

# Utah (UT) Foreclosure Laws

When you develop a definite plan of action with well-timed, well-informed steps, you can stop the foreclosure process and save your home. We have outlined the foreclosure process for the state of Utah.

**Judicial Foreclosure Available:** yes

**Non-judicial Foreclosure Available:**No

Utah recognizes judicial foreclosure. There may be but one action for recovery of the debt or any foreclosure sale.

## Procedure

The lender must file a lawsuit seeking foreclosure. If the court finds there has been a default, it may order the foreclosure sale to proceed. The court will also adjudge the amount due on the defaulted loan. The sheriff will conduct the sale under court order in the same manner as normal execution sales. The sheriff will publish notices and conduct a public sale. Any surplus from the sale will go to the person who is owed the money, by court order, or stay on deposit with the court until it decides how to distribute it.

## Special Procedures

The borrower may be restrained by a court injunction from injuring the real property during the foreclosure of the mortgage or during a foreclosure execution sale.

## Deficiency

Utah allows deficiency judgments. If the foreclosure sale proceeds are insufficient to pay off the loan balance to the lender, then execution may be issued by the court after the sale to seize property until the debt is repaid.

## Redemption

Utah recognizes a right of redemption after the sale in the same way as for regular judgments. However, a Utah court sitting in equity may extend the time for redemption so there is no set length of time.