

## NOTICE OF INTENT TO CURE

Please legibly print the following information:

Foreclosure Sale Number: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone Number: \_\_\_\_\_

Cell Number: \_\_\_\_\_

To Whom It May Concern:

Please let this serve as written notice of Intent to cure the default of my loan with:

Name of Lender: \_\_\_\_\_

I am requesting that the office of the Ouray County Public Trustee obtain a written statement of the amount necessary to bring my loan current. **I understand that I must bring in cash or certified funds by 12 noon on the day before the scheduled sale date in order to cure this foreclosure.** I understand that it is my responsibility to contact the Office of the Public Trustee for updated figures for the amount to cure. The signature below verifies that I filed my Intent within fifteen (15) days of the scheduled sale date.

Original Signature of Owner, Grantor, or Lien

Holder: \_\_\_\_\_

Date Signed: \_\_\_\_\_

**A COPY OF THE WARRANTY DEED OR THE EVIDENCE OF DEBT GIVING YOU THE RIGHT TO CURE MUST BE ATTACHED PURSUANT TO C.R.S. 38-38-104(1).**

*The Ouray County Public Trustee does not give legal advice. This brochure has been created as an INFORMATIONAL tool for citizens; it is NOT intended to serve as legal advice. If you have questions regarding the foreclosure process or your rights when buying at a foreclosure sale it is highly recommended that you seek advice from a competent attorney experienced with Colorado foreclosures.*

Jill Mihelich

Ouray County

Public Trustee

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Ridgway, CO 81432

970-325-4487

Fax: 970-325-0452

Website: [www.ouraycountyco.gov](http://www.ouraycountyco.gov)

Email: [jmihelich@ouraycountyco.gov](mailto:jmihelich@ouraycountyco.gov)

Ouray County  
Public Trustee

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# How to Cure the Default on a Foreclosure Property

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## **How to Cure the Default on a Foreclosed Property**

Colorado Revised Statute 38-38-104 makes provisions for a property owner to cure the default on his mortgage before it goes to foreclosure sale.

### **Filing an Intent to Cure**

The Intent to Cure form must be filed with the Office of the Public Trustee not less than FIFTEEN (15) DAYS prior to the scheduled foreclosure sale date. You may obtain a form from the Public Trustee office –see example on back of brochure.

The owner or person submitting intent to cure must provide evidence of ownership. This may be in the form of the recorded Warranty Deed, Quitclaim Deed, etc. If you do not have the document, a recorded copy may be obtained at the Clerk and Recorder Office located at 112 Village Square West, Suite 205 in Ridgway.

Upon receipt of the completed Intent to Cure form, the Public Trustee will request the cure amount from the foreclosing attorney. The foreclosing attorney must provide the cure amount to the Public Trustee within (10) business days or (12) calendar days or by 12 noon seven (7) days before the sale-which ever comes first. Failure to provide these figures will result in postponement of the foreclosure sale weekly.

You will be contacted when the Public Trustee's office receives the cure figures. You must provide the amount requested in cash or certified funds to the Office of the Public Trustee no later than 12 noon the day before the scheduled foreclosure sale date.

### **Some things to remember:**

- ◆ The Public Trustee CANNOT accept late Intents.
- ◆ It is your responsibility to contact the Office of the Public Trustee for updated figures for the amount to cure as interest, late fees, attorney fees, etc., continue to accrue.
- ◆ Please provide a working phone number where the Public Trustee may contact you with the cure amount.

You still have the right to sell your home OR work out an agreement with your lender, up until the time of the sale. If you sell your property, pay-off figures would need to be obtained from your lender or the attorney representing your lender.

### **IMPORTANT NOTICE:**

**If you fail to cure the default and the property goes to sale, you WILL NOT have the right to redeem the property after the sale. ONCE IT IS SOLD-IT IS GONE.**

### **Who to contact for help!**

**Public Trustee**  
970-325-4487

**HUD Housing Counselors**  
1-800-569-4287  
[www.hud.gov](http://www.hud.gov)

**Colorado Foreclosure Hotline**  
1-877-601-4673

**Colorado Legal Services**  
970-243-7940



IF YOU HAVE A COMPLAINT ABOUT A FORECLOSURE LENDER OR SERVICER CONTACT:

**Colorado Attorney General**  
1-800-222-4444  
[www.coloradoattorneygeneral.gov](http://www.coloradoattorneygeneral.gov)

**Federal Consumer Financial  
Protection Bureau**  
1-855-441-2372  
[www.consumerfinance.gov](http://www.consumerfinance.gov)

**HUD**  
1-800-543-9378, ext. 1005