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Tips for Homeowners with Pets when Facing Home Foreclosure

If you are facing home foreclosure and you have pets, here are some tips to help you relocate with your pets or find other safe placement for them. ***Never leave pets behind when you vacate your home!***

Take Your Pets With You or Find Them a Safe Place to Stay:

- Take your pets with you when you vacate your home; they will not survive if abandoned in the home or set loose. In addition, the comfort and companionship of pets can provide therapeutic benefits to family members by easing the strain of moving to a new residence.
- Follow these steps to find safe placement for your pets if you are unable to vacate your home with them:
 - Ask family, friends and co-workers if they will care for your pets while you relocate.
 - Ask your veterinarian if you can receive low-cost boarding for your pets, or set up a payment plan for boarding costs, while you relocate.
 - If you cannot find temporary placement for your pets, visit www.petfinder.com to search for animal shelters and animal rescue organizations in your area where you can surrender ownership of your pets and which do not euthanize healthy and adoptable animals. This will provide peace of mind that your pets will be safe until they are adopted into a new home. Some shelters and organizations may offer to house your pets for a period of time at no cost while you find new housing, so you can be reunited with your pets. If you do not reclaim your pets within the time period, they may be placed for adoption. Always ask if this is an option.
 - As a last resort, you can surrender your pets to your local open-admission animal control or humane society shelter. Be advised that open-admission shelters are required to accept all animals (including strays), and the adoption of your pets cannot be guaranteed. Thus, if the shelter is overcrowded, it may have to euthanize your pets.

Don't Leave Pets Behind:

- Never vacate your home and leave pets behind or set them loose outdoors. It is inhumane and may be illegal.
 - If you leave pets indoors or release them outdoors, state criminal animal-cruelty laws may apply (e.g., abandoning or neglecting your pets), even if you believe you have left sufficient food and water for your pets.
 - If you leave pets behind and have arranged for someone to periodically check on them, you may still be in violation of criminal animal-cruelty laws if that person fails to properly care for your pets. In addition, when the mortgage lender takes possession of the home, your pets will be removed by the local animal control agency or humane society, which will leave your pets at risk of an uncertain future that may include euthanasia.

When faced with foreclosure, please remember to provide for your pets to ensure that they are safe and that you do not face a criminal investigation and possible criminal charges for abandoning or neglecting them. By following these simple steps, this will help you, your family and your pets have a better future.

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Tips for Mortgage Lenders when Foreclosing on a Home with Pets

With the increase in home foreclosures, mortgage lenders are often finding family pets left behind in vacated homes. Following are tips for properly handling instances of pets abandoned inside or outside the home. (Please consult with your district attorney's office to verify the local applicability of these tips.)

- If you have started monthly delinquency inspections, check for pets inside and outside at all inspections.
 - If entry is not legally allowed, an outside inspection may result in the discovery of barking or meowing, or pets may be seen inside, through the windows, or found outside tethered or in kennels.
 - Always check with neighbors to determine if the vacating family had pets.
- If a period of time must elapse before you can legally enter the home, be aware that pets may become injured or ill or may die from neglect and abandonment in the interim. Please work with your local district attorney's office and animal control agency to develop a protocol to protect abandoned pets from harm. The following procedures to locate and protect abandoned pets may be suitable in your jurisdiction:
 - When conducting an inspection of the outside of the home, listen for animal sounds, look in windows for pets, check the backyard and consult with neighbors regarding the presence of pets.
 - If pets are known or suspected to be on the property, the inspector or mortgage lender should immediately call the local animal control agency or humane society and ask that an officer come to the home for suspicion of animal abandonment and/or neglect. All 50 states have animal neglect laws that require pet owners to provide sufficient food, water and shelter for pets. If a homeowner vacated the home and failed to provide sufficient food, water or shelter, animal control has the authority to investigate.
 - Once the officer arrives at the home, if pets are seen inside and no food and water is visible; if pets are left outside and food, water or shelter are insufficient; or if neighbors confirm that pets reside in the home and the provisions are unknown, the officer should ask the district attorney for a search warrant to enter the home to determine whether the pets are abandoned and/or neglected.
 - If a search warrant is obtained and the officer enters the home and finds pets without sufficient food and water, the officer is permitted to seize the animals and place them at the animal shelter while an investigation is pursued. If animals have been left outside without sufficient provisions, the search warrant will also allow the officer to seize the pets for safekeeping. If this seizure occurs within a time period in which the mortgage lender is waiting to legally seize the home and foreclose, the animals will be kept safe.
 - If the homeowner does not return to reclaim the pets during the time period in which the mortgage lender is waiting to seize the home, then the animal shelter can deem the pets abandoned and place them for adoption and/or institute criminal animal-cruelty charges against the homeowner.

To avoid having pets left behind and potentially seized by an animal shelter, mortgage lenders and their affiliates should take preventive steps to advise homeowners what to do in the event of foreclosure. We recommend providing homeowners with *Tips for Homeowners with Pets when Facing Home Foreclosure* to inform homeowners about the perils of leaving pets behind, so they can take appropriate, responsible steps to safely house animals when vacating a home.