

Notice Regarding Sale Cancellation

Beginning March 1, 2013, the feature in Real Auction that allows a Plaintiff to request the cancellation of the foreclosure sale will be removed. In addition, the “Proceed to Sale” flag will no longer cancel the foreclosure sale upon selecting “No.” Parties are required to follow the 6th Judicial Circuit Administrative Order 2013-026, and 2012-002. Subsection II.B.2 provides as follows:

“If a Plaintiff wishes to cancel a sale, a written motion must be filed with the Court in substantial compliance with Florida Rules of Civil Procedure form 1.996(b). The motion also must state the number of times the Plaintiff has previously requested the cancellation of a sale.”

Please complete Judge Polk’s motion and order found on www.pascoclerk.com or www.jud6.org and file it with the Clerk.

Although, many motions can be granted ex-parte, a hearing may be deemed necessary. The sale will not be cancelled simply by filing a motion.

All foreclosure sale cancellations will require a hearing after the third originally scheduled date of the auction. As required in Administrative Order 2013-026, any proposed order prepared to cancel the sale must include a space for the date for rescheduling the sale unless the cancellation is a result of a suggestion of bankruptcy.