

# What is the status of evictions and foreclosures in Oklahoma amidst the COVID 19 pandemic?

In March 2020, the State Supreme Court entered an [Order](#) extending statutory deadlines, which included an extension of any answer deadline on pending civil cases. For foreclosure actions, that means many borrowers were given additional time to reply to a Petition in Foreclosure.

However, even though the State Supreme Court subsequently entered additional COVID 19 related orders, the deadline extension has now expired, and some lenders are resuming the foreclosure process. The same is true for eviction matters, which were not put on hold, but rather, the landlord was required to state whether the action at issue was subject to the CARES Act, which covered certain types of transactions.

The result of these events is that landlords and lenders are likely to begin resuming both evictions and foreclosures, but they should do so only if allowed under existing law and recent legislation. The need to check on current status of legislation is becoming even more important, as lawmakers in Washington are looking to extend federal employment benefits and the moratorium on evictions. The situation is ever-changing, and having a complete knowledge of the law is advisable before beginning any eviction or foreclosure.

This is especially true given the short timeline for evictions in Oklahoma. While many landlords opt to undertake these actions on their own – and are permitted to do so – now more than ever it is critical to be fully aware of the changing legal landscape and the uncertainty of when, or if, COVID 19

will be brought to a manageable level. Landlords are wise to be fully aware of their options when the hard decision to evict must be made.

The same is true for foreclosures, where lenders may be required to include a statement as to whether the mortgage loan in question is subject to the CARES Act and may have to provide the Court with additional information when seeking judgment. For many loans, foreclosures were placed on hold for a period of time. However, this is not true of all loans and is not in place in every state. The differences between what one state has done vs. the choice of a different state can be confusing to lenders, making it essential for lenders to maintain contact with their attorney regarding the status of foreclosures in any given state.

For Oklahoma, some foreclosures are proceeding on schedule now that the extension of statutory answer deadlines has expired. For lenders that have not yet resumed foreclosures actions in the Sooner State, the time has come to readjust the lawsuit timeline.

Lenders and landlords are wise to sit down with an attorney to talk over their options when these hard foreclosure and eviction decisions must be made.



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