

EL Paso County Public Trustee

Electronic Foreclosure Documents Policy

Pursuant to C.R.S. 38-38-112, any document or record related to a foreclosure may be accepted by the officer in an electronic format or may be made available to the public by the officer in an electronic format. Also, the public trustee shall establish and uniformly apply policies determining whether and the extent to which the public trustee shall accept documents or records in electronic form.

Foreclosure documents **accepted** in electronic form by El Paso County Public Trustee including but not limited to:

- The electronic submission, acceptance, transmission, and retention of Foreclosure Documents including but not limited to:
 - Notice of Election and Demand for Sale
 - Copy of original evidence of debt with certification and indemnification if being filed by a “qualified holder”
 - Copy of the original recorded deed of trust with certification and indemnification if being filed by a “qualified holder”
 - All mailing lists
 - Statement of ownership
 - Statement by Attorney for holder regarding evidence of debt and deed of trust
 - Combined Notice of Rights to Cure and Notice of Public Trustee Sale
 - Written statement from the County Assessor for the purpose of determining whether a property is agricultural or non-agricultural
 - Notice of Intent to Cure
 - Cure Statement
 - Withdrawal of Notice of Election and Demand for Sale
 - Initial Bid and Amended Bid
 - Order Authorizing Sale
 - Notice of Intent to Redeem
 - Redemption Statement
 - Statements of amounts due on junior liens
 - Written authorization from Certificate of Purchase Holder allowing a “short redemption”
 - Assignment of Certificate of Purchase
 - Assignment of Certificate of Redemption
 - Excess Funds Claim form

- Foreclosure Documents not accepted electronically:
 - The original evidence of debt (note) including any modifications to the original evidence of debt, together with the original indorsement or assignment in the case of a foreclosure filing by a non-qualified holder. The non-qualified holder or their attorney must deliver the original evidence of debt, modification and indorsement or assignment to the Public Trustee’s office.
 - The original instrument and any assignment of a lien submitted by a lienor attempting to redeem or certified copies of the recorded instruments evidencing the junior lien if the lienor is not a qualified holder. The non-qualified junior lienholder must deliver the original lien or a certified copy to the Public Trustee’s office.

All documents requiring an original signature must contain that signature in the electronic version of the document.