

**NATIONAL FORECLOSURE SERVICE**

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**DECLARATION OF DEFAULT AND DEMAND FOR SALE**

Trustor's (Borrower's) Name: \_\_\_\_\_

Loan No. \_\_\_\_\_

**NOTICE IS HEREBY GIVEN** that as duly appointed or substituted Trustee, you are notified of a breach of and default in the obligations secured by that certain deed of trust.

Breach and Default that has occurred (check all that apply):

\_\_\_\_\_ Failure to make monthly payments beginning \_\_\_\_\_

\_\_\_\_\_ Failure to make balloon payment due \_\_\_\_\_

\_\_\_\_\_ Failure to make payments on senior lien beginning \_\_\_\_\_

\_\_\_\_\_ Other (please state) \_\_\_\_\_

Current Principal Due: \$\_\_\_\_\_ Interest Rate: \_\_\_\_\_% (reg) \_\_\_\_\_ (def)

Regular Payment amount: \$\_\_\_\_\_ Payment Due Date \_\_\_\_\_

Late charge amount: \$\_\_\_\_\_ Last Payment Made: \_\_\_\_\_

Late charges owed: \$\_\_\_\_\_ Loan maturity date: \_\_\_\_\_

Other charges owed: \_\_\_\_\_

The following advances were made to protect the security of this Deed of Trust (e.g., payment of real property taxes, payment to senior lienholder):

\$\_\_\_\_\_ paid to/for \_\_\_\_\_ on \_\_\_\_\_

\$\_\_\_\_\_ paid to/for \_\_\_\_\_ on \_\_\_\_\_

Prepayment penalty of \$\_\_\_\_\_ remains in effect until \_\_\_\_\_

Total owed is \$\_\_\_\_\_ as of \_\_\_\_\_ to reinstate

Total owed is \$\_\_\_\_\_ as of \_\_\_\_\_ to payoff

**Address of Property Secured by Deed of Trust:** \_\_\_\_\_

**A.P.N.** \_\_\_\_\_

**This Property is the Trustor's (Borrower's) Principal Residence:** \_\_\_\_\_ YES \_\_\_\_\_ NO

**Other Known Addresses for the Trustor:** \_\_\_\_\_  
\_\_\_\_\_

**When did you last contact/try to contact the borrower?** \_\_\_\_\_

**Is the owner or any subordinate lienholder currently in bankruptcy?** \_\_\_\_\_ Yes \_\_\_\_\_ No

**Is the owner currently in the military service?** \_\_\_\_\_ Yes \_\_\_\_\_ No

**The following documents are enclosed:**

\_\_\_ Note    \_\_\_ Deed of Trust    \_\_\_ Assignment    \_\_\_ Substitution of Trustee  
\_\_\_ Servicing Agreements    \_\_\_ Modification Agreement    \_\_\_ Other

By reason of the Trustor's default, the undersigned Beneficiary makes this declaration and elects to cause the trust property to be sold to satisfy the obligations secured by this Deed of Trust. You are authorized to issue a Notice of Default in accordance with the information contained in this Declaration of Default and Demand for Sale. The undersigned hereby promises and agrees to pay your Trustee's fee in the amount permitted by law, together with all costs and expenses incidental to these proceedings. It is agreed and understood that you, the Trustee, may elect not to proceed with the sale and/or deliver your Trustee's Deed until all fees and costs have been paid unless prior arrangements have been made. I/we further agree to indemnify and hold you, your agents and employees harmless from and against any and all liability, claims, or damages of any kind, except for those arising from the Trustee's own gross negligence or omissions, including all court costs and attorneys' fees that may arise or be sustained by the Trustee as a result of this foreclosure proceeding and/or the sale of the trust property. In the event of any action or proceeding to enforce any provision contained herein, the prevailing party shall be entitled to recover reasonable attorneys' fees and costs incurred in such action or proceeding. If there is more than one Beneficiary, the obligations set forth in this agreement are joint and several.

I certify that: (i) I am authorized to execute this Declaration of Default and Demand for Sale on behalf of the Beneficiary; (ii) neither the Beneficiary nor any one working on its behalf shall accept from the Trustor any payments, (iii) the Beneficiary shall immediately notify you of any bankruptcy proceedings filed by or against the Trustor; and (iv) all of the information contained in this Declaration of Default and Demand for Sale is true and complete.

A copy or facsimile of this document shall have the same effect as if it were an original.

**Name of Beneficiary:** \_\_\_\_\_

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

**Phone:** \_\_\_\_\_ **Fax:** \_\_\_\_\_

**Email:** \_\_\_\_\_

**Dated:** \_\_\_\_\_ **By:** \_\_\_\_\_  
(Your Signature)

\_\_\_\_\_  
(Print Your Name & Title)