



MARTHA CROOG, LLC

MORTGAGE BANKING LITIGATION ADVISORY

FURTHER ADAPTATIONS TO LEGISLATIVE AGENDA
FOR LOSS MITIGATION RESPONSES TO CONNECTICUT'S HOUSING
CHALLENGES

October 2011

CHFA

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- Available Programs:
 - ▣ Federal Emergency Home Loan Program (FEHLP)
 - ▣ CT Families
 - ▣ Emergency Mortgage Assistance Program (EMAP)
 - ▣ Foreclosure Prevention Counseling



Foreclosure Prevention Counseling




FINANCIAL FITNESS COUNSELING SCHEDULE – FOURTH QUARTER 2011
FOR CLIENTS ACCEPTED INTO THE MORTGAGE CRISIS JOB TRAINING PROGRAM AND CT FAMILIES BORROWERS

LOCATION	COUNSELING ORGANIZATION AND CONTACT PERSON	PHONE NUMBER & EMAIL	CLASS DATES	CLASS TIMES
Bridgeport	Housing Development Fund	(203) 338-9035 Ext. 10 dmackenzie@hdf-ct.org	Sat. Oct. 15 Sat. Nov 5 Sat. Dec. 10	10:00 a.m. to 1:00 p.m. 10:00 a.m. to 1:00 p.m. 10:00 a.m. to 1:00 p.m.
New Britain	Neighborhood Housing Services - New Britain Evelyn Irizarry	(860) 224-2433 eirizarry@nhsnb.org	Tues. Oct. 25 Tues. Nov. 29 Tues. Dec. 27	5:00 p.m. to 8:00 p.m. 5:00 p.m. to 8:00 p.m. 5:00 p.m. to 8:00 p.m.
New Haven	Neighborhood Housing Services of New Haven Norma Chadwick	(203) 777-6925 ext. 26 brussell@nhsofnewhaven.org	Sat. Oct. 8 Sat. Nov. 12 Sat. Dec. 10	9:00 a.m. to 12:00 p.m. 9:00 a.m. to 12:00 p.m. 9:00 a.m. to 12:00 p.m.
Norwich	Catholic Charities, Diocese of Norwich Jay Gelfond	(860) 889-8346 ext. 271 jaygelfond@ccfsn.org	Thurs. Oct. 13 Thurs. Nov. 17 Thurs. Dec. 15	5:30 p.m. to 8:30 p.m. 5:30 p.m. to 8:30 p.m. 5:30 p.m. to 8:30 p.m.
Waterbury	Neighborhood Housing Services - Waterbury	(203) 753-1896 ext. 10	Thurs. Oct. 6 Tues. Nov. 1 Thurs. Dec. 1	6:00 p.m. to 9:00 p.m. 6:00 p.m. to 9:00 p.m. 6:00 p.m. to 9:00 p.m.



Foreclosure Prevention Counseling

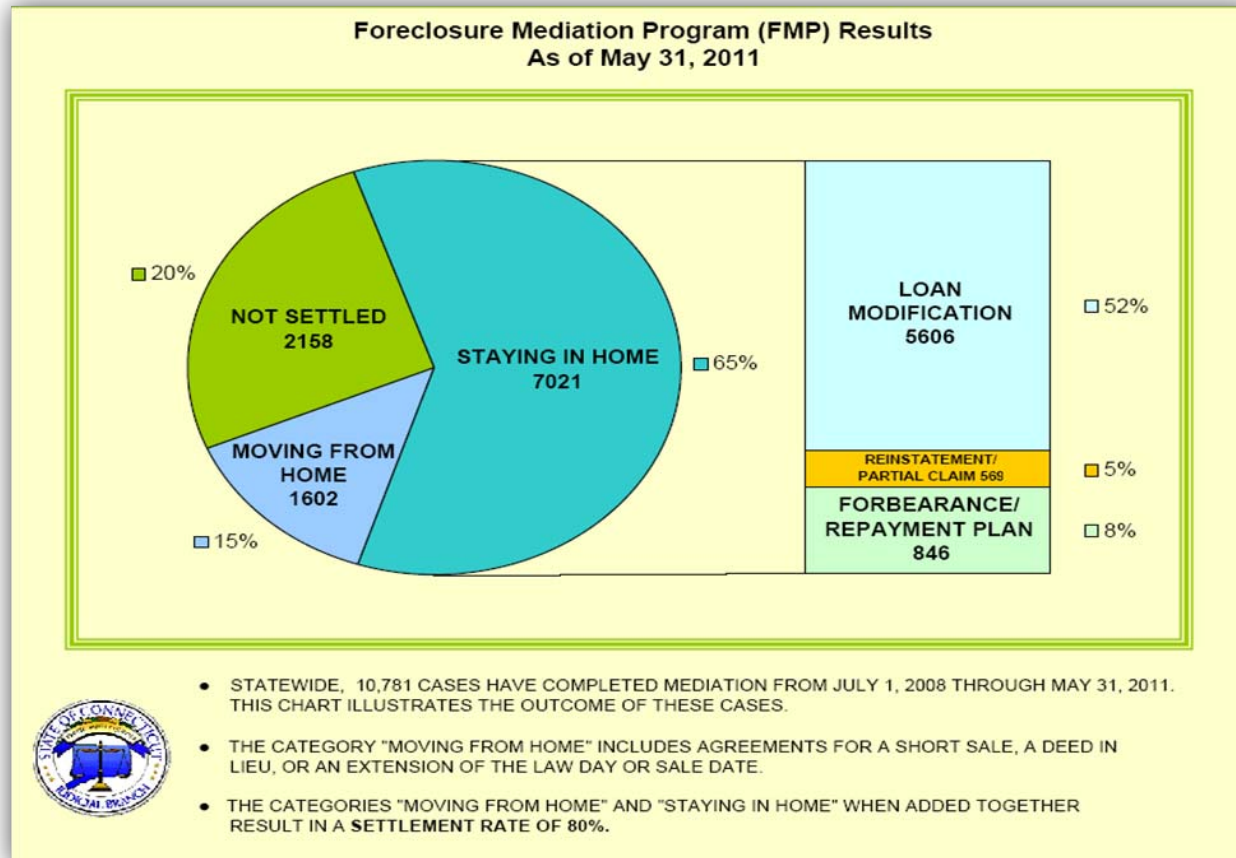


FORECLOSURE PREVENTION CLINICS – FOURTH QUARTER 2011
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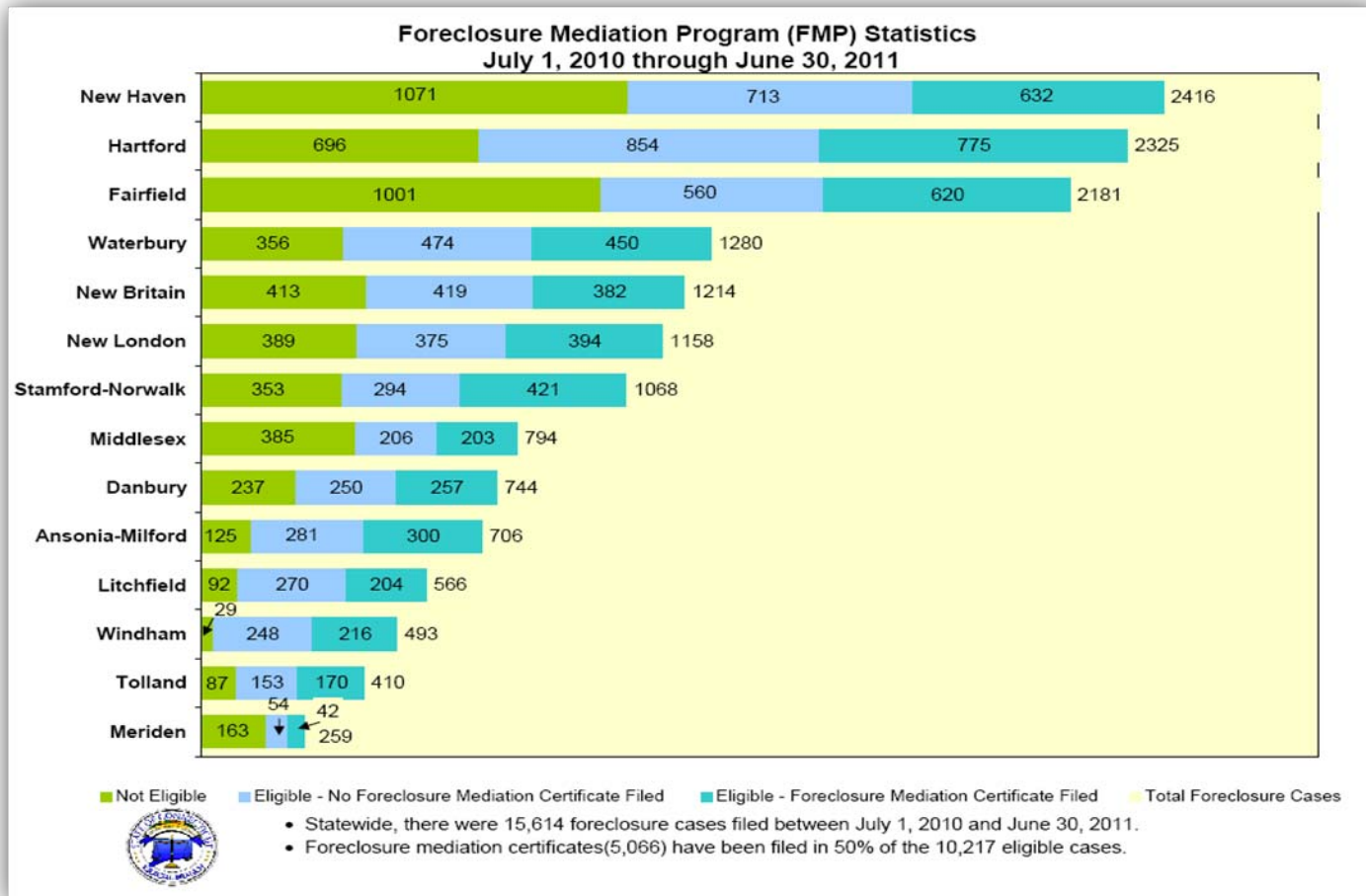
LOCATION	COUNSELING ORGANIZATION AND CONTACT PERSON	PHONE NUMBER	CLASS DATES	CLASS TIMES
BRIDGEPORT	Affordable Housing Centers of America	(203) 366-4180	Thurs. Oct. 13 Thurs. Nov. 17 Thurs. Dec. 15	Call for times
BRIDGEPORT	Housing Development Fund Todd Fagan	(203) 338-9035 Ext. 0	Wed. Oct. 12 Wed. Nov. 9 Wed. Dec. 14	6:00 p.m. to 8:00 p.m. 6:00 p.m. to 8:00 p.m. 6:00 p.m. to 8:00 p.m.
HARTFORD	Housing Education Resource Center, Inc.	(860) 296-4242	Thurs. Oct. 13 Thurs. Nov. 10 Wed. Dec. 7	10:00 a.m. to 1:00 p.m. 5:30 p.m. to 8:30 p.m. 10:00 a.m. to 1:00 p.m.
HARTFORD	Co-opportunity, Inc. – Jerry Morgan	(860) 236-3617	Thurs. Oct. 6 Thurs. Nov. 3 Thurs. Dec. 1	4:00 p.m. to 6:30 p.m. 4:00 p.m. to 6:30 p.m. 4:00 p.m. to 6:30 p.m.
HARTFORD	Urban League of Greater Hartford - Dawn Davis	(860) 527-0147	Tues. Oct. 25 Tues. Nov. 22 Tues. Dec. 20	5:30 p.m. – 8:00 p.m. 5:30 p.m. – 8:00 p.m. 5:30 p.m. – 8:00 p.m.
MIDDLETOWN	Community Renewal Team, Inc.	(860) 560-4210	Fri. Oct. 21 Fri. Nov. 18 Fri. Dec. 16	1:00 p.m. to 3:00 p.m. 1:00 p.m. to 3:00 p.m. 1:00 p.m. to 3:00 p.m.
NEW BRITAIN	Neighborhood Housing Services – New Britain – Evelyn Irizarry	(860) 224-2433	Thurs. Oct. 13 Thurs. Nov 17 Thurs. Dec 8	5:00 p.m. to 9:00 p.m. 5:00 p.m. to 9:00 p.m. 5:00 p.m. to 9:00 p.m.
NEW HAVEN	Neighborhood Housing Services of New Haven – Michael Haynes	(203) 562-0598 Ext. 26	Tues. Oct. 4, 11, 18, 25 Tues. Nov. 1, 8, 15, 22, 29 Tues. Dec. 6, 13, 20, 27	5:30 p.m. to 7:30 p.m. 5:30 p.m. to 7:30 p.m. 5:30 p.m. to 7:30 p.m.
NEW LONDON	Catholic Charities, Diocese of Norwich Jay Gelfond	(860) 889-8346 Ext. 271	Tues. Oct. 18 Tues. Nov. 15 Tues. Dec. 13	6:00 p.m. to 7:30 p.m. 6:00 p.m. to 7:30 p.m. 6:00 p.m. to 7:30 p.m.
NORWICH	Catholic Charities, Diocese of Norwich Jay Gelfond	(860) 889-8346 Ext. 271	Tues. Oct. 4 Tues. Nov. 1 Thurs. Dec. 1	5:00 p.m. to 7:00 p.m. 5:30 p.m. to 7:30 p.m. 5:30 p.m. to 7:30 p.m.



Loss Mitigation Statistics



Loss Mitigation Statistics



CHFA

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Federal Emergency Home Loan Program (FEHLP)

- 1,070 loans provided to homeowners facing foreclosure
- \$88 million in assistance was allocated to program

- To qualify, homeowners must have:
 - Had at least a 15 percent reduction in income because of unemployment, underemployment or a medical issue
 - Had to be at least 90 days delinquent on their mortgage.

Deadline to apply for program passed on September 1, 2011



CHFA

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Public Act 11-201 created a task force to study CHFA's loss mitigation programs

The task force is required to submit a report of its findings no later than January 1, 2012.



New Foreclosure Mediation Law

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New Documents Needed to be Served on Borrowers:

- Notice to Homeowner or Religious Organization (JD-CV-127)



New Foreclosure Mediation Law

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Notice to Homeowner or Religious Organization (JD-CV-127)

FORECLOSURE MEDIATION
NOTICE TO HOMEOWNER OR
RELIGIOUS ORGANIZATION
(For cases with a Return Date of
10/1/2011 or later)
JD-CV-127 New 8-11
C.G.S. § 49-31f, PA 11-201

STATE OF CONNECTICUT
SUPERIOR COURT
JUDICIAL BRANCH
www.jud.ct.gov



Notice to Homeowner or Religious Organization: Availability of Foreclosure Mediation

You have been served with a foreclosure complaint that could cause you to lose your property.

A **Foreclosure Mediation Program** has been set up to help certain homeowners and religious organizations.

You must fill out the attached **Foreclosure Mediation Certificate form, JD-CV-108** and **Appearance form, JD-CL-12** and file them with the Court no later than 15 days from the Return Date on the *Summons* form that was served on you (or delivered to you). If these forms are not attached, you may get them at any Judicial District courthouse or from the Judicial Branch website at www.jud2.ct.gov/webforms.

A mediation will be scheduled if:

1. You are the **owner-occupant** of a **1, 2, 3 or 4 family residential** property; and
 - you are the **borrower**; and
 - the **mortgage** on your owner-occupied residential property is being **foreclosed**; and
 - the property being foreclosed is your **primary residence**; and
 - the property is located in **Connecticut**; or
2. the property is **owned by a religious organization**, is located in **Connecticut**, and the foreclosure case has a return date of October 2, 2011, or later.

Mediation is where a person who does not take sides helps parties try to settle their case.

Judicial Branch mediators will conduct mediation sessions at the courthouse.

There is no application fee for this program.



New Foreclosure Mediation Law

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New Documents Needed to be Served on Borrowers

- Notice to Homeowner or Religious Organization (JD-CV-127)
- Notice of Community Based Resources (JD-CV-126)



New Foreclosure Mediation Law

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Notice of Community Based Resources (JD-CV-126)

**FORECLOSURE MEDIATION
NOTICE OF COMMUNITY-BASED
RESOURCES**
JD-CV-126 New 8-11
C.G.S. § 49-31b; P.A. 11-201

STATE OF CONNECTICUT
SUPERIOR COURT
JUDICIAL BRANCH
www.jud.ct.gov



State of Connecticut Department of Banking Foreclosure Hotline Bulletin

Community-Based Resources for Connecticut Homeowners in Foreclosure

Note: Assistance in multiple languages is available through Connecticut Housing Finance Authority (CHFA)-approved housing counseling agencies (refer to the list below). Ayuda en Español es disponible a través de agencias de consejería de vivienda aprobado por CHFA (favor de referirse a la lista de abajo).

Toll-free Mortgage Foreclosure Assistance Hotline: 1-877-472-8313

Department of Banking Website: www.ct.gov/dob

The free Foreclosure Hotline is open Monday-Friday 8:00 a.m. to 5:00 p.m. Calls will be returned within two business days. You can also reach the Department of Banking by calling 1-800-831-7225 (toll-free) or 860-240-8299.

Mortgage Assistance Programs from the Connecticut Housing Finance Authority (CHFA)

The Connecticut Housing Finance Authority has two mortgage assistance programs created by the Connecticut General Assembly: (1) the Emergency Mortgage Assistance Program (EMAP), which can help with overdue payments and provide monthly mortgage assistance; and (2) refinancing through CT FAMILIES. For more information, contact a CHFA-approved housing counseling agency (listed below), call CHFA at 1-877-571-2432, or visit www.chfa.org.

CHFA-Approved Housing Counselors CHFA-approved housing counselors provide free services to Connecticut homeowners and can assist in identifying possible solutions to your financial issues, reviewing your budget, and negotiating with your mortgage company to address your mortgage issues, including federal loan modification programs and CHFA mortgage assistance programs. CHFA-approved housing counselors are all "HUD-approved" housing counselors and are trained in handling FHA loans as well as "conventional" loans. They can help you prepare for Foreclosure Mediation and help you submit financial documents to your mortgage company as part of the Mediation process. CHFA-approved counselors welcome residents from all over Connecticut - you do not have to call the agency closest to you. Note: If your Return Date (located at the top right of the Summons you received) is on or after October 1, 2011, you should have also received a Mediation Information Form and instructions with your foreclosure papers. The Form must be received by the law firm representing your servicer/lender no later than 15 business days before your first mediation session. Even if you are unable to get an appointment with a housing counselor before that deadline, you are still required to submit a completed Mediation Information Form on time.

Town/City	CHFA-Approved Housing Counseling Agency	Phone
Bridgeport	Housing Development Fund, 940 Broad Street www.hdf-ct.org	203-338-9035 x0
	Affordable Housing Centers of America, 2310 Main St., 3rd Fl. www.ahcoa.org	203-366-4180
Danbury	Housing Development Fund, 8 West St. www.hdf-ct.org	203-338-9035 x0
	Housing Education Resource Center, 901 Wethersfield Ave. www.herc-inc.org	860-296-4242
Hartford	Urban League of Greater Hartford, 140 Woodland St. www.ulgh.org	860-527-0147
	Co-Opportunity, 20-28 Sargeant St. www.co-opportunity.org	860-236-3617
	Community Renewal Team, 395 Wethersfield Ave. www.crtct.org	860-960-9600
New Britain	Neighborhood Housing Services of New Britain, 223 Broad St. www.nhsnb.org	860-224-2433
New Haven	Neighborhood Housing Services of New Haven, 333 Sherman Ave. www.nhsnewhaven.org	203-862-0598
Norwich/ New London	Catholic Charities, Diocese of Norwich, 331 Main St., Norwich; 28 Huntington St., New London www.ccfan.org	860-889-8346
Stamford	Housing Development Fund, 100 Prospect St., Suite 100 www.hdf-ct.org	203-338-9035 x0
	Urban League of Southern CT, 46 Atlantic St. www.ulsc.org	203-327-5810
Western CT	Neighborhood Housing Services of Waterbury, 161 North Main St. www.nhswaterbury.org (Serves Waterbury, Danbury, and Torrington)	203-753-1896

Note: Beginning October 1, 2011, refer to the following link for the latest list of CHFA Counseling agencies: <http://www.chfa.org/content/CHFA%20Documents/EMAP%20Counseling%20Agency%20List.pdf>

Legal Resources

Foreclosure Prevention Legal Clinics: The Connecticut Fair Housing Center, the Department of Banking, and the Judicial Branch's Foreclosure Mediation Program present two, free monthly legal clinics for homeowners in foreclosure. The clinics offer information on the process and on preparing for court from a Center attorney, guidance on resources for homeowners from the Department of Banking, and a description of the Mediation Program from a court mediator. After the presentations, homeowners can talk about their situations one-on-one with volunteer attorneys, paralegals, and student volunteers. The monthly clinic in **Hartford** is the 3rd Tuesday evening of the month and is run by the Connecticut Fair Housing Center and the University of Hartford Paralegal Studies Program. The monthly clinic in **Fairfield County** is the 3rd Wednesday evening of the month, is sponsored by Bridgeport Mayor Bill Finch, Stamford Mayor Michael Pavia, and Norwalk Mayor Richard Moccia, and is run by the Connecticut Fair Housing Center and Homes Saved By Faith. Its location changes each month among the 3 cities. More information on the clinics (including times and locations) is available on www.ctfairhousing.org or by calling 1-888-247-4401.

Judicial Branch Foreclosure Volunteer Attorney Program: Volunteer attorneys are available to give advice and answer questions about foreclosure every Wednesday morning from 9-11 a.m. through January 25, 2012 at the New Haven Superior Court, 235 Church St., 7th floor. Homeowners facing foreclosure in any judicial district are welcome to attend.

Foreclosure Manual for Self-Represented Homeowners: The Connecticut Fair Housing Center publishes "Representing Yourself in Foreclosure: A Guide for Connecticut Homeowners," a free manual describing the foreclosure and mediation process for self-represented homeowners. Copies are available at many locations, such as CHFA-approved housing counselors, www.ctfairhousing.org, and by calling the Center at 1-888-247-4401.

Statewide Legal Services (SLS): SLS provides free legal advice and referrals for callers qualifying for its services (guidelines include income limits). You can reach SLS by calling 1-800-453-3320 or 860-344-0380.

Court Service Centers: In certain Superior Court locations, Court Service Centers provide public access computers, printers, fax machines, copiers, phones, and work space for self-represented parties. Refer to www.jud.ct.gov, and go to the Quick Links menu on the home page of the Judicial website for more information.

Lawyer Referral Services: County Bar Associations in Connecticut offer referral services that introduce homeowners to lawyers who can answer questions during an initial half-hour consultation. You can send an email with your questions and availability. Services beyond the 1st half-hour fee will be at the attorney's usual fee.

County	Phone	Fee for 1/2 hour Consultation	Website	Email
Fairfield	203-335-4116	\$35	www.fairfieldlawyerefferral.com	fcba@conversent.net
Hartford	860-525-6052	\$25	www.hartfordbar.org	hcba@hartfordbar.org
New Haven	203-562-5750	\$35	www.newhavenbar.org	NHCBAInfo@newhavenbar.org
New London	860-889-9384	\$25	www.nlcba.org	See website for contact form

*The Hartford County Bar also covers Litchfield, Middlesex, Tolland, and Windham Counties.

How Foreclosure Rescue Scams Work. People in foreclosure are often the target of "foreclosure rescue scams." Be very careful of non-lawyers who ask you to pay a fee for counseling, loan modification, foreclosure prevention, or a "forensic audit" of your loan documents, regardless of their promises or claims. Many out-of-state attorneys target Connecticut residents; you should never pay attorneys that you do not meet. Contact the Department of Banking for more information at 1-877-472-8313 or visit www.preventloanscams.org.

Mortgage Crisis Job Training Program. The state-funded Mortgage Crisis Job Training Program is a project of The WorkPlace, Inc., in partnership with the Connecticut Housing Finance Authority (CHFA), Capital Workforce Partners, and Connecticut's workforce system. The Program helps homeowners increase their job skills and earning potential. It offers customized employment services, job training scholarships, financial literacy, and credit counseling. For information call 1-866-683-1682 or go to www.workplace.org/mortgage.asp.

Financial Assistance Programs. Connecticut's 12 Community Action Agencies (CAAs) help people meet immediate needs through services such as Eviction and Foreclosure Prevention, energy/heating assistance, food pantries, and weatherization. CAAs also empower people to improve their financial future through employment services, financial literacy training, and other programs. To locate your local CAA call the Connecticut Association for Community Action at 860-832-9438 or visit: www.caifa.org/our-network.

For more information on programs for homeowners facing financial distress, review the Department of Banking's materials on www.ct.gov/dob or call 1-877-472-8313. You can also call Info line at 2-1-1 for resources.



New Foreclosure Mediation Law

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New Documents Needed to be Served on Borrowers

- Notice to Homeowner or Religious Organization (JD-CV-127)
- Notice of Community Based Resources (JD-CV-126)
- Mediation Information Form (JD-CV-125)

NO CHANGE:
Borrower must file petition to participate in mediation not less than thirty (30) days prior to return date.

MEDIATION INFORMATION FORM
JD-CV-125 (Rev. 11/17)

STATE OF CONNECTICUT
SUPERIOR COURT
MEDIATION DIVISION

Instructions:
This form is 3 pages. Please read this instruction section before filing out pages 2 and 3.

The Foreclosure Mediation Program is set up to help homeowners and lenders reach a fair and voluntary agreement. All party information about your financial situation on this form, you and your lender will be able to have a productive discussion about what may be available to you.

What you must do:

1. Fill out the Acknowledgment Form and Foreclosure Mediation Certificate. These forms are included in this packet. You must file them with the court no later than 15 days after the return date. The return date is printed on the outer right edge of the Summons form in this packet. You do not have to come to court on the return date. The court cannot notify you of the date and time you must come for your first mediation session until you file these forms.
2. Fill out this Mediation Information Form, attach the required paperwork, and send it all to the Plaintiff's attorney at the address of the attorney or law firm on the Summons form. Only one form should be filed out for each household. The paperwork you must send with this Mediation Information Form is listed on page 2 of this form. You must send it all to the lender's attorney as soon as possible, but at least 15 business days (about 3 weeks) before the first mediation session. Do not send until you get the exact return date of the date of the first mediation session to send this form and paperwork to the plaintiff's attorney.
3. Keep a copy of the Mediation Information Form and the paperwork. Bring the copy of the filed-out form and the paperwork to the first mediation session. Do not send them to the court.

What your lender must do:
At least 15 days before the first mediation session, your lender will provide you with: (1) contact information for someone at your mortgage company who is able to process your request for a loan workout, including their direct telephone number, fax number, email address and mailing address; and (2) a bank-month account history for your mortgage loan.

Other information you should know:
The information you put on the Mediation Information Form and the paperwork you send with it will be treated as confidential and will not be shared without your consent with anyone besides your lender, its attorney, and a court-employed mediator with the Foreclosure Mediation Program. You may be asked to give additional information as part of the mediation process.

If you need help filing out the Mediation Information Form, or advice about the workouts available to you, or help preparing for the Foreclosure Mediation Program, you may contact one of the agencies contained on the attached Notice of Community-Based Resources (JD-CV-126). You may also get help filing out this form at any Court Service Center located in most Judicial District courthouses. However, if you are not able to get help with filing out this form quickly enough in order to send it to the plaintiff's attorney on time, you will need to follow instructions 1 and 2 above, under "What you must do".

Checklist:

Checklist	True/False
Plaintiff's name	True/False
Plaintiff's address	True/False
Plaintiff's telephone number	True/False
Plaintiff's fax number	True/False
Plaintiff's email address	True/False
Plaintiff's attorney's name	True/False
Plaintiff's attorney's address	True/False
Plaintiff's attorney's telephone number	True/False
Plaintiff's attorney's fax number	True/False
Plaintiff's attorney's email address	True/False



New Foreclosure Mediation Law

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Mediation Information Form (JD-CV-125)

MEDIATION INFORMATION FORM

JD-CV-125 New 8-11
C.G.S. § 49-31; PA 11-201



Instructions:

This form is 3 pages. Please read this instruction section before filling out pages 2 and 3.

The Foreclosure Mediation Program is set up to help homeowners and lenders reach a fair and voluntary agreement. By giving information about your financial situation on this form, you and your lender will be able to have a productive discussion about what may be available to you.

What you must do:

- Fill out the Appearance form and Foreclosure Mediation Certificate. These forms are included in this packet. You must file them with the court no later than 15 days after the return date. The return date is printed on the upper right part of the Summons form in this packet. You do not have to come to court on the return date. The court cannot notify you of the date and time you must come for your first mediation session until you file these forms.
- Fill out this Mediation Information Form, attach the required paperwork, and send it all to the Plaintiff's attorney at the address of the attorney or law firm on the Summons form. Only one form should be filled out for each household. The paperwork you must send with this Mediation Information Form is listed on page 3 of this form. You must send it all to the lender's attorney as soon as possible, but at least 15 business days (about 3 weeks) before the first mediation session. Do not wait until you get the court notice of the date of the first mediation session to send this form and paperwork to the plaintiff's attorney.
- Keep a copy of the filled-out Mediation Information Form and the paperwork. Bring the copy of the filled-out form and the paperwork to the first mediation session. Do not mail them to the court.

What your lender must do:

At least 15 days before the first mediation session, your lender will provide you with (1) contact information for someone at your mortgage company who is able to process your request for a loan workout, including their direct telephone number, fax number, email address and mailing address; and (2) a twelve-month account history for your mortgage loan.

Other information you should know:

The information you put on the Mediation Information Form and the paperwork you send with it will be treated as confidential and will not be shared without your consent with anyone besides your lender, its attorneys, and a court-employed mediator with the Foreclosure Mediation Program. You may be asked to give additional information as part of the mediation process.

If you need help filling out the Mediation Information Form, or advice about the workouts available to you, or help preparing for the Foreclosure Mediation Program, you may contact one of the agencies contained on the attached Notice of Community-Based Resources (JD-CV-126) You may also get help filling out this form at any Court Service Center located in most Judicial District courthouses. However, if you are not able to get help with filling out this form quickly enough in order to send it to the plaintiff's attorney on time, you still must follow instructions 1 and 2 above, under "What you must do".

Loan Number:	
Personal Information:	
Borrower (First and last name)	
Co-Borrower (First and last name)	
Property address	
Contact number (Telephone/cell)	
Number of people in household	
Mailing address (if different from property address)	
Mortgage lender/servicer	

	Borrower		Co-borrower	
	Gross (Before deductions)	Net (After deductions)	Gross	Net
1. Monthly income (Wage/salary)	\$	\$	\$	\$
2. Self employment				
3. Social Security/Social Security disability				
4. Pension/retirement				
5. Alimony/child support received (Optional - you do not have to give this information)				
6. Income from renters				
7. Contribution from non-borrowers living in the home				
8. Unemployment/food stamps				
9. Other				
10. Total Income				

Monthly living expenses - do not include expenses deducted from your paystub			
Alimony/child support paid	\$	Life/disability insurance	\$
Auto gas/repair		Memberships/union dues	
Auto insurance		Minimum credit card payments	
Auto taxes		Personal loan payments	
Cable/satellite TV & phone		Pet expenses	
Internet service		Prescriptions	
Child care		Property services	
Children's activities		Security services	
Clothing/dry cleaning		Subscriptions	
Co-pays		Telephone (cell)	
Electric bill		Trash disposal	
Food (in-home)		Tuition/school supplies	

Gas or oil bill		Other (please specify)	
Health and dental insurance		Other (please specify)	
Homeowners/condo association fees		Other (please specify)	
Homeowners insurance		Other (please specify)	
Household items		Other (please specify)	
Secured debts - Loans (Monthly payments)			
First mortgage	\$	Car payment	\$
Second mortgage		Student loans	
Property taxes		Other (please specify)	
Car payment		Other (please specify)	
Total monthly living expenses and secured debts (Add up all monthly living expenses and secured debts above)		\$	
I am having difficulty making my monthly payment because (please check all that apply):			
<input type="checkbox"/> My household income has been reduced. For example: unemployment, underemployment, reduced pay or hours, decline in business earnings, death, disability or divorce of a borrower or co-worker.		<input type="checkbox"/> My monthly debt payments are excessive and I am overextended with my creditors. Debt includes credit cards, home equity or other debt.	
<input type="checkbox"/> My expenses have increased. For example: monthly mortgage payment reset, high medical or health care costs, uninsured losses, increased utilities or property taxes.		<input type="checkbox"/> My cash reserves, including all liquid assets are insufficient to maintain my current mortgage payment and cover basic living expenses at the same time.	
<input type="checkbox"/> Other:			
Documents that must be sent with this form:			
1. Proof of income			
- Pay stubs for all jobs from all wage earners for the most recent month			
- Personal bank statements for the two most recent and consecutive months (all pages, including bank logo and your name)			
- Business bank statements for the two most recent and consecutive months (all pages, including bank logo and business name) - only if self-employed			
- Most recent award letter for any benefits (including disability income, Social Security, food stamps, pension, public assistance and adoption assistance)			
- Recent year-to-date Profit & Loss statement (signed and dated) - only if self-employed			
- Two years' most recent federal tax returns (with all schedules, signed and dated by all taxpayers on page 2)			
- For rental income, copies of all leases with signatures. If the rental income is for another property, also include the amount paid for the mortgage, taxes and insurance on the property.			
- Contribution letters from all non-borrowers who live in the household and contribute along with proof of their income (signed and dated)			
- Copy of court order showing payments received for alimony or child support or both - only if alimony or child support or both is included in your income			
2. Proof of Occupancy:			
- Most recent utility bill; preferably one of the following: gas, electric, or water			
3. IRS Form 4506T-EZ (can be found at http://www.irs.gov/pub/irs-pdf/4506t.pdf)			
All documents must include loan number at top of page and be dated within 60 days of the date submitted.			
Borrower:		Co-Borrower:	
Signature		Signature	
Print name		Print name	
Date		Date	



Foreclosure Mediation Law

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Provisions Remaining Unchanged:

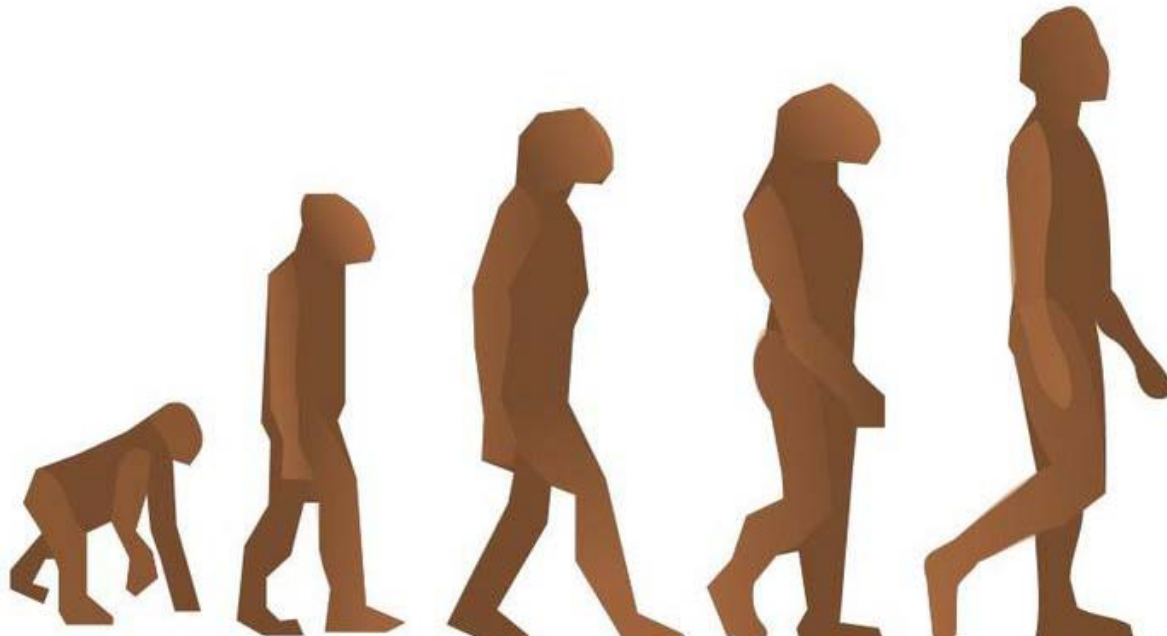
- ❖ Borrowers must return complete Foreclosure Mediation Certificate (JD-CV-108) no later than fifteen (15) days after the return date to participate in mediation.



Foreclosure Mediation Law

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- ❖ The court may refer a foreclosure action brought by a mortgagee to the foreclosure mediation program at any time, provided the mortgagor has filed an appearance in the case.



New Foreclosure Mediation Law

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Document Production Not Less than Fifteen (15) Days Prior to Initial Mediation

- ❖ FROM THE MORTGAGEE TO THE MORTGAGOR:
 - 1) Payment history for the previous 12 months
 - 2) Contact information for a person with authority to settle the foreclosure



New Foreclosure Mediation Law

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Document Production Not Less than Fifteen (15) Days Prior to Initial Mediation

- ❖ FROM THE MORTGAGOR TO THE MORTGAGEE'S ATTORNEY:
 - Completed Mediation Information Form (JD-CV-125) and all supporting documents required for loan modification review



New Foreclosure Mediation Law

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□ Stay of Foreclosure

- No motions, requests, or demands can be filed in any case in mediation for the *eight months* following the return date
- Should mediation be terminated or expires, no motions, requests, or demands may be filed sooner than 15 days after termination or expiration

Borrower's failure to comply will not provide grounds to terminate mediation until after the 3rd mediation has taken place



New Foreclosure Mediation Law

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Strategies for Productive Mediation:

- 1) Property Preservation
- 2) Senior Lien Litigation (HOA/Municipal Taxes)
- 3) Stipulated Judgments
- 4) PTFA



Property Registration

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Double the pleasure, double the fun!

Register Now AND Register Later



Property Registration

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Filing Registration at the Start of Foreclosure

- Property registration must be filed at the commencement of the foreclosure at the time the Notice of Lis Pendens Is Filed
- Notice must include contact information for:
 - ▣ Mortgagee
 - ▣ In-state Agent
 - ▣ Person/Management Company Concerning Residential Property
 - ▣ Notice Formatting Requirements



Property Registration

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Commencement of Foreclosure

FORM 1 To be filed by the Plaintiff who commences an action to foreclose a mortgage on residential property.

**NOTICE TO MUNICIPALITY:
REGISTRATION OF PROPERTY BEING FORECLOSED**

\$53.00 Registration Fee Is Payable to the Town of Registration.
Connecticut General Statutes Section 7-34a, Section 7-148ii, Public Act 11-201 - Effective October 1, 2011

Initial filing of registration form (\$53.00 Fee) Place a check mark in the box to the left and use this registration form if you are the Plaintiff commencing an action to foreclose a mortgage on residential property. The form shall be mailed or delivered to the Town Clerk of the town in which the property being foreclosed is located at the time and place of recording the *Notice of Lis pendens*.

Filing to report change(s) in the information provided on the initial registration form. (No Fee) Place a check mark in the box to the left and use this form if you are reporting changes to the registration information that you previously provided in your capacity as the Plaintiff commencing an action to foreclose a mortgage on residential property. You must report any changes in your registration information no later than 30 days following the date of the change in information. The form shall be mailed or delivered to the Town Clerk of the town in which the property being foreclosed is located.

PROPERTY LOCATION: _____
NUMBER STREET UNIT

SECTION 1 The Plaintiff in the Foreclosure Action	
1a. Name of Plaintiff Entity or Individual(s)	_____
1b. Address of Plaintiff (if out of state, complete section 2)	No. STREET CITY STATE ZIP
1c. Telephone Number of Plaintiff	() _____ <small>(AREA CODE)</small>
1d. E-mail Address of Plaintiff	_____
1e. Contact me by:	First Class Mail <input type="checkbox"/> Electronic mail <input type="checkbox"/>
1f. My preferred address(es):	

SECTION 2 If Plaintiff Resides Out-of-state, Direct Contact in Connecticut, if Available	
2a. Name of Direct Contact in Connecticut (if Plaintiff is out of state)	_____
2b. Address of Direct Contact in Connecticut	No. STREET CITY STATE ZIP
2c. Telephone Number of Direct Contact	() _____ <small>(AREA CODE)</small>
2d. E-mail Address of Direct Contact	_____
SECTION 3 Person, Local Property Maintenance Company or Other Entity Serving as the Plaintiff's Contact with the Municipality for Any Matters Concerning the Residential Property	
3a. Name of Person, Local Property Maintenance Company, or Other Entity	_____
3b. Address of Person, Company, or Entity	No. STREET CITY STATE ZIP
3c. Telephone Number of Person, Company, or Entity	() _____ <small>(AREA CODE)</small>
3d. E-mail Address of Person, Company, or Entity	_____



Property Registration

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Filing Registration at the End of Foreclosure If Loss Mitigation Fails

- Property registration must be filed within 15 days after a party takes title pursuant to a foreclosure
- Notice must include:
 - Contact information for:
 - Mortgagee
 - In-state Agent
 - Person/Management Company Concerning Residential Property
 - Date Title Vested in Mortgagee
 - Formatting Requirements



Property Registration

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Upon Transfer of Title to Mortgagee

FORM 2 To be filed by a person in whom title to a residential property becomes vested through a foreclosure action.

**NOTICE TO MUNICIPALITY:
REGISTRATION OF PROPERTY ACQUIRED THROUGH FORECLOSURE**
OR
**NOTICE TO MUNICIPALITY:
UPDATED REGISTRATION FOR PROPERTY ACQUIRED THROUGH FORECLOSURE**

\$53.00 Registration Fee Is Payable to the Town of Registration.
Connecticut General Statutes Section 7-34a, Section 7-148ii, Public Act 11-201 - Effective October 1, 2011

REGISTRATION OF PROPERTY ACQUIRED THROUGH FORECLOSURE (\$53.00 Fee). Place a check mark in the box to the left and use this registration form if you acquired the residential property through foreclosure and either (a) you were not the plaintiff in the foreclosure action, or (b) you were the plaintiff in the foreclosure action and an initial registration (FORM 1) has not been filed because the foreclosure action was commenced before October 1, 2011. The form shall be mailed or delivered to the Town Clerk of the town in which the foreclosed property is located. The form must be received no later than 15 days after absolute title vests in you as the new owner.

UPDATED REGISTRATION FOR PROPERTY ACQUIRED THROUGH FORECLOSURE (\$53.00 Fee). Place a check mark in the box to the left and use this form if you acquired the residential property through foreclosure and you were the plaintiff in the foreclosure action. This form will update the registration (FORM 1) that you originally filed as the foreclosing plaintiff. The form shall be mailed or delivered to the Town Clerk of the town in which the foreclosed property is located. The form must be received no later than 15 days after absolute title vests in you as the new owner.

FILING TO REPORT CHANGE(S) (No Fee). Place a check mark in the box to the left and use this form if you are reporting changes to the registration information that you previously provided in your capacity as the owner of foreclosed residential property. You must report any changes in your registration information no later than 30 days following the date of the change in information. The form shall be mailed or delivered to the Town Clerk of the town in which the foreclosed property is located.

PROPERTY LOCATION: _____

	NUMBER	STREET		UNIT
SECTION 1 The Registrant, in Whom Title to a Residential Property Has Vested on or after October 1, 2011				
1a. Name of Registrant, Entity or Individual(s)				
1b. Address of Registrant (if out of state, complete section 2)	No.	STREET	CITY	STATE ZIP
1c. Telephone Number of Registrant	()			
	(AREA CODE)			
1d. E-mail Address of Registrant				
1e. Contact me by:	First Class Mail <input type="checkbox"/>		Electronic mail <input type="checkbox"/>	
1f. My preferred address(es)				
SECTION 2 If Registrant Resides Out-of-state, Direct Contact in Connecticut, if Available				
2a. Name of Direct Contact in Connecticut (if Registrant is out of state)				
2b. Address of Direct Contact in Connecticut	No.	STREET	CITY	STATE ZIP
2c. Telephone Number of Direct Contact	()			
	(AREA CODE)			
2d. E-mail Address of Direct Contact				
SECTION 3 Date Title Vested in Registrant				
3a. Date on which absolute title was vested in the Registrant:				
SECTION 4 Person, Local Property Management Company or Other Entity Responsible for the Security and Maintenance of the Residential Property				
4a. Name of Person, Local Property Maintenance Company, or Other Entity				
4b. Address of Person, Company, or Entity	No.	STREET	CITY	STATE ZIP
4c. Telephone Number of Person, Company, or Entity	()			
	(AREA CODE)			
4d. E-mail Address of Person, Company, or Entity				

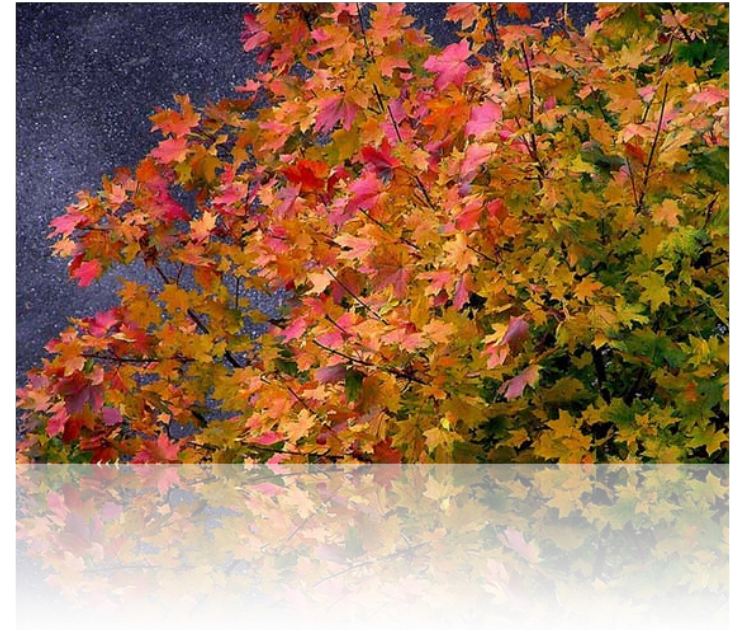


Property Registration

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Additional Changes

- ❖ Registration can not be filed with MERS, must be filed with Town Clerk Only
- ❖ Filing fees for registrations, including updates, is now \$53.00
- ❖ New registration requirements apply to ALL residential properties, not just vacant properties
- ❖ City of New Haven Regulatory Scheme (including \$100.00 registration fee, not \$53.00) is Grandfathered In



Tenant Protections from Foreclosure

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State Law Extension of Federal Protecting Tenants at Foreclosure Act

- Foreclosing parties cannot commence eviction proceedings against any tenants, *whether bona fide or not*, until the expiration of 90 days from the date of delivery of the (PTFA) Notice

This protection's sunset was extended to December 31, 2017



Tenant Protections from Foreclosure

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- *Bona Fide* Tenants
 - Does not include:
 - Non-arm's length transactions (i.e. father to son)
 - Rental amounts disproportionate to property's value
- A foreclosing mortgagee must assume the leases for all *bona fide* tenants
- Upon assumption of lease, tenant **MUST** make payments to mortgagee



Tenant Protections from Foreclosure

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□ Former Owners

■ Mortgagor

- NOT afforded protections provided to tenants/ subject to Mortgagee's enforcement of CT's ejectment statute § 49-22
- Relatives of Former Mortgagor not *bona fide* tenants, including children, spouses, and parents

■ Non-Mortgagor

- Enjoy protections provided to tenants



Tenant Protection from Foreclosure

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- Relocation Assistance can be negotiated between parties, in compliance with Connecticut statute
- Relocation Assistance (Cash for Keys)
 - Under *General Statutes* § 47a-20f, the amount offered to a tenant must be the *greater* of:
 - Security deposit and interest due to a tenant upon the termination of tenancy; or
 - Two months' rent; or
 - Two thousand dollars





Questions?

Thank You!



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