

WHAT IS FORECLOSURE SURPLUS?

If a homeowner has significant equity in their home, after the foreclosure sale, there often are funds left over after the lien is paid. This is called a “surplus.” As the owner of the home, they have a claim to the surplus. In NC, reclaiming the surplus requires a petition and attorney affidavit, creating barriers to many who are entitled to these funds.

PRO BONO EXPECTATIONS:

The Advocacy Center staff determines case eligibility. We only refer eligible clients. Pro bono attorneys meet with client in person or virtually to discuss their case. Volunteers then assist clients with their petition and the attorney affidavit. Sometimes requires contacting other creditors who may be entitled to the funds.

Time Commitment: 5-10 hours per case

PRO BONO IMPACT:

Because few homeowners are aware that they can petition to reclaim surpluses, NC currently holds millions of dollars in surplus funds. Attorneys who do take on these cases often price gouge and charge clients up to 50% of the surplus. Representing clients pro bono enables them to claim all of their surplus and use those funds for housing, food, and other necessities.

TRAINING + SUPPORT

We offer trainings to attorneys outside of their practice area. We also provide a tool kit with the necessary materials to take the case. The Advocacy Center staff provide ongoing assistance, including revision of all advice letters. Co-counsel is welcome and encouraged!



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YOU WOULD ENJOY FORECLOSURE SURPLUS IF:

- You want to work directly with clients.
- You want to volunteer but have limited or inconsistent time to do so.
- You are interested in consumer protection work but are not sure where to start.
- Preserving economic security for families and homeowners is important to you.

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