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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 animal shelter 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 may be 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 American Humane's *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.

*If you have questions or require assistance, please contact Allie Phillips,
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www.americanhumane.org