

Indiana Foreclosure Timeline

Type: judicial foreclosure

Typical length: 240 to 360 days from first missed payment to sheriff's sale

Indiana is a strictly judicial foreclosure state. The lender must file a lawsuit in the county where the property is located, obtain a judgment, wait the statutory pre-sale period, and then sell the home at a sheriff's sale.

1. First missed payment (Day 0 to 15)

Most mortgages have a 15-day grace period. After that, a late fee is assessed and the loan is reported as delinquent.

Your rights: You can still pay the missed amount plus the late fee to bring the loan current. Contact your servicer's loss mitigation department in writing.

2. Notice of default and acceleration (Day 45 to 120)

Federal law (RESPA / Regulation X) generally prevents the servicer from filing foreclosure until the borrower is more than 120 days delinquent. The servicer typically sends a breach letter giving 30 days to cure.

Your rights: Federal loss mitigation rules apply: you can submit a complete loss-mitigation application and the servicer cannot file until it is evaluated.

3. Foreclosure complaint filed (Day 120 to 180)

The lender files a foreclosure complaint in the county circuit or superior court. You are served and have 20 days to file an answer (Indiana Rules of Trial Procedure 12).

Your rights: You have the right to be served, the right to an attorney, and the right to request a settlement conference under Ind. Code 32-30-10.5 if the home is your primary residence.

4. Settlement conference and judgment (Day 180 to 270)

If you request a settlement conference, the court orders the parties to meet to discuss alternatives to foreclosure. If no resolution is reached, the court enters a judgment and decree of foreclosure.

Your rights: You can request the settlement conference within 30 days of being served. You may also raise legal defenses (improper service, lack of standing, payment errors).

5. Pre-sale waiting period (Day 270 to 360)

Indiana requires a statutory waiting period between the judgment and the sheriff's sale - generally three months for mortgages executed after July 1, 1975 (Ind. Code 32-29-7-3). Sale is then advertised for three consecutive weeks.

Your rights: You can still reinstate the loan or sell the property before the sheriff's sale, including a cash sale to a third party.

6. Sheriff's sale (Day 270 to 360)

The property is sold at public auction by the county sheriff. The highest bidder receives a

sheriff's deed.

Your rights: Indiana has no statutory right of redemption after the sheriff's sale. Personal property must be removed; eviction follows if you remain.

7. Eviction after sale (Day 360 to 420)

The new owner files for a writ of assistance or a separate eviction action. A typical post-sale eviction in Indiana takes 30 to 60 days.

Your rights: You are entitled to written notice and a hearing before being physically removed. Tenants have protections under the federal Protecting Tenants at Foreclosure Act.

Redemption after sale

No post-sale statutory redemption period in Indiana - redemption rights end at the sheriff's sale.

Deficiency judgments

Lenders may pursue a deficiency judgment if they waive the right to a deficiency they may shorten the redemption-style waiting period before sale.

Sources

- Indiana Code 32-30-10.5 (Settlement Conference)
(<https://iga.in.gov/laws/2024/ic/titles/32#32-30-10.5>)
- Indiana Code 32-29-7 (Mortgage Foreclosure Procedure)
(<https://iga.in.gov/laws/2024/ic/titles/32#32-29-7>)
- Indiana Foreclosure Prevention Network (<https://www.in.gov/ihcda/homeowners/>)
- CFPB - Regulation X loss mitigation
(<https://www.consumerfinance.gov/rules-policy/regulations/1024/41/>)

General guidance, not legal advice. Talk to a foreclosure attorney or HUD-approved housing counselor about your specific situation.
Middle America Homes | (260) 908-9906 | middleamericahomes.com/foreclosure-timeline/indiana/