What the Foreclosure and Tax Sale Process Looks Like

A homeowner's guide for Columbus, GA and the Chattahoochee Valley · Updated Nov 1, 2026

The short version

In Georgia, a home can go from a lender's 30-day notice to a courthouse auction in about two months, and there is no right to buy it back after a mortgage foreclosure sale. Unpaid property taxes move more slowly, but they can also end in a sale on the courthouse steps.

This guide walks through both processes for Georgia and for Alabama, since many Columbus-area families own property on both sides of the river. Every situation is different and deadlines are strict, so treat this as general information, not legal advice. If you have received a notice, talk to a real estate attorney or a HUD-approved housing counselor right away.

Georgia mortgage foreclosure, step by step

Georgia is a non-judicial foreclosure state. Most home loans here use a security deed with a "power of sale" clause, so the lender can sell the home without filing a lawsuit or getting a judge's approval (Nolo).

1. **Missed payments.** Federal mortgage servicing rules generally require a borrower to be more than 120 days behind before the first foreclosure notice can be filed. Use this window to talk to your servicer and explore options.
2. **The 30-day notice.** At least 30 days before the sale, the lender must send you written notice by certified mail or overnight delivery. It must name a person or company with full authority to negotiate or modify your loan (O.C.G.A. 44-14-162.2).
3. **Newspaper advertisement.** The sale is advertised once a week for four weeks in the county's official legal newspaper. In Muscogee County that is the legal organ named by the probate court.
4. **The sale.** Foreclosure auctions happen only on the first Tuesday of the month, between 10 a.m. and 4 p.m., on the courthouse steps (Womble Bond Dickinson).
5. **After the sale.** Georgia has no statutory right to redeem the home once it is sold. If the sale brings less than you owe, the lender can pursue a deficiency judgment only if it asks a court to confirm the sale within 30 days (O.C.G.A. 44-14-161).
6. **Eviction.** The new owner must still go through the dispossessory (eviction) process in magistrate court before anyone can be removed from the home.

What this means in practice: once a notice arrives, the sale is often 30 to 60 days away. Lawyers and lenders commonly describe the full process, once started, as about 60 to 90 days (AskDoss).

Alabama mortgage foreclosure (Phenix City, Smiths Station, Auburn)

Alabama also forecloses mostly out of court under a power-of-sale clause, and the process is similarly fast, often two to three months. The sale is advertised in a local newspaper once a week for three weeks before the auction (AmeriNote Xchange).

The big difference from Georgia is the **right of redemption**: Alabama lets a former owner buy the home back after the sale by paying the sale price plus interest and allowed costs.

Your situation	Redemption period after the sale
Mortgage made before Jan. 1, 2016	1 year
Mortgage made on or after Jan. 1, 2016, on a home you claimed a homestead exemption for	180 days
Other property	1 year

The clock starts when the lender sends the required redemption notice, but under a 2018 change no one can redeem more than one year after the sale (Nolo; Ala. Code 6-5-248). Redeeming usually also requires giving up possession of the home if the buyer demands it, so get legal advice before counting on this option.

Georgia tax sales, step by step

If property taxes go unpaid in Georgia, the county can sell the property at a tax sale, but the owner keeps at least 12 months to buy it back afterward.

1. **The lien.** A property tax lien attaches to your property every January 1, and it outranks every other lien, including your mortgage (DeKalb County Tax Commissioner).
2. **Interest and penalties.** Once the bill is late, interest accrues monthly and a 5% penalty is added every 120 days, up to a 20% cap (O.C.G.A. 48-2-44, summarized by DocDraft).
3. **The execution (fi.fa.).** The tax commissioner issues a tax execution, called a fi.fa., against the delinquent property. This authorizes a levy.
4. **Levy and notice.** The property is levied and advertised for four weeks in the county legal newspaper. Owners must be served with notice at least 10 days before the sale (tax sale primer).
5. **The tax sale.** Sales are held on the first Tuesday of the month at the courthouse. The buyer gets a tax deed, but it can still be undone if you redeem.
6. **Redemption.** You can redeem within 12 months of the sale by paying the buyer what they paid, any taxes they paid since, and a premium of 20% for the first year (or part of a year), plus 10% for each year after (O.C.G.A. 48-4-40 and 48-4-42).
7. **Barment.** After 12 months, the buyer can send a formal "notice of foreclosure of the right to redeem." Once the deadline in that notice passes, your right to buy the property back ends. Until that notice is served and its deadline passes, the right to redeem generally stays open.

Don't leave money behind: excess funds

If the property sells at a tax sale for more than the taxes and costs owed, the extra is called **excess funds**. The tax commissioner holds it for the owner of record and any lienholders, who can claim it by written request. Unclaimed excess funds are sent to the Georgia Department of Revenue after five years (O.C.G.A. 48-4-5). Several Georgia counties note that you do not need to pay anyone to file this claim (White County).

Alabama tax sales

Alabama gives owners far longer to recover: generally three years from the tax sale to redeem.

- **Tax certificates and liens.** Alabama counties either sell the property itself (the buyer gets a certificate of purchase, not a deed) or, in counties that use them, sell a tax lien that can be foreclosed later (Burr & Forman).

- **Redemption.** You can redeem through the county within three years of the sale by paying the amount owed plus interest and fees. If the state bought the property because no one bid, you can redeem any time before title passes out of the state (Nolo).
- **Possession.** A certificate buyer can be entitled to possession of the property right away, so a tax sale can affect whether you can live in or rent the home even before the three years run.
- **After three years.** The buyer can apply for a tax deed. Redemption after that point usually requires a court case, so act inside the three-year window.

Your options before the sale date

The earlier you act, the more options you have. Most of these close once the auction happens.

Option	What it is	Best when
Call your servicer	Ask about forbearance, a repayment plan or a loan modification	The hardship is temporary and you want to keep the home
Catch up (reinstate)	Pay the missed payments, fees and costs in one lump sum	You can raise the money before the sale
Sell the home	List it with an agent, sell it yourself, or sell to a cash buyer	You have equity and can't afford the payment long term
Short sale	Sell for less than you owe, with the lender's approval	You owe more than the home is worth
Deed in lieu	Sign the home over to the lender in exchange for releasing the debt	You want out and the lender agrees
Bankruptcy	Chapter 13 can pause a sale and set up a repayment plan	You need time and have steady income; see an attorney
Tax payment plan	Ask the tax commissioner about payment arrangements and exemptions	The problem is unpaid property taxes

Protect yourself from foreclosure rescue scams

People facing foreclosure are frequent targets. Walk away from anyone who:

- Asks for money up front before doing any work
- Tells you to stop talking to your lender, your lawyer or a housing counselor
- Asks you to sign over your deed so they can "save" the home or rent it back to you
- Pressures you to sign the same day, or won't let you take the contract to someone else to review
- Guarantees they can stop the foreclosure

A legitimate buyer or helper will put everything in writing, let you take time to review it, and encourage you to get independent advice. Free, HUD-approved housing counseling is available nationwide at 1-800-569-4287 (HUD).

Foreclosures are rising in 2026, especially in Georgia

Foreclosure activity is climbing again, though it remains below pre-pandemic levels. Nationally, foreclosure filings in the first half of 2026 were up 21% from a year earlier and foreclosure starts were up 18%. Georgia saw one of the sharpest jumps of any state, with activity up 52% year over year (ATTOM Mid-Year 2026

report). In April 2026, Georgia had the fourth-most foreclosure starts in the country (ATTOM April 2026 report).

The trend has continued into late 2026: August filings were up 13% from a year earlier (ATTOM via PR Newswire). ATTOM's CEO has tied the increase to elevated mortgage rates, rising ownership costs and affordability pressure.

Where to get help

- **HUD-approved housing counselors** (free): 1-800-569-4287
- **Georgia Legal Services Program**: free civil legal help for eligible Georgians outside metro Atlanta
- **Legal Services Alabama**: free civil legal help for eligible Alabamians
- **Muscogee County Tax Commissioner** or your **Alabama county revenue office**: payment plans, exemptions and tax sale status
- **A real estate attorney**: for any notice with a sale date on it

Sources

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