



Mortgage Payment Problems? Foreclosure Lawsuit Received?

Are you having trouble paying your mortgage? Are you a victim of predatory mortgage lending practices? Have you received a Mortgage Foreclosure Lawsuit? (See a typical Mortgage Foreclosure timeline on the back of this mailer).

If you have already received foreclosure court papers, the information in this handout may help, but do not forget to do what the court requires you to do. Read the Court Summons for what you must do.

50% of foreclosures can be prevented by calling your Mortgage Company, and asking to speak to someone in the "Loss Mitigation Department." What is "Loss Mitigation"? Loss mitigation is a process that lenders use to help consumers who are behind on their mortgage payments. Some loss mitigation methods include -- repayment plans; forbearance agreements; loan modifications; loan assumptions; partial claims, and the dismissal of the foreclosure lawsuit filed against you. For any lender not listed here, call the "Customer Service" phone number on your monthly mortgage statement, and ask to speak with someone in the Loss Mitigation Department, or Contact a Local Agency listed below under "Local Agency Assistance."

LOSS MITIGATION DEPT		LOSS MITIGATION DEPT	
ABM AMRO Mortgage Group	800-783-8900	HSBC Mortgage	888-648-3124
America's Servicing	877-222-7875	Huntington Bank	800-323-9865
AmTrust Bank (fka Ohio Savings)	866-476-0022	KeyBank	800-669-6607
Beneficial/HFC	800-333-5848	LaSalle National Bank	800-783-8900
CHASE Home Finance	800-446-8939	Mortgage Electronic Registration Systems	800-679-6377
Charter One	800-234-6002	National City Mortgage Co	800-523-8654
CitiFinancial Mortgage	800-422-1498	Ocwen Federal Bank	877-596-8580
Citimortgage	800-283-7918	Option One	888-275-2648
Countrywide Home Loan	800-262-4218	Select Portfolio Serving	888-818-6032
Deutsche Bank National Trust	Call Number Listed Mortgage Statement	Third Federal Savings	888-844-7333
		US Bank	800-365-7900
Fifth Third Bank	800-375-1745 Option 3	Wachovia Bank of Delaware	866-642-8608
First Merit Bank	888-728-9931	Washington Mutual Bank	866-926-8937
GMAC Mortgage	800-850-4622	Wells Fargo Mortgage	877-216-8448

LOCAL AGENCY ASSISTANCE

Akron Bar Association	Lawyer Referral	330-253-5038
Community Legal Aid Services	Legal Services (low-income, elderly or disabled)	800-998-9454
Consumer Credit Counseling	Debt Management, Housing Counseling	800-355-2227
East Akron Neighborhood Development	Housing & Foreclosure Counseling	330-724-0244
East Side Organizing Project	Housing & Foreclosure Counseling	216-361-0718
Fair Housing Contact Service	Housing Counseling, Landlord-Tenant, Enforcement	330-376-6191
Mustard Seed Development Center	Housing Counseling, Homeownership, Rehab	330-253-6847
Neighborhood Conservation Services	Foreclosure Counseling, Homeownership, Rehab	330-753-8500
Neighborhood Works America	Foreclosure Counseling	888-995-HOPE
NID Housing Counseling Agency	Housing Counseling, Homeownership, Debt Managemt	330-761-2294
Ohio Housing Finance Agency	Refinancing Programs	888-362-6432
Westside Neighborhood Development	Housing Counseling	330-869-8303
Summit County Office of Consumer Affairs	www.co.summit.oh.us/conaffairsForcloseInter.htm	330-643-2879
Summit County Veterans Service Commission	Housing, Health, Employment, Other Resources	330-643-2830

CONSUMER ALERT!! Beware of solicitations received by mail or telephone offering to help you for a fee. PLEASE CALL & CHECK to see if complaints have been filed against them with the Ohio Attorney General (800-282-0515), Summit County Office of Consumer Affairs (330-643-2879), or the Better Business Bureau (330-253-4590).

A Typical Mortgage Foreclosure Lawsuit Timeline**

This timeline can play out in less than 180 days! Do Not Wait!
Act Now to Save Your Home!

Homeowner did not make monthly mortgage payments.

STOP THE FORECLOSURE.

CALL YOUR MORTGAGE COMPANY OR CONTACT A LOCAL COUNSELING AGENCY.

After 90 days

Mortgage Company can file a mortgage foreclosure lawsuit in court.

STOP THE FORECLOSURE.

CALL YOUR MORTGAGE COMPANY OR CONTACT A LOCAL COUNSELING AGENCY.

28 days

You receive the Court Summons of the mortgage foreclosure lawsuit. You have 28 days from the date of service of the Court Complaint to file Answer (or Leave to Plead) with the court. READ THE "COURT SUMMONS" THAT CAME WITH THE LAWSUIT FOR WHAT YOU ARE REQUIRED TO DO. FOR LEGAL ADVICE, YOU WILL NEED TO CONSULT WITH AN ATTORNEY. IF YOU DO NOT HAVE AN ATTORNEY, YOU CAN OBTAIN A REFERRAL THROUGH THE LAWYER REFERRAL SERVICE OF THE AKRON BAR ASSOCIATION AT (330) 253-5038.

After the 28 days

If an Answer or other reply is not filed by the 28-day deadline, then the Mortgage Company can get a Default Judgment for foreclosure against you. The Mortgage Company can then ask the court for an order to sell the property at a Sheriff's Sale.

During the next 3 months

If the court orders a Judgment for Foreclosure, then the property is appraised in order to determine its value for the Sheriff Sale. Formal written notice of date of sale and the appraised value will be published in the Legal News. Sheriff will post a notice of the sale date on the property. Sale notice information is also online at <http://www.co.summit.oh.us/sheriff/sales.htm>

AFTER A COURT ORDERS FORECLOSURE, YOU HAVE ONE LAST CHANCE TO KEEP THE PROPERTY. HOWEVER, YOU MUST PAY OFF THE MORTGAGE (NOT JUST WHAT YOU OWE ON IT) AS WELL AS PAY ALL COSTS AND FEES FROM BOTH THE FAILURE TO PAY THE MORTGAGE AND ALL COSTS AND FEES RELATED TO THE LAWSUIT. YOU MUST PAY THIS AMOUNT NO LATER THAN AFTER THE SHERIFF SALE, AND BEFORE THE COURT "CONFIRMS" THE SALE. (SEE BELOW).

Day of Sale

Sheriff Sale takes place at Courthouse.

Next 2 weeks

Mortgage Company asks the Court to "Confirm" the Sheriff Sale. If the Court determines that the Sale was done in a proper manner, then the Court will "Confirm" the Sale. The Court will order a Sheriff's Deed to the new owner.

2-4 weeks

Within 14 days after the Confirmation of Sale, the Sheriff's Deed is issued to the new owner. The new owner can request from the Court a writ of possession to have you removed.

Unless the Mortgage Company or new owner agrees to give you more time, the Sheriff will generally give you 10-14 days to move out of the property. In rare cases, this may be extended up to 30 days for hardship. REMEMBER THAT ONLY THE SHERIFF HAS THE RIGHT TO FORCE YOU TO MOVE OUT OF YOUR HOME, AND THIS OCCURS AFTER ALL OF THE ABOVE ACTIONS HAVE TAKEN PLACE.

***The Summit County Foreclosure Prevention Partnership Program is providing this information as a public service and should not be considered as legal advice. You will need to contact an attorney for legal advice. (Revision 11/2007)*