

FILED
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CLERK OF COURTS
CUYAHOGA COUNTY

IN THE COURT OF COMMON PLEAS
GENERAL DIVISION
CUYAHOGA COUNTY, OHIO

In Re:)
)
ORDER REGARDING FORECLOSURE CASES) JOURNAL ENTRY
DUE TO COVID-19 PANDEMIC)
)

The Judges of the Cuyahoga County Court of Common Pleas, General Division, make the following findings of fact:

1. Whereas the Court previously stayed foreclosure cases until May 15, 2020, in response to the COVID-19 pandemic;
2. Whereas the Ohio Supreme Court’s March 27, 2020, Administrative Action tolls certain time requirements until the period of COVID-19 emergency ends or July 30, 2020, whichever is sooner;
3. Whereas section (G) of the Ohio Supreme Court’s March 27, 2020, Administrative Action provides that orders entered after the effective date of that action may supersede that action’s tolling provisions; and,
4. Whereas the Court must balance its duty to provide an open forum for all parties for resolution of disputes against the economic hardships caused by the effects of the COVID-19 pandemic and the resulting period of quarantine;

IT IS THEREFORE ORDERED:

1. The general stay of all foreclosure cases ended on May 15, 2020. Except for cases concerning vacant and abandoned properties, execution in all foreclosure cases, including ordering of judicial sales, confirmation of judicial sales, issuance of sheriff’s deeds, and writs of possession, is stayed until July 31, 2020.
2. The tolling provisions of the Ohio Supreme Court’s March 27, 2020, Administrative Action are henceforth inapplicable to foreclosure cases. The time guidelines in the civil rules and the local rules will now govern the time requirements.
 - a. Unless otherwise ordered, if a response to a motion was due prior to March 9, 2020, there will be no additional time for a response. All motions filed after March 9, 2020, or for which the response time expired after March 9, 2020, will be treated as if they were filed on May 18, 2020, and the Civil Rules or Local Rules will govern response time from that date.
 - b. These rules also apply to pleadings or any other action requiring a response.

3. Where the Court receives notice that a foreclosure case is stayed by the dictates of Federal government or one of its agencies or by the rules of a servicer of the loan, the case must be stayed for a period of up to four months. Thereafter, the case, after notice, may be dismissed for lack of prosecution.
4. Where the Court receives notice of a forbearance agreement, after notice, the case may be dismissed for lack of prosecution.
5. Deadlines to prosecute a foreclosure case entered prior to July 31, 2020, must be at least 60 days from the date of the order setting the deadline.

IT IS SO ORDERED.

CUYAHOGA COUNTY COMMON PLEAS COURT, GENERAL DIVISION



HON. BRENDAN J. SHEEHAN
ADMINISTRATIVE & PRESIDING JUDGE

5/26/2020
DATED