



Effective Coordination Between Housing Counselors and Lawyers

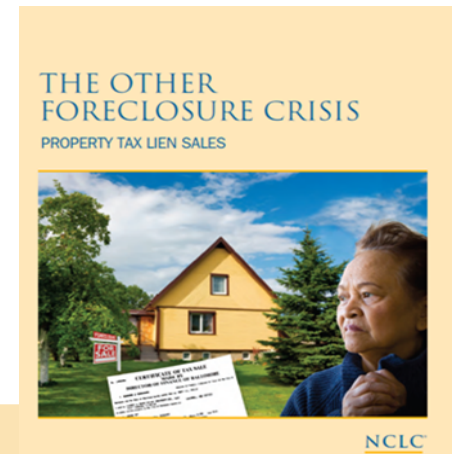
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Odette Williamson
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National Consumer Law Center

- Since 1969, the nonprofit National Consumer Law Center (NCLC) has worked for consumer justice and economic security for low-income individuals
- Advocate on behalf of low-income consumers
- Provide training, legal analysis, case consultation and advocacy on consumer law issues
- Resources for lawyers and housing professionals



Effective Coordination



Effective Coordination

- Conversations with stakeholders
 - Housing counselors
 - Legal services programs
 - Mediators
- Review of work done in other states



Effective Coordination & Communication

- In mediation/ outside mediation
- Understand the role of the legal services
- Understand the role of housing counseling
- Establish and maintain good communication



Effective Coordination & Communication

- Develop an effective system of referral and follow up
- Maintain a good working relationship



Effective Coordination

Mediation

- Role more limited and defined
- Mediation rules and program design differ

Outside Mediation

- Broader range of issues
- Limits imposed on legal services organizations



Role of legal services

- Can legal services represent the homeowner?
 - Program limits
 - Other limits
- Resource limitations
- What information or assistance do lawyers need from housing counselors?



Role of housing counselor

- Detailed knowledge of housing programs
- Budget and financial expertise
- Trusted relationship with homeowner
- Documents and information from the homeowner
- Ability to help homeowner understand the legal process



Communication & Outreach

- Build and maintain relationship
- Regular formal and informal communication
 - Meetings & trainings
 - Email communication with updates
 - Prioritize in-person meetings when possible
- Good referral and follow-up system



System of Referral

- Standard form for referral
- Housing counselors understand what cases lawyers can take
- Understand the foreclosure timeline
- Understand what documents and information lawyers will need right away
- Lawyers to understand any resource limits on part of housing counseling agency



System of Referral

- Follow-up after referral
 - immediate feedback/ acknowledge referral
 - Set aside time for more in-detail discussion
 - Discuss problems with referrals
 - On-going communication



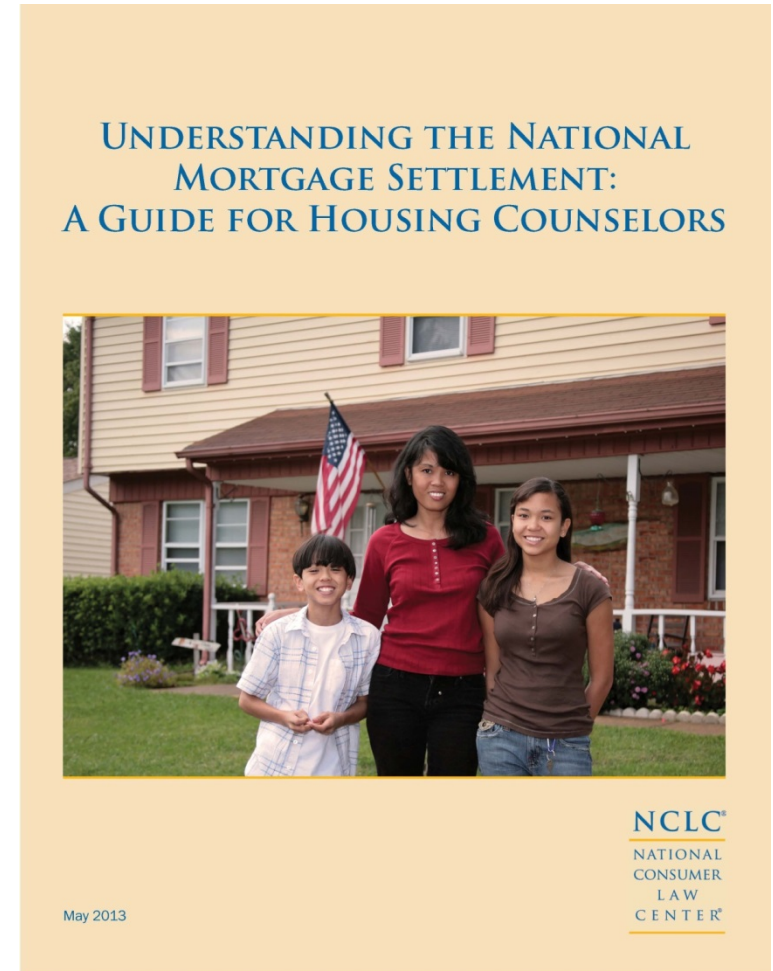
On-going Working Relationship

- One dedicated staff member at each agency
- Legal services establish “office hours” at the housing counseling agency
- Regular meetings to discuss cases, training needs, referrals, etc.
- Regular emails with updates on programs, legal settlements, etc.



Resources for Housing Counselors

- In-person trainings
- Webinar series
- Books and Publications
- E-Newsletter/ E-Lerts
- Online Complaint Form
- Website
- www.nclc.org



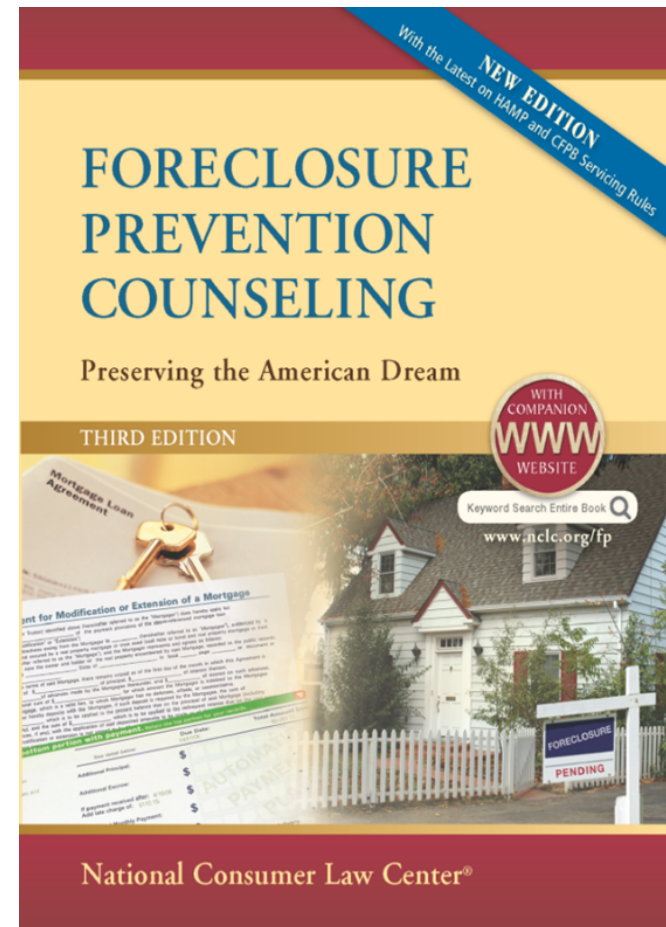
Referral System

- Build effective referral system
 - Early referrals
 - In-keeping with legal services guidelines
 - Standard format
- Follow-up after referral
 - Quick feedback on referral
- On-going working relationship



Housing Counselor Toolbox

- CFPB Mortgage Servicing Rules
- National Mortgage Settlement Rules
- HAMP & FHA
- Sample notice of error letters





Checklist for Housing Counselors

- **Designed** for busy housing counselors
- **Escalation tool** for resolving clients' servicing-related complaints with CFPB & AGs
- **Streamlines reporting** of servicing-related complaints in multiple case files
- On NCLC & NHRC's websites:
<http://www.nclc.org/nms> <http://www.hsgcenter.org>



Five Servicers Covered by the National Mortgage Settlement



LANDMARK SETTLEMENT. LANDMARK RELIEF.

Payments to borrowers who lost their homes to foreclosure

Update: May 13, 2013

Approximately \$1.5 billion of the funds reserved in the national settlement are being used to compensate borrowers who lost their home to foreclosure during the period of January 1, 2008, to December 31, 2011. The deadline to submit a claim form has now passed. If you have submitted a claim form, the Settlement Administrator Ruel Consulting, will contact you if any additional information is needed to complete your claim.

Ruel Consulting can be reached at 1-888-433-8388. Checks to borrowers who submitted claim forms are expected to be mailed mid-2013. The processing of the claim forms is underway and until it is completed, the exact dollar amount of the payments is not determined. However, it is anticipated it will exceed the minimum payment of \$10k that was included on the claim form. Borrowers who submitted claims have been contacted if additional information is needed for the processing of the claims. The Settlement Administrator is not authorized to release specific information about the number of claims submitted at this time, pending the completion of the distribution process.

Please be aware that Ruel Consulting is also the settlement administrator for the Independent Foreclosure Review (IFR) Payment Agreement obtained by the Office of the Comptroller of the Currency and the Federal Reserve Board. The IFR settlement is separately reported from the National Mortgage Settlement and does not include the same governmental agencies. The IFR payments began in mid-April 2013, and will continue in installments until July 2013. You can find additional information on the OCC Independent Foreclosure Review settlement at the website: www.consumerfinance.gov/independent-foreclosure-review/settlement/.

You may be eligible for payments under both settlements. Accepting a payment from either settlement will not affect any rights you may have to file legal action related to your foreclosure.

Homeowners should also be wary of scams. Unreliable companies are contacting homeowners with offers of assistance for a fee to receive the settlement payment. <http://consumerfinance.gov/nms-scams/>

Federal Government & Attorneys General reach landmark settlement with major banks

WATCH THE NATIONAL MORTGAGE SETTLEMENT PUBLIC HEARING

HELP IS FREE
We can help you with the settlement process. [Click here to learn more.](#)

SETTLEMENT DOCUMENTS

All documents are in pdf format.

- 2003-2006 New Releases
- Guidelines
- Settlement Agreement Addendum
- Bank of America Consent Addendum
- Citi Consent Addendum
- Citicorp Chase Consent Addendum
- Wells Fargo Consent Addendum

ADDITIONAL INFORMATION

All documents are in pdf format.

- Settlement Agreement Addendum
- Settlement Fair Share
- Benefits to Servicemembers and Veterans
- Servicing Business Practices
- Citi, Citicorp Chase, Bank of America Consent Addendum (Settlement Monitor)



Checklist for Housing Counselors

REVISED!

- Submit a complaint related to one case or
- Upload complaints related multiple case files

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National Mortgage Settlement Housing Counselor Checklist

NHRC
National Housing Resource Center

Submit a Single Case | Submit Multiple Cases | FAQs | Your Feedback | Log out

About this Checklist

This Checklist is a fast and easy online complaint form for housing counselors to use in documenting and reporting servicing-related problems, violations of the National Mortgage Settlement's servicing standards and fair lending issues to appropriate state and federal agencies.

Benefits of completing the form

- **Get help** resolving problems with servicers by submitting complaints to your state attorney general, the Consumer Financial Protection Bureau (CFPB) and HUD. ([See FAQs](#))
- **Save time** by submitting multiple client cases. Upload client information seamlessly from CMAX and HCO. ([See FAQs](#))
- **Report violations** of the Settlement's servicing standards to the agency overseeing servicers' compliance with the Settlement.

i Please click on the appropriate category below to begin the Checklist.

(* = Required)

I am (check one category) *

a housing counselor

an attorney

a homeowner

other

Using this Checklist

This Checklist is an online complaint form that can be completed in 4 easy steps:

Step 1: Provide information about yourself (counselor), the borrower, and the loan.

Step 2: From the list provided, check off the boxes that describe the problems your client is having with the servicing of the loan.

Step 3: From the list provided, check off the boxes that describe any fair lending issues your client is facing.

Step 4: Send your complaint to your state attorney general, the Consumer Financial Protection Bureau and/or HUD (optional).

Save time! Do you have several clients with servicing-related complaints?

You can submit information related to two or more clients at the same time. Your clients' information will be transferred from CMAX or HCO.

For instructions on how to submit information related to multiple client cases, you must register or log in. Click on "[Submit Multiple Cases](#)" in the top toolbar to Register or Log In.

Note: Submitting multiple cases allows you to review and edit your cases at any time. This option is not available if you submit a single case.



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Checklist for Housing Counselors

- Check the box that describes the problem
- If problem not listed use “other” and explain

Loan Checklist:

1

INSTRUCTION: Please click on one or more of the main categories below which best describes your client's problem. Note that when you click on the category the standard or requirements will be displayed in more detail.

The borrower had the following problem(s) related to the servicing of the loan:

- Poor communication with the borrower before referral to foreclosure.
- Poor communication with the borrower after referral to foreclosure attorney.
 - Borrower did not receive a letter or other written communication within five days after referral to foreclosure that he/she is still eligible for alternatives to foreclosure and should contact the Servicer.
- Single Point of Contact (SPOC)
- Borrower's payment to mortgage servicer not accepted.
- Lost documentation.
 - Servicer lost the borrower's documents.
- Did not correct errors.
- Dual Track: foreclosure proceeded while modification under review.
- Home sold while loan modification or other workout option was pending.
- Inadequate loan modification evaluation.
- No Modification Offer.
- HAMP Permanent Modification
- Loan Modification Timeline
- Appeal of Loan Modification Denial
- Short Sales
- Credit Reporting
- Military Personnel
- Issues related to fees and charges
- Other
 - Please provide description below in the Additional Notes or Comments section.

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Checklist for Housing Counselors

- File a complaint with
 - State attorney general
 - CFPB
 - HUD

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National Mortgage Settlement Housing Counselor Checklist

NHRC
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Thank you for completing the National Mortgage Settlement Housing Counselor Checklist

i To submit a complaint, click on the "File a Complaint" button for each desired government agency. **Do NOT** close this page until you've filed your complaint with each desired agency. Once you leave this page you cannot return.

Attorney General

File a Complaint

Agency: Public Inquiry and Assistance Center
Address: One Ashburton Place, 18th Floor
City: Boston
State: Massachusetts
Zip: 02108
Phone: 617-727-8400
Website: <http://www.mass.gov/ago/>

Consumer Financial Protection Bureau

File a Complaint

Address: P.O. Box 4503
City: Iowa City
State: Iowa
Zip: 52244
Phone: 855-411-2372 (toll-free in English or Spanish)
Website: <https://help.consumerfinance.gov/app/mortgage/ask>

HUD (FHA-Insured Loans)

Office Name: Oklahoma City Field Office
Address: 301 NW 6th Street, Suite 200
City: Oklahoma City
State: OK

Thank you for completing the National Mortgage Settlement Housing Counselor Checklist. A copy of the completed Checklist with the information you submitted will be sent to the email address that you provided.

Please note that the Office of Mortgage Settlement Oversight (OMSO) will not intervene or mediate individual complaints regarding servicer misconduct but the information you provide will be used to enforce the terms of the Settlement.

The OMSO website is:
<https://www.mortgageoversight.com>.

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Checklist for Housing Counselors

- Email will be sent with summary of submission
 - Client's file
 - Later submission



Thank you for completing the Checklist. Here is the information that you submitted.

Counselor Information:

OCCUPATION: housing_counselor

NAME: Odette Williamson

PHONE: 6175428010

EMAIL: owilliamson@nclc.org

TITLE: Staff attorney

ORGANIZATION: NCLC

Borrower Information:

NAME OF BORROWER: Jane Doe

ADDRESS OF PROPERTY SUBJECT TO FORECLOSURE

STREET: 123 Elm Street

CITY: Boston

STATE: MA

ZIP CODE: 02110

RACE/ETHNICITY OF BORROWER: White Non Hispanic

MALE/FEMALE: F

AGE: 35

HAS THE BORROWER FILED FOR BANKRUPTCY? no

IS THE BORROWER A SERVICE MEMBER ON ACTIVE DUTY? no

LOAN NUMBER: 123456789

CURRENT SERVICER: Bank of America

IS THIS A FANNIE MAE OR FREDDIE MAC LOAN? yes

IS THIS LOAN INSURED OR GUARANTEED BY FHA, VA, OR RHS? no

THANK YOU!

- Odette Williamson
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- 617 542-8010





The nonprofit **National Consumer Law Center® (NCLC®)** helps build family wealth for low-income and other disadvantaged people in the U.S. by offering advocacy expertise through publications, policy analysis, research, litigation services, and training. **www.nclc.org**