

# Chapter 51

2026 Regular Session

Subject Mortgage foreclosure; right to postpone

Bill H.F. 3479

Analyst Mary Davis

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## Overview

This act clarifies that the statutory right to request to postpone a sheriff's sale on a foreclosed home can occur once during each initiated foreclosure and that heirs or a personal representative can also postpone a sheriff's sale on a home.

## Summary

Section	Description
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1	<b>Postponement by mortgagor or owner.</b>
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Clarifies that a personal representative or heir of a decedent can also postpone a mortgage in a foreclosure proceeding, and clarifies the time when that postponement occurs, and that the postponement can occur once during each initiated foreclosure proceeding. This section also provides that if a defective affidavit is accepted it does not invalidate the foreclosure unless there is misconduct. This section is effective for foreclosures started on or after April 22, 2026.

2	<b>Affidavit form.</b>
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Makes clarifying and technical changes to the statutory affidavit used to postpone a sheriff's sale in a foreclosure proceeding. This section is effective for foreclosures started on or after April 22, 2026.