

Foreclosure Law In Colorado

TOPICS TO BE DISCUSSED:

- Public Trustee Foreclosures
- Rule 120 Proceedings
- Judicial Foreclosures
- Receiverships
- Bankruptcy Issues in Foreclosure
- Federal Regulatory Issues in Foreclosure
- Tax Liens
- Deeds in Lieu and Workouts

CLASS MATERIALS:

*Foreclosure Law in Colorado, 1st Edition. Richard H. Krohn, Esq.,
Managing Editor*

FORECLOSURE

Live Program & Live Webcast: **Friday, September 22, 2017**
CBA-CLE Classroom, 1900 Grant St., Suite 300, Denver, CO
Video Replays: **October 12, 2017**
Submitted for **7 General CLE Credits**

Foreclosure Law In Colorado

Colorado has a unique foreclosure process because, unlike many states, each county has a designated public trustee who facilitates foreclosures. Public trustee foreclosures make up the vast majority of real property foreclosures in Colorado because they are generally simpler, less expensive, and less time-consuming than the alternative, judicial foreclosure.

Learn about not only Colorado's unique public trustee foreclosure process from start to finish, and the abbreviated Rule 120 judicial proceeding that together are used in the vast majority of foreclosures in Colorado, but also hear discussion of the alternatives of judicial foreclosure, deeds in lieu of foreclosure and workout agreements. Additional topics include receiverships, the effect of tax liens and bankruptcy on foreclosures and federal regulations that impact foreclosures. Taken together, this program and related written materials will give you a thorough picture of real property foreclosure in Colorado.

REGISTER TODAY!

FACULTY

Richard H. Krohn, Esq.
Dufford Waldeck Milburn &
Krohn, LLP

Jill Norris, Esq.
Dufford Waldeck Milburn &
Krohn, LLP

Frederick B. Skillern, Esq.
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Deanne Stodden, Esq.
The Stodden Law Firm

Geoffrey Anderson, Esq.
Sweetbaum Sands Anderson PC

Robert Brown, Esq.
Sherman & Howard LLC

William Frey, Esq.
Dufford Waldeck Milburn &
Krohn, LLP

Honorable Kimberley Tyson
United States Bankruptcy Court
for the District of Colorado

Deanna Westfall, Esq.
Weinstein & Riley, P.S.

Bill Kyriagis, Esq.
Otten Johnson Robinson Neff
& Ragonetti P.C.

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AGENDA

8:30 AM Registration and Continental Breakfast

9:00 AM **Public Trustee Foreclosures**

*Presented by **Richard H. Krohn, Esq.**, and **Jill Norris, Esq.***

This segment presents an overview of public trustee foreclosure law and selected issues practitioners may encounter during that process.

10:20 AM Networking Break

10:35 AM **Rule 120 Proceedings**

*Presented by **Frederick B. Skillern, Esq.***

- Why is Rule 120 controversial?
 - The history of the rule; why is Colorado unique in its foreclosure practice?
 - Foreclosure defense strategies examined
 - Proposed changes to the rule
-

11:25 AM **Federal Regulatory Issues in Foreclosure**

*Presented by **Deanne Stodden, Esq.***

The Servicemembers' Civil Relief Act must be complied with in any foreclosure, whether through the public trustee or judicial, if the foreclosure is against an individual. The Fair Debt Collections Practices Act (both the Federal Act and the Colorado corollary) impact certain attorneys that fall within the definition of a debt collector. Finally, the Consumer Financial Protection Bureau mortgage servicing rules impact mortgage servicers, but it is helpful for attorneys that represent servicers and borrowers to be familiar with the CFPB rules. This segment will highlight some of the provisions of each of these Federal regulations and/or laws.

11:55 AM Lunch (On Your Own)

1:00 PM **Judicial Foreclosures**

*Presented by **Geoffrey Anderson, Esq.***

Public trustee foreclosures work well for foreclosing most deeds of trust. But what happens when things get sticky? In this segment we'll discuss:

- When a judicial foreclosure is the right choice
 - The judicial end
 - The sheriff's end
 - Defense strategies
-

1:50 PM **Receiverships – Nuts and Bolts for Practitioners**

*Presented by **Robert Brown, Esq.***

Learn the basics of the whys and hows of selecting and appointing a receiver, how receivers operate, and their powers and responsibilities. Explore unique situations where a receiver can be an invaluable tool. Learn to navigate special receivership situations including bankruptcy, asset vs. entity receivers, UCC issues, and receiver borrowing. Can a receiver really do that? See the big picture; mine valuable nuggets!

2:40 PM Networking Break

2:55 PM **Foreclosures Involving Tax Liens**

Presented by William Frey, Esq.

Topics to be discussed include the impact of federal tax liens upon Colorado foreclosure:

- Starting the Foreclosure
 - The Foreclosure Sale
 - Redemption Impacts
-

3:25 PM **Foreclosure and Bankruptcy**

Presented by Honorable Kimberley Tyson and Deanna Westfall, Esq.

- What is the difference between the different types of bankruptcy filings?
 - What is the automatic stay and how does it affect creditors?
 - How are payment terms determined in bankruptcy?
 - What is included in “Property of the Estate”?
 - What happens when the Trustee asserts claims against Creditors?
 - How do dismissal and discharge affect the debtor-creditor relationship?
-

3:55 PM **Workouts and Deeds in Lieu of Foreclosure**

Presented by Bill Kyriagis, Esq.

Issues with troubled loans can sometimes be resolved by agreement between a lender and borrower. Workout arrangements can take a variety of forms, depending on the circumstances. Deeds in lieu of foreclosure can come into play where surrender of the real property security is a part of the deal. These topics will be addressed in an overview of loan workouts and deeds in lieu of foreclosure.

4:45 PM Adjourn

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