

## S.B. 22

# FORECLOSURE OF RESIDENTIAL RENTAL PROPERTY

SENATE FLOOR AMENDMENTS

AMENDMENT 2

JANUARY 25, 2016 3:42 PM

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Senator **Wayne A. Harper** proposes the following amendments:

*1. Page 2, Line 38 through Page 3, Line 63:*

- 38 (1) The trustee shall give written notice of the time and place of sale particularly  
39 describing the property to be sold:
- 40 (a) by publication of the notice:
- 41 (i) (A) at least three times;
- 42 (B) at least once a week for three consecutive weeks;
- 43 (C) the last publication to be at least 10 days but not more than 30 days before the date  
44 the sale is scheduled; and
- 45 (D) in a newspaper having a general circulation in each county in which the property to  
46 be sold, or some part of the property to be sold, is situated; and
- 47 (ii) in accordance with Section 45-1-101 for 30 days before the date the sale is  
48 scheduled;
- 49 (b) by posting the notice:
- 50 (i) at least 20 days before the date the sale is scheduled; and
- 51 (ii) (A) in some conspicuous place on the property to be sold; and
- 52 (B) at the office of the county recorder of each county in which the trust property, or  
53 some part of it, is located; and
- 54 (c) if the stated purpose of the obligation for which the trust deed was given as security  
55 is to finance residential rental property:
- 56 (i) by posting the notice, including the statement required under Subsection (3)(b):
- 57 (A) on the primary door of each dwelling unit on the property to be sold, if the property  
58 to be sold has fewer than nine dwelling units; or
- 59 (B) in at least ~~{two}~~ three conspicuous places on the property to be sold, in addition to the  
60 posting required under Subsection (1)(b)(ii)(A), if the property to be sold has nine or more  
61 dwelling units; or
- 62 (ii) by mailing the notice, including the statement required under Subsection (3)(b), to  
63 the occupant of each dwelling unit on the property to be sold.