in the amount stated in the notice of sale — commonly \$5,000.00 or more by cashier's check at the bid, with the balance due within 24 hours. Requirements vary by Trustee.

6

Trustee's Deed

[§ 57-1-28](#) — WITHIN 5 BUSINESS DAYS OF PAYMENT

Within five business days of receiving payment, the Trustee executes and submits the Trustee's Deed to the county recorder. Title passes to the purchaser **without right of redemption**.