



### Please Note

**This packet does not contain legal advice.**

This guide contains legal information, not legal advice. Legal *information* is background information about your rights. Legal *advice* is advice from a lawyer about what to do in your own specific situation. Legal Aid is not your lawyer in your foreclosure matter.

## Foreclosure FAQs

*Updated July 2025*

### I'm struggling to pay my mortgage. What options do I have?

If you are struggling with your mortgage payments, it is always better to come up with a plan sooner rather than later. Even if you cannot pay all your past due payments, there may be a way to avoid foreclosure.

1. If you can still pay your mortgage, then you should continue to pay it. If you cannot afford to pay your mortgage, you may have other options.
2. If you're experiencing a financial hardship, you may be eligible for a forbearance or a loan modification.
  - A **forbearance** is when your current monthly payments are temporarily reduced or suspended. You are still obligated to repay any missed payments, but in many cases, those payments may be repaid over time or when you refinance or sell your home.
  - A **loan modification** is a change in your loan terms. Modifications may involve extending the number of years you have to repay the loan, changing the interest rate, and/or forbearing a portion of your principal balance.
3. A **housing counselor** can help you determine what options might be right for you. You can talk to a free housing counselor about your options by calling **DC's Foreclosure Prevention Hotline** at (202) 265-2255.
4. **Watch out for foreclosure rescue scams.** Companies that promise to help you avoid foreclosure for a fee often will overcharge you and do nothing to help. Always start with a free HUD-certified housing counselor by calling the Foreclosure Prevention Hotline at (202) 265-2255.

### Legal Aid DC

1331 H Street NW, Suite 350  
Washington DC 20005  
202-628-1161  
legalaiddc.org

## What if I applied for DC's Homeowner Assistance Fund?

DC's Homeowner Assistance Fund program is now closed. The program is no longer accepting applications or making new payments. This means that you should explore other options for catching up on your mortgage. For more information on the Homeowner Assistance Fund, please visit the Department of Housing and Community Development's [website](https://dhcd.gov/haf) at dhcd.gov/haf.

## I'm worried about being foreclosed on. How soon could that happen?

Mortgage servicers cannot start the foreclosure process until your loan is **more than 120 days past due**. To see if you are eligible for free housing counseling or free legal services, call DC's Foreclosure Prevention Hotline at (202) 265-2255.

## If I am at risk of foreclosure, how can I learn more about my options?

Please review our [Ways to Keep Your Home](#) guide for information about possible ways to keep your home.

## What are my options if I can no longer afford to keep my home?

If you think it is time to let go of your home, your options will vary based on the current value of your property and how much you owe on your mortgage. Please review our [Ways to Let Go of Your Property](#) guide for more information.

## I have a pending foreclosure case in D.C. Superior Court. What should I do?

If you have an upcoming hearing, you should participate in your hearing. If you don't, the court may enter default against you. That means you may end up losing your case automatically.

If you aren't working with a housing counselor yet, you should call DC's Foreclosure Prevention Hotline at (202) 265-2255 to see if you are eligible for free housing counseling or free legal services. [This manual](#) prepared by the D.C. Superior Court Civil Division may also have helpful information.

## I have a hearing in my foreclosure case in D.C. Superior Court. How do I attend?

Hearings are taking place remotely (by phone or video). The court will send you a hearing notice with instructions on how to join the hearing. You can also attend your hearing in person at DC Superior Court if you prefer.

If you have a pending foreclosure case and are unsure whether you have an upcoming remote hearing or other court event, you can check the status of your case [online](#) or by calling the Civil Division Clerk's Office at (202) 879-1133.

## If I need to file something in my foreclosure case, how do I do it?

If you would like to file something in your foreclosure case, you can do so in the DC Superior Court's Civil Division Clerk's Office. The Civil Division Clerk's Office is open on Monday-Friday from 8:30 a.m. to 5 p.m. and on Saturdays from 9 a.m. to 12 p.m. The Civil Division Clerk's Office is located on the 5<sup>th</sup> floor of the Moultrie Courthouse located at 500 Indiana Ave., NW, Washington, DC 20001.

You can also file documents electronically by signing up for the court's e-filing system. You can learn more about e-filing on the DC Superior Court website [here](#).

## I am behind on my condominium dues. What should I do?

If you are behind on your condominium dues, it is especially important to keep a close eye on your mail in case your condominium association mails you a Notice of Foreclosure. An auction sale can usually happen as soon as 31 days after such a notice. If your condo association tries to foreclose on your home, you should contact a lawyer right away.

1. If you can afford to pay your monthly condominium dues plus a little more each month, contact your condominium association as soon as possible to try to work out a **repayment plan**.
2. If you cannot reach an agreement with your condominium association, you may want to tell your mortgage servicer about the status of your late condominium dues. It is possible your mortgage servicer will pay past dues and **add the amount to your mortgage balance**. You would then owe the money to your mortgage company rather than your condo association. It is a

good idea to talk to a lawyer before asking your mortgage company to pay off your condominium dues on your behalf.

3. You can also talk to a housing counselor about your options by calling **DC's Foreclosure Prevention Hotline** at (202) 265-2255.

## **I am behind on my property taxes. What should I do?**

In general, if you remain behind on your property taxes, your home may eventually be auctioned at a tax foreclosure. If you are facing foreclosure, you should contact a lawyer right away. For additional guidance on how to reduce your property taxes, please review our [Property Tax Sale FAQ](#).

## **I received a notice that my property is going to be auctioned at a tax sale or that my property already was auctioned at a tax sale. What does this mean and what should I do?**

The DC Property Tax Sale is an annual auction held in July when the District sells tax liens on properties behind \$2,500 or more in property taxes. For additional guidance on what to do if your home is going to be or has been auctioned at a tax sale, please review our **Property Tax Sale FAQ**.

## **How can I get legal advice about foreclosure?**

**If you would like legal advice about your situation, you can contact Legal Aid DC.** We are open for intakes by telephone, online, and walk-in intakes.

To complete an intake by phone, call (202) 628-1161 on Monday and Wednesday between 10 a.m. and 3 p.m. To submit an online intake, visit [legalaiddc.org/help](https://legalaiddc.org/help).

We accept walk-in intakes at both of our offices during the following hours:

- NW office – 1331 H St NW, Suite 350 on Tuesdays and Thursdays from 12:30 p.m.-4 p.m.
- Anacostia Professional Building (“The Big Chair”) – 2041 Martin Luther King Jr . Ave. SE, Suite 201 on Mondays and Thursdays from 10 a.m.-2:30 p.m.

If you are 60 years of age or older, you can also contact Legal Counsel for the Elderly for free legal advice on your foreclosure case at (202) 434-2120.