Effective Coordination Between Housing Counselors and Lawyers

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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

Asked by the Attorney General to develop best practices

- Housing counselors
- Legal services attorneys
- Mediators
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
Five Servicers Covered by the National Mortgage Settlement
Checklist for Housing Counselors

- Submit a complaint related to one case or
- Upload complaints related multiple case files
Check the box that describes the problem

If problem not listed use “other” and explain
Checklist for Housing Counselors

- File a complaint with
  - State attorney general
  - CFPB
  - HUD
Email will be sent with summary of submission
- Client’s file
- Later submission
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