

# Division of Housing 2<sup>nd</sup> Quarter 2009 Foreclosure Report

The Colorado Division of Housing is a division of the Colorado Department of Local Affairs

August 13, 2009

## **Summary and Methods**

In response to recommendations from the Colorado Blue Ribbon Panel on Housing and the Colorado Foreclosure Prevention Task Force, the Colorado Division of Housing has compiled the attached information regarding foreclosures in Colorado.

During the 2009 legislative session, the legislature passed, and the governor signed, House Bill 1197 which mandates that the foreclosure totals contained in this report be considered the official foreclosure statistics of the state of Colorado. The legislation also required that statistics on cures now be included and that Public Trustees submit the required information to the Division of Housing.

These statistics have been collected to provide as accurate a view as possible of foreclosures in Colorado and to determine which regions of the state are most heavily impacted by foreclosures. The data is provided on a county-by-county basis and is based on foreclosure data reported by the Public Trustee's office of each county.

This report seeks to provide two essential pieces of information:

#### Foreclosure Filing Statistics:

The recording of the notice of election and demand (NED) is the event that begins the foreclosure process. In general, when a borrower is at least 3 months delinquent and in default, the lender will file an NED with the public trustee and the borrower will receive notice of the initial sale date. This notice will be sent from the public trustee's office in the county in which the property is located, and at this point, the property is in foreclosure.

The Public Trustee filings provide an objective measure of how many foreclosure proceedings have been initiated in a given county. Such filings can be "cured" and

"withdrawn" before the property is sold at auction, meaning that not all foreclosure filings result in a final foreclosure sale. However, Public Trustee numbers are a useful indicator of the number of loans in a county who have become seriously delinquent, and they provide insights into the overall health of the real estate market within that county.

We should note that in addition to single-family homes, condominiums, and townhomes, NED statistics include filings on agricultural, industrial, commercial, and multifamily properties. Vacant land is included as well.

**Foreclosure Sale Statistics:** Approximately 110-125 days after the initial filing, the property may be sold at the Public Trustee auction to a third party or to the mortgage company. Once the foreclosure sale takes place, eviction proceedings will proceed during the next several weeks.

As listed below, the foreclosure filings number and the foreclosure auction sales number are two independent numbers. In other words, the properties that went to final sale during the current quarter are not the same properties which entered the foreclosure process the same quarter. For example, among properties that went to sale during a given quarter, a large portion of those foreclosures were filed at least four months earlier, meaning a foreclosure filing and foreclosure sale do not occur within the same quarter. The period between the foreclosure filing and the foreclosure sale at auction is legally at least 110 days, but in some cases, this period may actually last much longer.

## Why are both numbers important?

The foreclosure filings number provides a view of how many borrowers have become seriously delinquent on their loans. Foreclosure filings provide a good guide to foreclosure activity in a given county, and while a property may be withdrawn from the foreclosure process after a filing is made, the filings statistics nevertheless indicate where borrowers are delinquent and in default.

The foreclosure sale numbers generally indicate how many borrowers have lost all equity in the property as the result of it being sold to another party at auction, including the mortgage company, an investor, or others. Many households in the foreclosure process lose their properties through a variety of processes such as short sales and deed-in-lieu-of-foreclosure agreements. Losing the property through a foreclosure sale, however, is generally most damaging to the credit of the borrower, and foreclosure does not allow for the borrower to preserve any of the equity he or she might still have in that property.

## **Study Findings**

For the 2<sup>nd</sup> quarter of 2009, Colorado public trustees reported 12,135 foreclosure filings and 4,999 sales at auction (completed foreclosures). For the same period of 2008, there were 10,933 filings and 3,905 sales. Comparing year-over-year for the second quarter, we find that foreclosure filings increased 11 percent and completed foreclosures increased 28 percent. However, if we combine the first and second quarters and then make a year-

over-year comparison, we find that for the January-to-June period, foreclosure filings increased from 22,567 to 22,644 for an increase of 0.3 percent, while sales fell from 9,804 to 9,353 for a decrease of 5 percent.

Comparing the 2nd quarter of 2009 to the 1<sup>st</sup> quarter of 2009, foreclosure filings increased 15 percent from 10,509 to 12,135. Foreclosure sales rose 15 percent from 4,354 to 4,999.

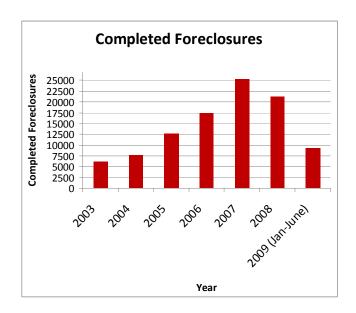
**Table 1: Foreclosure Filings** 

Year	Foreclosure Filings
2003	13,573
2004	16,801
2005	21,782
2006	28,435
2007	39,920
2008	39,333
2009 (January-June)	22,644

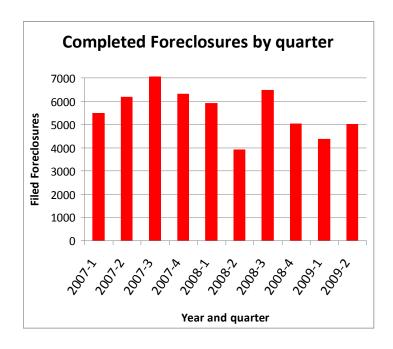
**Table 2: Foreclosure Sales at Auction** 

Year	Foreclosure Sales
2003	6,258
2004	7,782
2005	12,699
2006	17,451
2007	25,054
2008	21,301
2009 (January-June)	9,353

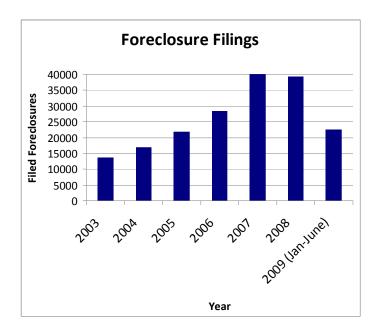
**Graph 1: Completed foreclosures in Colorado** 



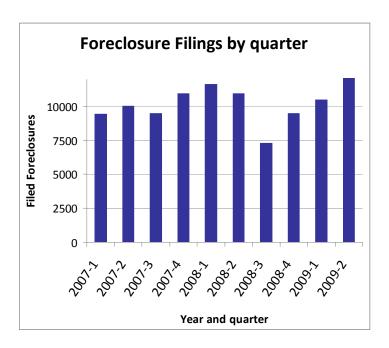
Graph 2: Completed foreclosures by quarter



Graph 3: Opened foreclosures in Colorado



Graph 4: Opened foreclosures by quarter



At 4,999, completed foreclosures have increased considerably as compared to the same period last year. However, an unusually small number of foreclosure sales took place during the second quarter of last year due to a new change in the foreclosure process. The change in law skewed 2008 data, but does not affect 2009 data.

New foreclosure filings are on pace to roughly equal totals for both 2007 and 2008. Completed foreclosures, however, are on a pace to come in lower than 2007 totals when completed foreclosures rose to 25,056.

The 2<sup>nd</sup> quarter rise in completed foreclosures brings to an end a two-quarter period of falling foreclosure totals. New foreclosure filings rose for the third quarter in a row.

## **County Statistics**

Trends in different counties throughout the state vary considerably. The 12 most populous counties in Colorado account for over 90 percent of all foreclosure activity in Colorado, and counties with high foreclosure rates tend to be restricted to the Front Range. See the appendix for full county-by-county data.

For the 2<sup>nd</sup> quarter of 2009, Colorado public trustees reported 12,135 foreclosure filings and 4,999 sales at auction (completed foreclosures). For the same period during 2008, there were 10,933 filings and 3,905 sales.

Aggregate statewide totals and trends do not necessarily reflect changes in foreclosure totals at the county level. County-level changes were not uniform throughout the state. As tables 3 and 4 show, changes in individual counties varied greatly:

Table 3: Year-over-year changes in 2nd Q foreclosure sales in metropolitan counties

County	2008 (2 <sup>nd</sup> Q	2009 (2 <sup>nd</sup> Q	Year-over-year %
	only)	only)	change
Adams	645	651	+1%
Arapahoe	660	760	+15%
Boulder	86	114	+33%
Broomfield	22	29	+32%
Denver	776	792	+2%
Douglas	207	266	+29%
El Paso	372	622	+67%
Jefferson	316	374	+18%
Larimer	145	207	+43%
Mesa	18	58	+222%
Pueblo	168	217	+29%
Weld	273	363	+33%

Table 4: Year-over-year changes in 2nd Q foreclosure filings in metropolitan counties

County	2008	2009	Year-over-year %				
			change				
Adams	1613	1636	+4%				
Arapahoe	1678	1603 -5%					
Boulder	297	348	+17%				
Broomfield	73	106	+45%				
Denver	1805	1629	-10%				
Douglas	570	704	+24%				
El Paso	1315	1387	+5%				
Jefferson	1045	1063	+2%				
Larimer	433	500	+15%				
Mesa	108	264	+144%				
Pueblo	332	405	+22%				
Weld	781	894	+14%				

When looking at just the second quarters of 2008 and 2009, both completed foreclosures and new foreclosure filings generally increased throughout the state. Adams County and Denver County saw the smallest increases while El Paso County and Mesa County saw the largest increases.

El Paso County continues a trend of increasing foreclosure activity, although El Paso County has still not reached the very high foreclosure rates seen in Adams and Arapahoe Counties in recent years.

Mesa County reported a very large increase in completed foreclosures. This is likely due to a recent softening in the housing market in the Grand Junction area in response to diminished oil and gas development in the region. However, Mesa County's overall foreclosure rate remains very low.

Table 5: Year-over-year changes in  $\mathbf{1}^{st} - \mathbf{2}^{nd} \, \mathbf{Q} \,$  foreclosure sales in metropolitan counties

County	Jan-June 2008	Jan-June 2009	Year-over-year %
			change
Adams	1580	1279	-19%
Arapahoe	1630	1371	-16%
Boulder	220	214	-3%
Broomfield	57	51	-11 %
Denver	2175	1523	-30%
Douglas	527	485	-8%
El Paso	881	1144	+30%
Jefferson	771	765	-1%
Larimer	373	381	+2%
Mesa	42	102	+143%
Pueblo	374	368	-2%
Weld	715	712	-0.4%

Table 6: Year-over-year changes in  $\mathbf{1}^{st}$ - $\mathbf{2}^{nd}$  Q foreclosure filings in metropolitan counties

County	Jan-June 2008	Jan-June 2009	Year-over-year %			
			change			
Adams	3317	2963	-11%			
Arapahoe	3529	2937	-17%			
Boulder	575	639	+11%			
Broomfield	152	176	+16%			
Denver	3847	3153	-18%			
Douglas	1235	1279	+4%			
El Paso	2531	2679	+6%			
Jefferson	2055	1989	-3%			
Larimer	920	1036	+13%			
Mesa	227	439	+93%			
Pueblo	715	826	+16%			
Weld	1594	1664	+4%			

When looking at the first half of 2009 as compared to the first half of last year, the picture is very different. Swings in single-quarter data are moderated, and most counties experienced decreases in completed foreclosures, although El Paso, Larimer, and Mesa Counties reported increases. Adams County, Arapahoe County and Denver County continued trends of significant declines in both completed foreclosures and new foreclosure filings.

#### **Foreclosure Rates**

See table 6 at the end of this report for more information.

Differences in foreclosure rates between counties have changed little since 2007.

The most significant foreclosure activity is on the Front Range of Colorado. For example, the metropolitan counties with the largest number of completed foreclosures per household were Adams, Weld, Denver, and Arapahoe Counties. Among metropolitan counties, Adams and Weld Counties topped the list with 1 filing per 117 households and 1 filing per 120 households respectively. In Arapahoe County, there was one completed foreclosure per 157 households, with Pueblo and Denver Counties reporting 1 filing per 163 households and 1 per 169 households respectively.

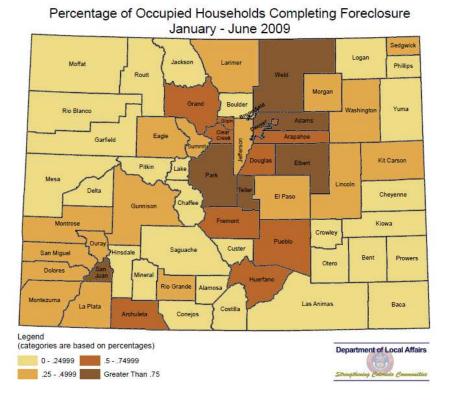
Boulder County reported the lowest foreclosure rate in the Denver metro area with 1 completed foreclosure per 540 households.

In the mountains and on the Western Slope, foreclosure rates were considerably lower. Mesa County reported one completed foreclosure for every 544 households, while Garfield County reported only one completed foreclosure for every 1,451 households.

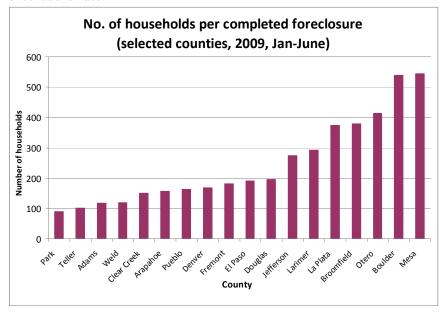
Foreclosure rates in mountain counties also often reflect foreclosures on second homes and time-shares.

Statewide, there was approximately 1 completed foreclosure (sale) per 202 households during the first half of 2009. During the same period of 2008, there was 1 completed foreclosure for every 192 households.

Map 1: approximate completed foreclosure rates in Colorado Counties



**Graph 5:** Number of households per completed foreclosure. Higher numbers indicate a lower foreclosure rate.



#### Forecasts for 2009

The effects of the phase-out of several formal and informal moratoria on foreclosures are not yet clear. During the fourth quarter of 2008 and through the first quarter of 2009, Fannie Mae and many lenders and servicers imposed various types of moratoria on foreclosures. This had the effect of significantly slowing the foreclosure process for many homeowners. The purpose was to allow for more time to allow foreclosure prevention efforts to work. Since the first quarter of 2009, these moratoria have been slowly phased out, and new foreclosure filings have increased. It is unknown if the phase-out of these moratoria will significantly accelerate the pace of new foreclosure activity during the second half of 2009.

The fact that new foreclosure filings are not decreasing from their elevated levels, indicates that there are still a number of risks to the for-sale residential real estate markets in Colorado.

Foreclosure filings are on pace to be slightly higher than 2007 and 2008 totals. If the current trend continues, new foreclosure filings will pass the 40,000 mark, but overall, Colorado will likely not see a large increase over a 30-month plateau in new foreclosure filings that has been more or less flat for the past ten quarters.

Completed foreclosures however, are not on pace to match 2007 totals, and unless foreclosure activity increases significantly during the rest of 2009, it is unlikely that totals of completed foreclosures will match 2007's peak levels, although they may pass 2008 totals. Foreclosure rates remain at significantly elevated levels when compared to "normal" foreclosure rates as experienced during the late 1990's and early 2000's.

#### Methods

The Colorado Division of Housing has sought to collect foreclosure information on all 64 counties. Data is collected directly from the Public Trustee's office in each county. Some numbers in this report reflect corrections made to statistics reported in earlier reports.

The per-household calculation for each county is based on 2007 (the most recent year available) estimates of occupied households provided by the Colorado State Demographer.

The household number is that of "total occupied housing units" in each county. This is the number used by other organizations that publish foreclosure ranking data.

The Colorado Division of Housing wishes to acknowledge the invaluable assistance of Carol Snyder, the Public Trustee of Adams County, Robert Sagel, the Public Trustee of Morgan County, and the Public Trustee Association, although neither Ms. Snyder, Mr. Sagel, nor the Association bear any responsibility for the conclusions and analysis contained in this summary.

Table 7: 2009 foreclosure rates based on the number of households per completed foreclosure

San Juan 90 Park 379 **Broomfield** 102 Teller 117 Adams 120 Weld 127 **Elbert** 150 **Clear Creek** 151 Huerfano 157 Arapahoe 163 Pueblo 169 Denver 181 Fremont 184 Gilpin 191 El Paso 196 Archuleta 197 Grand 197 **Douglas** 226 Morgan 237 Ouray 252 Summit 265 Sedgwick 274 Jefferson 276 **Dolores** 276 Lincoln 280 **Rio Grande** 293 Larimer 313 Washington 315 **Kit Carson** 320 San Miguel 339 Eagle 368 Montrose 374 La Plata 381 Montezuma 384 Gunnison 413 Alamosa 414 Otero 453 Saguache 491 **Prowers** 491 Logan 494 Delta 498 Crowley 516 Conejos 526 Moffat 529 Chaffee 544 Mesa 586 Baca 600 Kiowa

Routt	715
Costilla	728
Yuma	769
Lake	779
Cheyenne	787
Bent	884
Phillips	914
Las Animas	1,093
Rio Blanco	1,244
Garfield	1,451
Boulder	540
Pitkin	3,807
Custer	No F/Cs
Hinsdale	No F/Cs
Jackson	No F/Cs
Mineral	No F/Cs

Table 8: Foreclosure rates based on the percent of households that have completed foreclosure

Tuble of I of	cciosui
San Juan	1.4
Park	1.1
Teller	0.97
Adams	0.85
Weld	0.83
Elbert	0.79
Clear Creek	0.66
Huerfano	0.66
Arapahoe	0.63
Pueblo	0.61
Denver	0.59
Fremont	0.55
Gilpin	0.54
Archuleta	0.51
Douglas	0.5
Grand	0.5
Morgan	0.44
Ouray	0.42
El Paso	0.42
Summit	0.39
Sedgwick	0.37
Dolores	0.36
Jefferson	0.36
Lincoln	0.36
Rio Grande	0.35
Larimer	0.34
	0.34
Washington Kit Carean	0.32
Kit Carson	0.31
San Miguel	0.3

Eagle	0.29
Montrose	0.27
Broomfield	0.26
Gunnison	0.26
La Plata	0.26
Montezuma	0.26
Alamosa	0.24
Otero	0.24
Saguache	0.22
Crowley	0.2
Delta	0.2
Logan	0.2
Prowers	0.2
Conejos	0.19
Moffat	0.19
Boulder	0.18
Chaffee	0.18
Mesa	0.18
Baca	0.17
Kiowa	0.16
Routt	0.14
Costilla	0.13
Yuma	0.13
Cheyenne	0.12
Lake	0.12
Bent	0.11
Phillips	0.1
Las Animas	0.09
Rio Blanco	0.08
Garfield	0.06
Pitkin	0.02
Custer	0
Hinsdale	0
Jackson	0
Mineral	0

Table 9: Cures

Table 9: Cu	
Counties	2009
	1st Q
	cures
Adams	16
Alamosa	0
Arapahoe	24
Archuleta	3
Baca	0
Bent	3
Broomfield	2
Boulder	15
Chaffee	0
Cheyenne	0
Clear	0
Creek	
Conejos	1
Costilla	
Crowley	0
Custer	1
Delta	0
Denver	32
Dolores	0
Douglas	14
Eagle	2
Elbert	1
El Paso	38
Fremont	6
Garfield	o o
Gilpin	2
Grand	1
Gunnison	2
Hinsdale	0
Huerfano Jackson	0
0 111 1	
Jefferson	26
Kiowa	0
Kit Carson	0
La Plata	1
Lake	0
	21
Larimer	0
Las Animas	
Lincoln	0
•	

Logan	0
Mesa	4
Mineral	0
Moffat	1
Montezuma	0
Montrose	0
Morgan	1
Otero	8
Ouray	0
Park	2
Philips	1
Pitkin –	0
Prowers	0
Pueblo	7
Rio Blanco	0
Rio Grande	0
Routt	1
Saguache	1
San Juan	0
San Miguel	1
Sedgwick	0
Summit	1
Teller	1
Washington	0
Weld	4
Yuma	0
Totals	244

Table 10: Foreclosure totals in each county, 2008-2009

Counties	2009	2009	2009	2009		2008	2008	2008	2008	2008		2008	2008	2008	2008	2008
	1st Q	2ndQ	1st Q	2nd Q		1st Q	2nd Q	3rd Q	4th Q	TOTAL		1st Q	2nd Q	3rd Q	4th Q	TOTAL
	Filings	Filings	Sales	Sales		Filings	Filings	Filings	Filings	Filings		Sales	Sales	Sales	Sales	Sales
					ì											
Adams	1,327	1,636	628	651		1,704	1,613	1,069	1,172	5,558	L	935	645	1013	836	3,429
Alamosa	17	10	5	9		9	22	9	17	57		5	2	9	7	23
Arapahoe	1,334	1,603	611	760		1,851	1,678	963	1,384	5,876		970	660	1003	743	3,376
Archuleta	45	71	8	18		35		29	31	95		2		17	19	38
Baca	5	2	1	2		2	0	0	2	4		0	0	0	0	0
Bent	8	3	0	2		3	2	2	5	12		0	0	0	2	2
Broomfield	70	106	22	29		79	73	58	63	273		35	22	33	31	121
Boulder	291	348	100	114		278	302	201	260	1041		134	86	137	112	469
Chaffee	18	26	5	8		14	10	10	11	45	ĺ	0	2	3	4	9
Cheyenne	0	0	1	0				6	3	9	ĺ			3	3	6
Clear Creek	30	25	13	14		30	32	14	28	104		8	11	20	6	45
Conejos	10	7	4	2			4	8	3	15			0	2	2	4
Costilla	2	1	1	0		3	2	1	9	15				1	1	2
Crowley	6	3	2	1		7	1	5	7	20		2	2	3	3	10
Custer	8	6	0	0			3	9	5	17			0	0	1	1
Delta	38	41	11	14		32	23	33	32	120		9	5	15	7	36
Denver	1,524	1,629	731	792		2,042	1,805	979	1,386	6,212		1,399	776	1359	828	4,362
Dolores	3	5	1	2			3	1	2	6			0	0	0	0
Douglas	575	704	219	266		665	570	340	605	2180		320	207	287	255	1069
Eagle	82	98	20	36		33	46	41	59	179		8	6	21	20	55
Elbert	96	90	14	48		77	66	50	69	262		35	27	35	24	121
El Paso	1,292	1,387	522	622		1,216	1,315	869	1,197	4,597		509	372	675	613	2,169
Fremont	79	99	46	42		91	73	61	70	295		0	32	49	44	125
Garfield	54	154	3	11		34	23	25	26	108		0	2	2	6	10
Gilpin	17	22	1	11		24	14	10	24	72		0	2	7	2	11
Grand	55	55	5	25		38	45	41	49	173		9	9	26	17	61
Gunnison	33	51	10	6		13	20	13	35	81		1	1	13	10	25
Hinsdale	2	1	0	0		0	0	3		3		0	0	0		0
Huerfano	16	16	11	9		16	12	15	9	52		8		3	15	26
Jackson	0	0	0	0		3	1	1	0	5		0	1	0	1	2
Jefferson	926	1,063	391	374		1010	1045	713	901	3669		455	316	563	420	1754

Kiowa	1	1	0	1	0	0	0	0	0		0	0	0	0	o I
Kit Carson	9	5	6	3	14		5	6	25		3		4	3	10
La Plata	64	93	21	32	23	44	30	51	148		7	5	8	6	26
Lake	5	17	2	2	6	11	10	4	31		1	2	2	2	7
Larimer	536	500	174	207	487	433	346	378	1644		228	145	242	176	791
Las Animas	18	19	4	2	30		17	23	70		0		6	11	17
Lincoln	4	10	4	3	19	7	2	4	32		0	8	3	6	17
Logan	21	23	8	8	18	9	16	19	62		9	2	9	11	31
Mesa	175	264	44	58	119	108	116	126	469		24	18	32	37	111
Mineral	2	0	0	0	1	0	1	2	4		0	0	0	0	0
Moffat	20	15	2	8		10		15	25		1	1	1	1	4
Montezuma	27	32	14	12	13	18	21	23	75		8	1	2	7	18
Montrose	54	73	16	27	36	40	43	40	159		0	10	10	19	39
Morgan	53	54	20	24	43	36	34	26	139		21	11	20	18	70
Otero	26	21	8	10	37	23	24	11	95	П	23	6	20	14	63
Ouray	17	18	5	3	1	0	1	8	10		0	0	2	0	2
Park	68	97	36	41	78	64	55	68	265		25	25	42	37	129
Philips	1	5	2	0	5	5	3	2	15	П	2	2	2	4	10
Pitkin	7	30	2	0	9	11	3	12	35		0	0	4	1	5
Prowers	8	10	3	7	13	7	6	7	33		8	5	6	4	23
Pueblo	421	405	151	217	383	332	258	338	1311		206	168	210	173	757
Rio Blanco	5	20	0	2	2	3	2	4	11		0	0	0	0	0
Rio Grande	15	26	5	12	15	15	19	8	57		5	1	6	11	23
Routt	32	41	9	4	14	16	10	13	53	7	3	2	2	4	11
Saguache	11	10	3	3	5	6	11	8	30		7	0	4	0	11
San Juan	1	1	2	2	1	3	1	1	6		0	0	1	0	1
San Miguel	22	20	6	5	6	6	5	14	31		1	1	2	0	4
Sedgwick	1	1	3	1	2	2	2	6	12		0	1	1	1	3
Summit	55	77	23	22	46	51	48	48	193		0	6	32	20	58
Teller	81	76	40	47	74	82	46	71	273		25	21	46	35	127
Washington	6	9	4	2	3	2	4	4	13		4	3	3	0	10
Weld	770	894	349	363	813	781	560	670	2,824		442	273	436	404	1,555
Yuma	10	6	2	3	9	5	7	7	28		2	2	4	4	12
Totals	10,509	12,135	4,354	4,999	11,634	10,933	7,285	9,481	39,333		5,899	3,905	6461	5041	21,306