

Foreclosure Research Guide

Overview

This research guide includes information and resources on foreclosure. A foreclosure is a “legal proceeding to terminate a mortgagor’s interest in property, instituted by the lender (the mortgagee) either to gain title or to force a sale in order to satisfy the unpaid debt secured by the property.” (*Black’s Law Dictionary 11th*) The resources listed below are not exhaustive and may not include the most up-to-date information. It is for information purposes only and should not be construed as legal advice or act as the substitute for legal counsel.

Statutes and Codes

Texas Statutes Online www.statutes.capitol.texas.gov

Business and Commerce Code – Ch. 22 Public Sale of Residential Real Property Under Power of Sale

Finance Code – Ch. 347, §347.356

Property Code Ch. 51, §82.113(g), §209.011(b)

Tax Code – Ch. 34 Tax Sales and Redemption

Secondary Resources in Print

Texas Foreclosure Manual KFT 1330.5.F6S7

Texas Real Estate Forms Manual KFT 1326.T4

- Vol. 1, Ch. 2 Laws Affecting Real Estate
- Vol. 2, Ch. 14 Foreclosure Documents

West’s Texas Forms KFT 1352.A65T4

- Vol. 1, §1:29
- Vol. 2, §2:47, §2A:18
- Vol. 3, §3:3 and §3:33.50
- Vol. 7A, §18:2, 18:7, 18:8, 18:33-18:37

Texas Transaction Guide KFT 1268.K45

- Vol. 16, Ch. 72 Real Property Security Transactions
- Vol. 17, Ch. 72B Nonjudicial Foreclosure and Forfeiture

CLE Materials

Advanced Real Estate Drafting KFT 1312.A7527

- 2021 Ch. 3 Deeds in Lieu of Foreclosure

Advanced Real Estate Law Course KFT 1312.A75

- 2020 Vol. 2, Ch. 26 Foreclosure on a Collateral Transfer of Note & Lien
- 2019 Ch. 4 Update and Refresher on Foreclosures and Workouts: Ten Things Every Real Estate Attorney Needs to Know
- 2017 Ch. 14 Foreclosures by Property Owners’ Associations

Real Estate Law 101 KFT 1312.A75R22

- 2020 Ch. 4 Texas Foreclosures and Evictions 101

Online Resources

Tarrant County Clerk – Foreclosures
<https://www.tarrantcounty.com/en/county-clerk/administration/foreclosures.html>

Foreclosure Research Guide (Texas State Law Library) <https://guides.sll.texas.gov/foreclosure>

NOLO – Foreclosure Terminology
<https://www.nolo.com/legal-encyclopedia/foreclosure-terminology>

Foreclosure (TexasLawHelp.org)
<https://texaslawhelp.org/house-apartment/foreclosure>

Legal Assistance

Legal Lines – Ask Attorneys simple legal questions (free service)

- Tarrant County LegalLine Sign-up
<https://www.tarrantbar.org/>
- Dallas County LegalLine Sign-up
<https://www.dallasbar.org/index.cfm?pg=legalline>

Tarrant County Bar Association Lawyer Referral Service: 817-336-4101 (\$20 for the first 30 minutes)

