

## **Independent Foreclosure Review Request for Review Form Help Sheet**

Below we have included additional instructions that may help you fill out the Request for Review Form. But first, here are a couple important points to keep in mind.

- *If you are eligible, the Independent Foreclosure Review will examine the way the servicer handled your foreclosure to determine if you were harmed. All you need to do is submit a Request for Review form that is signed and has your current contact information.*
- *Providing as much information as you can on the form will help make sure that the independent consultant will review your specific concerns about the way the servicer handled your foreclosure.*

### **Tips for Filling Out the Independent Foreclosure Review Request for Review Form**

#### **Question 1: Was this property your primary residence?**

- *This question asks you if the property was your primary residence at the time of the foreclosure action.*
- *Check “YES” if the property address shown was the place where you lived during most of the calendar year of the foreclosure action. It is also often the address that was on your federal income tax returns, voter registration card or government-issued driver’s license or identification card at the time of the foreclosure action. You can only have one primary residence at any given time.*
- *Please note that you do not have to be living or residing today at the property that was your primary residence at the time of the foreclosure action to submit a Request for Review Form.*

#### **Question 2: Were you under bankruptcy protection or waiting for the final ruling on your bankruptcy case when the foreclosure action happened?**

**If yes, provide the date your bankruptcy case was filed: \_\_\_\_ / \_\_\_\_ / \_\_\_\_ (if available).**

- *This question asks if the foreclosure action took place after you had filed for bankruptcy and the bankruptcy case was still going on.*
- *If you had filed for bankruptcy and the case was still going on, please enter the date the bankruptcy case was filed and check “YES.” If you are unsure of this*

*information, you can look back on your bankruptcy papers. If you cannot find this information and were working with an attorney, the attorney should have a copy of the bankruptcy papers.*

- *Please note, the date your bankruptcy case was filed is not required, but this information would be helpful to provide if you can find it.*

**Question 3: Do you believe that the mortgage balance amount at the time of the foreclosure action was more than the amount you actually owed on the mortgage?**

- *This question asks whether your record of the amount you owed on the mortgage is the same as what the lender or servicer said you owed.*
- *For example, the servicer said that you owed \$150,000 on the mortgage, but you believe the correct amount was \$140,000.*
- *If there is a difference between your record and what the lender or servicer said, you should check “YES” here and include information in Question 13 explaining why you believe the balance is wrong.*

**Question 4: Do you believe that the foreclosure action was pursued because your mortgage payments were inaccurately processed or applied?**

- *If you believe that the servicer made a mistake in posting your payments to your account, you should check “YES”.*
- *You should explain what happened in Question 13 and include any documents you have that show why your account should have been credited differently.*
- *For example, if you made an additional monthly payment to reduce the principal, and believe the servicer did not reduce the amount you owed, you should include this explanation in Question 13 and include any documents you have that show you made an additional monthly payment in this example.*

**Question 5: Do you believe you were protected by an insurance policy issued by the servicer or an affiliate that would have made your payments in the event of unemployment, disability, or illness, but did not do so?**

- *This question asks whether you were covered by insurance from the servicer or another company related to the servicer that was supposed to make mortgage payments if you became ill, unemployed, or disabled, but those payments were not actually made.*

- *The question asks about insurance from the servicer or another company related to the servicer only – it is not asking about other types of personal insurance, such as an individual disability policy that you might have bought elsewhere.*

**Question 6: Did you attempt through the court to have the decision to foreclose on your home reversed? If yes, provide the court date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_ (if available)**

- *This question asks whether you argued in court to stop or reverse the foreclosure and, if so, the date of the court case.*
- *You do not have to provide the date of the court case, but it is helpful to know if you have already argued to stop or reverse the foreclosure in court so the independent consultant can look into the issues you raised.*
- *If you argued to stop or reverse the foreclosure in court, there would be court filings, attorney papers or other paperwork that would show the date the case was filed, which you can get from the court or your attorney if you do not have copies.*
- *Please note, this is different from the date of the court order that allowed the servicer to complete your foreclosure or the date you filed for bankruptcy. Again, this is the date that you would have filed a lawsuit.*

**Question 7: Do you believe you provided all the necessary documents required to obtain payment assistance or a mortgage modification before the foreclosure action occurred?**

- *This question asks whether you believe that you sent the servicer all the necessary information related to your request for assistance or a modification.*
- *For example, when you apply for a loan modification, the servicer will usually ask you for certain documents to see if you qualify. Examples of the types of documents that you might be asked to provide include bank statements, tax returns, and pay stubs.*
- *If you believe you sent the servicer all of the documents the servicer asked for before your foreclosure occurred, you should check “YES” to this question. If you have copies of those documents or proof that you sent them to the servicer, you should include copies of the documents or proof with your Request for Review form. Examples include mail tracking labels, fax confirmation sheets, or e-mails.*
- *Please note, sending more documents is not required for your foreclosure to be reviewed, but providing as much documentation as you can may help the independent consultant determine if you provided the servicer all the documents the servicer asked for.*

**Question 8: Was a deficiency judgment obtained against you for an amount that included money that you should not have been required to pay?**

- *A deficiency judgment is a court judgment publicly recording the amount you owe to the servicer or another party because your home was sold for less than the amount you owed on your mortgage.*
- *If a court said that you still owe the servicer money after your home was sold at foreclosure or in a short sale, but you don't believe that you owe all the money the court says you owe, you should check "YES" to this question.*
- *If you are not sure if there was a deficiency judgment against you, check your records to see if the servicer sent you a "Notice of the Deficiency." You can also contact the court and check your credit report to see if there was a deficiency judgment entered against you.*

**Question 9: Do you believe you were making on-time monthly payments in the required dollar amount on your mortgage or an approved loan modification, trial modification, or payment plan, yet the foreclosure action still occurred?**

- *This question asks if you believe you were foreclosed on even though you were making the payments that you were supposed to make. You should answer this question "YES" if the foreclosure took place when you believed you were doing everything right— you were making all payments required under your payment plan, trial-period plan, or permanent modification.*
- *If you answer "YES" to this question, you should try to explain in Question 13 which type of payment plan or modification program you were in.*

**Question 10: Do you believe that you were denied a modification when you qualified under the applicable program rules?**

**If possible, provide dates and details if you believe you were wrongly denied assistance.**

- *This question asks if you believe the servicer did not give you a modification that you qualified for. This could have been a HAMP modification or another one offered by the servicer.*
- *Include any information that will help explain what the modification program was, when you applied, and why you think you should have received the modification in the open space under Question 10.*

**Question 11: Do you believe you paid fees or charges that you should not have been required to pay in addition to your normally scheduled principal, interest, taxes, and insurance payments?**

**If possible, provide dates, types of fees or charges, and amounts you paid.**

- *This question asks if you believe that the servicer wrongly charged you fees or other amounts. This could include for example: late fees, costs for appraisals or broker price opinions, expenses put in an escrow account, forced placed hazard insurance premiums (fees for insurance charged by the servicer), expenses to take care of your property, or attorney fees.*
- *If you believe you know which fees or other charges you were wrongly charged, you should include this information in the open space under Question 11.*

**Question 12: This question is specific to military servicemembers. If you or a co-borrower have not been in the military, you do not need to answer this question**

**Did you or a co-borrower have your mortgage loan before active duty military service began?**

**If you responded yes to question number 12, complete the following:**

**Name of servicemember:** \_\_\_\_\_

**Date active duty began:** \_\_\_\_ / \_\_\_\_ / \_\_\_\_

**Date active duty ended:** \_\_\_\_ / \_\_\_\_ / \_\_\_\_ **OR**

**Still on active duty as of today**

- *This question applies only to military borrowers and co-borrowers, which means members of the Army, Navy, Air Force, Marine Corps, or Coast Guard, Reservists ordered to report to active duty, and borrowers on loans with military borrowers.*
- *The Servicemembers Civil Relief Act gives military borrowers and their co-borrowers certain protections against foreclosure. Answering “YES” to this question will help the independent consultant determine if you were given the protections you should have been given.*

**Question 13: Describe any other way in which you believe you may have been financially injured as a result of the mortgage foreclosure process. You may attach supporting documents.**

- *This question lets you put in your own words how you believe you were financially harmed because of the servicer's errors, misrepresentations or other deficiencies during your foreclosure. You should put as much helpful information as you can in this space. If you need more space, you should write "see attached" at the end of the space in Question 13 and attach as many pages of paper as you need to describe your experience in your own words.*
- *Giving more information about what happened to you will help the independent consultant in their review of your foreclosure. You should also include any documents with your Request for Review Form that you believe will help them understand what happened in your foreclosure.*

### **Signature Page**

There are three paragraphs in this section, then a space for you to sign and date the form.

1. *The first paragraph says that you are asking for an Independent Foreclosure Review and tells you why the reviews are happening.*
2. *The second paragraph talks about a "qualified written request" – which is different than your Request for Review Form. A "qualified written request" is a request for information directed to your servicer about how your loan was serviced. A borrower who wants to make a "qualified written request" must contact their servicer separate and apart from the Independent Foreclosure Review. The Independent Foreclosure Review process cannot accept "qualified written requests."*
3. *The third paragraph says that by signing the Request for Review form you certify that you are telling the truth in the information you provided in the form. It also states that by signing you affirm that you are a borrower or co-borrower on the mortgage loan and give permission for the independent consultant to review your foreclosure.*

**Please make sure to sign your Request for Review Form. Without your signature, the independent consultants cannot begin their review of your foreclosure under the Independent Foreclosure Review.**