

615.1 Execution on certain judgments prohibited.

1. After the expiration of a period of two years from the date of entry of judgment, exclusive of any time during which execution on the judgment was stayed pending a bankruptcy action or order of court, a judgment entered in any of the following actions shall be null and void, all liens shall be extinguished, and no execution shall be issued except as a setoff or counterclaim:

a. For a real estate mortgage, deed of trust, or real estate contract executed prior to July 1, 2009, an action for the foreclosure of the real estate mortgage, deed of trust, or real estate contract upon property which at the time the foreclosure is commenced is either used for an agricultural purpose as defined in section 535.13 or as a one-family or two-family dwelling which is the residence of the mortgagor.

b. For a real estate mortgage, deed of trust, or real estate contract executed on or after July 1, 2009, an action for the foreclosure of the real estate mortgage, deed of trust, or real estate contract upon property which at the time of the execution of the mortgage, deed, or contract is either used for, or is being acquired for, an agricultural purpose as defined in section 535.13 or as a one-family or two-family dwelling which is the residence of the mortgagor.

2. As used in this section, "*mortgagor*" means a mortgagor or a borrower executing a deed of trust as provided in chapter 654 or a vendee of a real estate contract.

[C35, §11033-e1; C39, §11033.1; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §615.1]

94 Acts, ch 1115, §1; 2006 Acts, ch 1132, §2, 16; 2008 Acts, ch 1031, §66; 2009 Acts, ch 51, §2, 17; 2013 Acts, ch 95, §2

Referred to in §654.1A, 654.17

[P] See also §654.1A, 654.6

[SP] 2009 amendment to subsection 1, applies to judgments entered on or after July 1, 2009; 2009 Acts, ch 51, §17

[T] Subsection 1 amended