



2763 Camino Del Rio South | Legal Department | San Diego, CA 92108

### **FOR INFORMATIONAL PURPOSES ONLY**

The below information is provided as a courtesy and should not be taken as legal advice. You should contact your attorney to obtain advice with respect to any questions you may have.

### **TO ALL ELIGIBLE BIDDERS**

If you are an ELIGIBLE BIDDER as defined in CCC § 2924m(a)(3) you may have the right to bid on the subject real property after the scheduled foreclosure sale. Please note that your opportunity to bid is time sensitive and will be lost if not timely acted upon.

### **STEP ONE:**

**YOUR RIGHT TO BID IS LOST IF WITHIN 15 DAYS OF THE COMPLETED TRUSTEE'S SALE QUALITY DOES NOT RECEIVE EITHER:**

1. A Nonbinding Written Notice of Intent to Bid (CCC § 2924m(c)(2)) from at least one Eligible Bidder; or
2. An affidavit or declaration from an Eligible Bidder and a bid with supporting funds (CCC § 2924m(c)(4)).

The Notice of Intent to Bid must be sent to Quality Loan Service Corp. by certified mail, overnight delivery, or other method of delivery that allows for confirmation of the delivery date and **MUST BE RECEIVED** by Quality no later than 15 calendar days after the trustee's sale. If at least one written Notice of Intent to Bid is received you will have additional time to submit an affidavit or declaration attesting to how you qualify as an Eligible Bidder and a bid with supporting funds as explained below.

If you elect to skip the Notice of Intent to Bid process, the declaration or affidavit and over bid with supporting funds must be sent to Quality Loan Service Corp. by certified mail, overnight delivery, or other method of delivery that allows for confirmation of the delivery date and **MUST BE RECEIVED** by Quality no later than 15 calendar days after the trustee's sale, or within 45 calendar days after the trustee's sale if at least one other eligible bidder submitted a

qualifying Notice of Intent to Bid within the required 15 calendar days after the trustee's sale. Please see below as to what is required when submitting an over bid to ensure that it is complete.

If you are deemed an Eligible Bidder and have submitted an over bid in an amount that exceeds the full amount of the last and highest bid at the trustee's sale and no other qualifying Notice of Intent to Bid or bid have been timely received before 5pm on the 45<sup>th</sup> day after the completed sale, you will be deemed the last and highest bidder and a Trustee's Deed Upon Sale will be issued by Quality. If Quality receives at least one written Notice of Intent to Bid from a qualifying eligible bidder within the initial 15 day window, the winning bidder will be determined as of 5pm on the 45<sup>th</sup> day after the completed sale.

### **STEP TWO:**

**IF A WRITTEN NOTICE OF INTENT TO BID HAS BEEN TIMELY SUBMITTED YOUR RIGHT TO BID WILL BE LOST IF QUALITY DOES NOT RECEIVE THE FOLLOWING WITHIN 45 DAYS OF THE COMPLETED TRUSTEE'S SALE :**

1. Declaration by Eligible Bidder

This requires the submission of a signed declaration (or affidavit) that complies with CCC § 2924m(a)(3). As a courtesy, a sample Declaration by Eligible Bidders is set forth below.

2. Over Bid

The over bid must be in an amount that exceeds the full amount of the last and highest bid at the trustee's sale or during the post-sale process, in the form of cash, a cashier's check drawn on a state or national bank, a cashier's check drawn by a state or federal credit union, or a cashier's check drawn by a state or federal savings and loan association, savings association, or savings bank specified in Section 5102 of the Financial Code and authorized to do business in this state.

**YOUR DECLARATION (OR AFFIDAVIT) AND BID MUST** be sent to Quality by certified mail, overnight delivery, or other method that allows for confirmation of the delivery date and shall be received by the trustee no later than 5pm on the 45<sup>th</sup> day after the trustee's sale.

### **STEP THREE:**

As of 5 p.m. on the 45<sup>th</sup> day after the trustee's sale, if one or more eligible bidders have submitted a bid, the eligible bidder that submitted the highest bid shall be deemed the last and

highest bidder and a Trustee's Deed upon Sale will be issued. Quality will return any losing bid(s) to the eligible bidder(s).

**DECLARATION BY PROSPECTIVE ELIGIBLE OWNER-OCCUPANT**

(Pursuant to CCC § 2924(m)(c)(4))

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

The undersigned hereby represents and declares under the penalty of perjury that:

1. I will occupy the above-referenced property as my primary residence within 60 days of the Trustee's Deed Upon Sale (TDUS) being recorded.
2. I will maintain such occupancy for at least one year.
3. I was not the mortgagor or trustor from the foreclosure action, nor was I the child, spouse, or parent of the mortgagor or trustor.
4. I am not acting as the agent of any other person or entity in purchasing this real property.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date of Signature: \_\_\_\_\_ Print Name: \_\_\_\_\_

Place of Signature: \_\_\_\_\_ Signature: \_\_\_\_\_