

3. The attorney then makes application for a bond by arranging that the trustees sign such application.

4. On the date of the sale, the attorney secures the bond, files it with the Clerk of the Court and styles his case.

5. The attorney, together with the trustees, then appear on the Court House steps with the person who cries the sale.

NOTE.—At this point it should be noted that in Maryland it is not necessary for a licensed auctioneer to cry the sale—the attorney himself may do so, or any one he may select can cry the sale. It should also be noted that so far there has been no notice given to the owner of the property except three advertisements which appeared once a week for three successive weeks in a county newspaper to which newspaper many of the home owners may not subscribe.

6. A report of sale is then immediately made and filed with the Clerk of the Court. The whole report may have been typed prior thereto and the few appropriate blanks are merely filled in at the time.

7. Upon the filing of a report of sale the Court may pass an order nisi, a copy of such order is advertised, usually the same newspaper (see Note under 5). Then the sale is ratified.

8. Settlement may be made on the sale immediately thereafter and a deed from the trustees to the purchaser is executed, delivered, and recorded.

9. The auditor files his report and notifies by postcard or first class mail every party and every person who has filed a claim in the proceedings that the report was filed on such date, that if no exceptions are filed within fifteen days, the accounting may be ratified.

NOTE.—It has been found through experience that the application of this rule has a wide and varied interpretation throughout the various counties of the state.

10. Then the owner of the property may for the first time discover what has transpired when he receives the notice to quit.

NOTE.—It is very important to note at this point that there has been no personal service or other notice, except the possible postcard, and the newspaper advertisements given the home owner.

If, however, the security instrument contains a covenant to pay the debt and the note holder is seeking a judgment for a deficiency, then personal service must be made on the maker who may not be the home owner at the time, any time within three years of the ratification.

How much protection does a maker of the note have when he is served with personal service in a suit filed for a deficiency sometime within three years of the foreclosure. Certainly this may be a long time after the property was sold and transferred without any actual notice to him.

A comparison of estimated average costs and fees chargeable in the two jurisdictions for foreclosures of secondary trusts is in order.

Item	Maryland	District of Columbia
Advertising.....	\$125.00	\$125.00
Auctioneer fees.....	25.00	25.00
Court fees.....	30.00	None
Bond premium.....	60.00	None
Attorney fees.....	225.00	None
Average totals.....	490.00	175.00
Trustee fees (percent).....	5	5

Note: If the attorney happens to be a trustee, he forgoes the trustee's commission; in which event, however, the attorney's fee is increased by \$100. This allows an attorney's fee of \$350 instead of \$250.

Compiled statistics of a leading District of Columbia auctioneer records for the year 1966 disclosed that in that year there were an estimated two thousand requests made to commence foreclosure proceedings of which twelve hundred were actually advertised and only four hundred proceeded to actual sale of which amount two hundred and seventy-five resulted in deeds.

It is estimated that I have been named trustee on approximately one thousand