

714F.5 Notice of cancellation.

1. The contract must contain in immediate proximity to the space reserved for the foreclosed homeowner’s signature a conspicuous statement in a size equal to at least fourteen point boldface type if the contract is printed, or in capital letters if the contract is typed, as follows:

You may cancel this contract for the sale of your house without any penalty or obligation at any time before (date and time of day)

See the attached notice of cancellation form for an explanation of this right.

The foreclosure purchaser shall accurately enter the date and time of day on which the cancellation right ends.

2. The contract must be accompanied by a completed form in duplicate, captioned “notice of cancellation” in a size equal to a twelve point boldface type if the contract is printed, or in capital letters if the contract is typed, followed by a space in which the foreclosure purchaser shall enter the date on which the foreclosed homeowner executes the contract. This form must be attached to the contract, must be easily detachable, and must contain in type of at least ten points if the contract is printed, or in capital letters if the contract is typed, the following statement written in the same language as used in the contract:

NOTICE OF CANCELLATION

.....

(enter date contract signed)

You may cancel this contract for the sale of your house, without any penalty or obligation, at any time before (enter date and time of day)

To cancel this transaction, you may use any of the following methods: (1) mail or otherwise deliver a signed and dated copy of this cancellation notice; or (2) e-mail a notice of cancellation to (name of purchaser) at (physical address of purchaser’s place of business) (e-mail address of foreclosure consultant’s place of business)

Not later than (enter date and time of day)

I hereby cancel this transaction.

.....

(date)

.....

(seller’s signature)

3. The foreclosure purchaser shall provide the foreclosed homeowner with a copy of the contract and the attached notice of cancellation at the time the contract is executed by all parties.

4. The three business days during which the foreclosed homeowner may cancel the contract shall not begin to run until all parties to the contract have executed the contract and the foreclosure purchaser has complied with this section.

2008 Acts, ch 1125, §14, 19

Referred to in §714F.3