

# Surplus Trustee Sale Family Buy Back thru the Nonprofit Alliance of Consumer Advocates

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LODI, CA, UNITED STATES, August 19, 2025 /EINPresswire.com/ -- The ability for a foreclosed homeowner to retain their property, even after a trustee sale to the highest bidder, hinges on understanding the buyer's ultimate objective: to resell the property for a profit. Presenting a superior option to realize that profit requires a strategic alliance with expertise in legal and real estate matters to execute the complexities involved. This exact strategy was employed by Consumer Defense Law Group in collaboration with the Nonprofit Alliance of Consumer Advocates (Nonprofit Clinic), paving the way for Jose Arevalo and his family to re-purchase their home after it was sold at a trustee sale on July 9, 2025.

In 2008, Jose Arevalo purchased his home for \$200,000. Due to a financial hardship that led to a default, the amount owed at the time of the trustee sale was \$300,000, with an estimated market value of \$400,000. Foreclosed homeowners are legally entitled to any surplus funds generated from the sale. In this case, the foreclosure sale resulted in a surplus of \$100,000 (calculated as the difference between the sale price and the amount owed on the loan, minus any outstanding liens and judgments). However, recovering this surplus was not Mr. Arevalo's main goal, which is why he contacted the Nonprofit Alliance of Consumer Advocates, a 501c3 nonprofit home retention clinic. Unlike surplus recovery companies and law Firms that only seek a share of surplus funds, the Nonprofit Clinic's objective is to keep homeowners in their homes. The Nonprofit Clinic cannot achieve the goal of home retention alone; it requires a strategic alliance with legal, real estate and mortgage experts.

The legal strategy focused on identifying options for a family member to purchase the property. With the surplus funds from the sale, Mr. Arevalo could 'gift' the funds to his Son, Brian, to be used as a down payment. However, this action would need to occur quickly before the third-party purchaser could sell the home to another buyer. To change the equation for the new owner, Consumer Defense Law Group filed a wrongful foreclosure lawsuit in LA Superior Court. Consumer Defense Law Group's legal approach also includes effective tools like a Temporary Restraining Order (TRO) to prevent the recording of the trustee deed upon sale and a lis pendens, a public notice of pending litigation that legally "clouds" a property's title. These legal actions make it difficult to sell the property and drag out the process, creating a legal "carrying cost" for the third-party purchaser.

The collaboration continued with mortgage and real estate experts who presented a set of numbers to the third-party owner, showing that selling to Brian was the most sensible option to

realize their objective of a quick and clean sale. This strategic pressure, combined with a clear path forward, led to a successful negotiation. Jose Arevalo stated, "Losing our home was devastating, but having the chance to get it back through my son is a true blessing. This shows that with the right help, you can fight back." Brian Arevalo added, "We had to act fast and be smart. The teamwork between the legal, real estate and mortgage experts that are with the nonprofit clinic created the perfect opportunity for our family to secure our future." This outcome highlights the power of a coordinated, strategic alliance in navigating complex legal and real estate challenges to achieve a positive result for the homeowner.

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