

OFFICE OF THE PUBLIC TRUSTEE

Policies, procedures and fees for filing foreclosures effective Jan. 1, 2010

Jefferson County, Colorado, Margaret T. Chapman, Public Trustee

CUTOFF DATE FOR RECORDING OF NOTICES OF ELECTIONS AND DEMAND:

1. All files received after 5:30 p.m. Dec. 21, 2009, will be processed under the law effective Jan. 1, 2010
2. The first Notices of Election and Demand under the Jan.1, 2010, law will be recorded Jan. 5, 2009. Any first packages that do not meet the requirements of HB 09-1207 will be rejected. Specifically, we will looking at the changes to 38-38-100.3(14),38-38-101 (1)(b),38-38-101 (1)(b)(III), 38-38-101 (1) (c),38-38-101(1) (c) (I),38-38-101 (1) (c)(II),38-38-101 (1) (d) ,38-38-101 (1)(f) 38-38-101 (1) (g) 38-38-101(4)(g)(J)(k),and 38-38-101(6)(a)(b). Please note that it is now required that modifications to the loan documents and/or partial releases recorded prior to the filing of the Notice of Election and Demand must be submitted with your initial first package and if your client is a qualified holder they must state that the copies of these documents are true and correct in the CERTQH(Statement by Attorney for Qualified Holder)
3. The Combined Notice may be omitted from your filing. The Jefferson County Public Trustee's policy is to supply the Combined Notice.
4. The Combined Notice no longer requires the name address and telephone number of each attorney representing the holder of the evidence of debt. The Jefferson County Public Trustee's policy will be to insert the Name, address, business telephone number and bar registration number of the attorney who signed the Notice of Election and Demand on the Combined Notice unless we are advised differently.

FEES:

1. Deposit: \$650 per foreclosure -- Colorado Revised Statutes 38-38-101(10) or we will ACH your account for the exact amount.
2. \$20 will be charged per file for all recordings associated with a file
3. Please do not submit copies of statutes for mailing. This is covered in the cost of postage and copies.

PUBLICATIONS:

1. \$250 will be charged for the five consecutive publications, prorated if a foreclosure is withdrawn
2. There is no charge for initial set-up of the legal notice if the foreclosure is withdrawn prior to the first publication
3. Publications will be assigned to a newspaper based on Zip Code:
 - a. Legal publications for the following zip codes will be published in "The Denver Post" (Ken-Caryl, Littleton and South Jeffco edition of "Your Hub"): 80112, 80120, 80121, 80123, 80127, 80128
 - b. Legal publications for the remainder of the zip codes in Jefferson County will be published in either the "Golden Transcript" or the "Wheat Ridge Transcript" as determined and set by the Public Trustee.

DISCLAIMER:

1. This document is to be considered a policy and procedures document for the filing of foreclosure actions as required by Colorado Revised Statutes (CRS). Please be advised that this document does not cover ALL the changes in foreclosure law.
2. If you file electronically, please refer to our website <http://jeffco.us/pubtrust> for instructions and naming conventions for documents. New naming conventions:

Statement of Current Owner-ACO

Original Note Modification-NOTEMOD

Copy of Note Modification-CNOTEMOD

Original Deed of Trust Modification-DOTMOD

Copy of Deed of Trust Modification-CDOTMOD

First Amended Mailing List- MLA (there is no longer an MLS)

Second Amended Mailing list – MLA02

Combined Notice to be published – NEWS

First Partial Release-PRL

Second Partial Release-PRL02

3. If you have specific and/or additional questions, please contact us at 303-271-8580.