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Filings decline in county

*BY JOHN McCARTHY
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Foreclosure filings dropped sharply in Brevard County in January after spiking in December.

Last month, there were 715 new foreclosures, down from 919 in December.

December's filings were the second-highest monthly total ever in the county -- foreclosures nationwide jumped in December -- while January's are the fourth-lowest in the past two years on the Space Coast.

Clerk of Courts Scott Ellis said the December jump may have been caused by lenders cramming to get filings in before the holidays. "Then if they took off over the holidays, the numbers would bounce in February," he wrote in an e-mail. "We'll see."

If the Florida Bankers Association has its way, foreclosure lawsuits in Florida would be a thing of the past.

The organization has proposed a change in Florida law that would take the foreclosure process out of the courtroom. Under "non-judicial" foreclosures, lenders could auction off a property within four months of a homeowner falling behind on such payments. It currently takes as long as two years for a foreclosure to work through the court system.

Nationwide, 37 states allow non-judicial foreclosures.

The chances of the bill going anywhere in an election year are slim. In fact, the bankers have not yet found a legislator willing to sponsor their measure.

And even if the bill were to pass, it likely wouldn't do much to change the foreclosure picture in Florida, said **Shari Olefson**, a real estate attorney and author of the book, "Foreclosure Nation."

She pointed out that California already has a non-judicial foreclosure process and the problem is as bad there as in Florida. "It is not going to solve this problem at all," she said.
