

**TITLE 2: NATURAL RESOURCES**  
**DIVISION 4: LAND RESOURCES**

**§ 4621. Foreclosure by Judicial or Nonjudicial Process.**

(a) The deed of trust instrument may provide for foreclosure proceedings by judicial or nonjudicial process.

(b) If foreclosure is by judicial process then the foreclosure proceedings shall be brought in the Commonwealth Trial Court. Any judicial action for the foreclosure of a deed of trust shall be similar to and based on the same proceedings as the real estate mortgage law (commencing at 2 CMC § 4511), except that 2 CMC §§ 4541 through 4544, as they relate to rights of redemption, shall not apply and no right of redemption shall exist under the deed of trust.

(c) If foreclosure is by nonjudicial process, then such may be by private power of sale as set forth in this article. The trustee shall not have any right of redemption after such sale.

**Source:** DL 5-42, § 8; amended by DL 5-60, § 1.

**Commission Comment:** Section 4 of PL 6-25, the “Commonwealth Judicial Reorganization Act of 1989,” provides that “[w]herever the term ‘Commonwealth Trial Court’ appears in the Commonwealth Code, it is henceforth to be interpreted and understood to refer to the Commonwealth Superior Court.”