

FORECLOSURE PREVENTION INFORMATION AND RESOURCES

IS SUN INITIATIVE RIGHT FOR ME?



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FORECLOSURE PREVENTION TIPS

- 1) Contact your lender as soon as you have a problem** – Many people avoid calling their lenders when they have money troubles. Most of us are embarrassed to discuss our money problems with others, or believe that if lenders know we are in trouble, they will rush to collection or foreclosure. This is the wrong approach. It is best to call your lender/servicer and ask them to modify your loan so that the payments are affordable.

Some lenders have workout options to help you keep your home. However, these options work best when your loan is only one or two payments behind. Contact your mortgage lender as soon as you realize that you are unable to make your payments. The more behind you are in your mortgage the harder it will be to stay in your house.

- 2) Talk to a housing counseling agency** – It is best to speak with HUD-approved housing counseling agency and arrange an appointment with a counselor. A counselor will help you assess your financial situation, determine what options are available to you, and help you negotiate with your lender. A counselor will be familiar with the various workout arrangements that lenders will consider and will know what course of action makes the most sense for you and your family, based on your circumstances. In addition, the counselor can call the lender with you or on your behalf to discuss a workout plan. By meeting with a counselor before your mortgage payments are too far behind, you can protect yourself from future credit problems.

A good counselor will help you establish a monthly budget plan to ensure that you can meet all of your monthly expenses, including your mortgage payment. Your personal financial plan will clearly show how much money you have available to make the mortgage payment. This analysis will help you and your lender determine whether a reduced or delayed payment schedule could help you. Also, a counselor will have information on services, resources, and programs available in your local area that may provide you with additional financial, legal, medical, or other assistance that you may need.

- 3) How to find your lender** – Check the following sources for lender contact information: a) your monthly mortgage billing statement; b) your payment coupon book; and c) the web links or customer service numbers found under ‘help for homeowners’ lenders on HUD’s website (<http://www.hud.gov/offices/hsg/sfh/econ/smhend.cfm>).
- 4) Information to have ready when you call your lender** – Typically, lenders need the following in order to help you: a) your loan account number; b) a brief explanation of your circumstances; c) recent income documents (e.g., pay stubs or benefit statements from social security, disability, unemployment, retirement or public assistance); and d) a list of household expenses.
- 5) What happens next** – Expect to have more than 1 phone conversation with your lender. Typically, your lender will mail you a “loan workout” package. This package contains information, forms, and instructions. If you want to be considered for assistance, you must complete the forms and return them to your lender quickly. The completed package will be reviewed before the lender talks about a solution with you.
- 6) Do not ignore mail from your lender** – If you do not initiate contact with your lender, your lender will try to contact you by mail and phone soon after you stop making payments. It is very important that you respond to the mail and phone calls offering help. If your lender does not hear from you it is likely they will start legal action leading to foreclosure. This will substantially increase the cost of bringing your loan current.

- 7) **Prioritize your debts** - Prioritize your bills and pay those most necessary for your family: food, utilities, and shelter. For the unemployed, getting by will require a new, tightened budget.

Failing to pay any of your debts can seriously affect your credit rating. However, if you stop making your mortgage payments you could lose your home. Whenever possible, any income available after paying for food and utilities should be used to pay your monthly mortgage payments. If your employment income has stopped or been reduced, first consider eliminating or reducing your other expenses (such as dining out, entertainment, cable, or even telephone services). If that does not provide enough income, consider using other financial resources like savings accounts or a second car. Take any responsible action that will save cash.

- 8) **Beware of Scam Artists** - Predatory lenders often target people in financial distress. They try to panic you into high cost mortgages, making financial problems worse and increase your risk of losing your home. They may try to get you to sign your house over to them in return for paying your mortgage. Do not give money to anyone saying they can modify your mortgage or help you pay your bills. Do not sign the deed to your house over to anyone without. If an offer sounds too good to be true it is.

FORECLOSURE PREVENTION OPTIONS

If your problem is temporary:

- **Reinstatement:** If you are behind in your payments lenders are generally willing to discuss accepting the total amount owed in a lump sum by a specific date. Forbearance may accompany this option.
- **Forbearance:** Your lender may allow you to reduce or suspend payments for a short period of time and then agree to another option to bring your loan current. A forbearance option is often combined with a reinstatement when you know you will have enough money to bring the account current at a specific time. You may qualify for this if you have recently experienced a loss of income or some other emergency situation, but can show you will be able to make payments.
- **Repayment plan:** You may be able to get an agreement to resume making your regular monthly payments, plus a portion of the past due payments each month until you are caught up.

If it appears that your situation is long-term and you cannot afford your mortgage payments and cannot bring your account current:

- **Mortgage modification:** If you can make payments on your loan, but don't have enough money to bring your account current or you can't afford your current payment, you should try to get your lender to change the terms of your original loan to make the payments more affordable. Your loan could be permanently changed in one or more of the following ways:
 - o Adding the missed payments to the existing loan balance.
 - o Reducing the interest rate, including making an adjustable rate into a fixed rate.
 - o Extending the number of years you have to repay.
 - o Reducing the principal.
- **Short Sale:** If you can no longer afford your home and the lender will not agree to modify your mortgage you may need to sell your house. If you cannot sell it for the full amount of the money you owe on your mortgage, you can request that the lender accept less than the amount owed. You have to get the lender to agree to this – you cannot just sell the house and expect the lender to accept whatever money you get for the house.
- **Deed In Lieu of Foreclosure:** If you are unable to sell your house and cannot afford the mortgage you can try to “give back” your house to the lender in exchange for the lender forgiving your debt. This will not save your house, but it is less damaging to your credit rating than foreclosure. The lender must agree to this.

THE TYPICAL FORECLOSURE PROCESS IN MASSACHUSETTS

(this process usually lasts 300 days)

- 1) The homeowner is behind on their mortgage payments. The homeowner get letters and calls from the mortgage company or the company servicing the loan, asking for the money that is owed. Call a qualified housing counselor as soon as you fall behind in your mortgage to help you work out a loan modification or payment plan.
- 2) The mortgage lender (or servicer) sends the homeowner a 90-day Right to Cure letter, giving the homeowner 90 days to pay all money that is owed. During the 90-day period, the lender is prohibited from piling up excessive fees and penalties. The lender also has a duty to work with the homeowner to modify the loan.
- 3) If the homeowner and the lender cannot resolve the problem in 90 days, then the lender makes a demand for payment of the full mortgage amount and accelerates the note. The homeowner now owes the full balance, plus interest and fees.
- 4) The lender files a complaint in the Massachusetts Land Court under the Service Members' Civil Relief Act. Normally, the homeowner has no involvement in this court action. Only homeowners actively serving in the military have the ability to take advantage of this Act. If the homeowner is not in the military, then they do not have a right to respond to the complaint filed in Land Court.
- 5) The Land Court will then issue a judgment in favor of the lender, who can then proceed with the foreclosure without further involvement with the courts.
- 6) ****This means that the lender does not need to take a homeowner to court to foreclose on their house. If you believe that you have been the victim of fraud, unfair or deceptive practices, or discrimination by the mortgage broker, lender or servicer, you should seek legal advice to determine if you can raise those claims against the lender AS SOON AS POSSIBLE.**
- 7) The lender will then send the homeowner, by registered mail, a Notice of Sale, stating the date the property is scheduled to be sold at a foreclosure sale. This notice must be sent at least 14 days before the scheduled sale. The notice must also be published in the newspaper for three consecutive weeks.
- 8) **Bankruptcy may be one option to consider. Once you file bankruptcy you can generally get an automatic stay of the foreclosure – at least temporarily. Bankruptcy is a complicated legal proceeding with serious consequences. To file bankruptcy, it is best to have an experienced bankruptcy attorney – however you can file on your own. You can obtain the bankruptcy forms from www.mab.uscourts.gov or you can go to the Bankruptcy Court at the Tip O'Neil Federal Building, 10 Causeway Street, Boston (North Station area) – 617-565-8950**
- 9) ****Watch out for scams! The proceeding in the Land Court is public record. Be suspicious of solicitations from unscrupulous mortgage brokers, attorneys, or lenders who obtain your information from this public record. There are many mortgage foreclosure rescue scams out there that seek to take advantage of distressed homeowners, so be careful. Do NOT sign your house over to anyone saying they will pay the mortgage for you. We recommend that you first talk to a free, non-profit housing counselor to explore your options.**
- 10) On the auction date, the homeowner's house is sold to the highest bidder.

- 11) Once the house is sold, the new owner can evict the homeowner, HOWEVER the new owner must take the homeowner to court and go through the eviction process. This can take months. You DO NOT have to move right after foreclosure – it is up to a COURT to issue an order for you to move out.
- 12) The entire process, from the date of the first missed payment, until the date the homeowner is evicted from the property, can take up to nine months or longer.
- 13) If there is money left over from the sale after the lender is paid off, that money goes to the homeowner.
- 14) However, if there is not enough money gained from the sale to fully cover the amount of the loan, the homeowner may be liable for the difference. Some lenders sue homeowners for a “deficiency judgment.” Homeowners may have legal defenses and not be responsible this money. Homeowners should consult with an attorney.

HELPFUL RESOURCES AVAILABLE TO HOMEOWNERS FACING FORECLOSURE

1) If your house is scheduled to be sold at a Foreclosure Sale call:

Massachusetts Division of Banks at (800) 495-BANK (2265)

The Division of Banks will try to help you delay the foreclosure. If the Division is able to help you obtain a delay, this will give you additional time to contact your lender or a housing counselor and negotiate a modification of your mortgage to try to save your home.

Bankruptcy may be one option to consider. Once you file bankruptcy you can generally get an automatic stay of the foreclosure – at least temporarily. Bankruptcy is a complicated legal proceeding with serious consequences. To file bankruptcy, it is best to have an experienced bankruptcy attorney – however you can file on your own. You can obtain the bankruptcy forms from www.mab.uscourts.gov or you can go to the Bankruptcy Court at the Tip O’Neil Federal Building, 10 Causeway Street, Boston (North Station area) – 617-565-8950.

2) If you are behind in your mortgage payments or you believe you are about to fall behind on your payments, or your house is already in foreclosure but there is no foreclosure sale scheduled, contact a housing counseling agency.

To contact a housing counselor in Boston:

Boston Home Center: 617-635-4663.

City of Boston - Dept. of Neighborhood Development

ESAC (Ensuring Stability through Action in our Community)

Jamaica Plain

617-625-2555

ACORN Housing

Dorchester

617-436-6161

MBHP (Metropolitan Housing Partnership)

Boston

617-425-6608

Nuestra Comunidad Development Corporation

Roxbury

(617) 989-9900

HOME (Homeowner Options for Mass Elders)

State-wide

1-800-583-533; 1-781-848-5200

(for people over 50)

Greater Four Corners Action Coalition
Dorchester
617-436-0289

MAHA (Massachusetts Affordable Housing Alliance)
Dorchester
(617) 265-8995

NACA (Neighborhood Association Corporation)
Jamaica Plain
1-888-302-6222

HOPE Hotline: 888-995-HOPE
(for referrals to a local housing counselor)

City Life /Vida Urbana
Jamaica Plain
617-524-3541_
For organizing and empowering tenants and homeowners

City Councilors

Boston City Councilor Charles Yancey
District 4
617- 635-3131

Boston City Councilor Chuck Turner
District 7
617-635-3510

Legal Assistance

If you believe that you were the victim of fraud, discrimination or unfair and deceptive practices, or want to discuss filing bankruptcy, you should seek legal assistance. Unfortunately there are very few free legal resources available and even getting a private attorney to take on these cases can be difficult.

- a. For names of private attorneys who charge for their services you can contact:**
Boston Bar Association Lawyer Referral Service: 617-742-0625
MA Bar Association: 866-627-7577
National Lawyers Guild: 617-227-7088
- b. You can ask your housing counselor to refer you to an attorney; or**
- c. You can call LARC – the Legal Resources and Advocacy Center for possible referral to a pro bono attorney - 617-371-1123**

IF YOU ARE A TENANT IN A BUILDING THAT IS BEING FORECLOSED, YOU HAVE RIGHTS!

❖ Do I have to move out as soon as my building is foreclosed?

NO! Don't panic. You may not have to move out at all. ONLY A COURT CAN TELL YOU TO MOVE OUT. If your landlord loses the building to foreclosure and now there is a new owner (usually a bank), you are still a tenant and still have rights with which you can defend against eviction. If the bank wants to evict you, it must first terminate your tenancy properly and then, after the expiration of at least a full month's notice period, take you to court. **If you have a Section 8 voucher, you have additional rights, and should call the agency that administers your Section 8 right away.**

❖ Should I take a "cash-for-keys" offer to move out quickly?

"Cash for keys" offers are almost never a good deal. You do NOT have to agree to an offer to move for money. Usually, the banks do not offer enough money to move, and if you take it, you may be giving up your legal rights. These offers usually only improve as time goes by, and almost always increase if you have a lawyer helping you. Remember, until your landlord has a court order, you do not have to move out. You may be able to get more time to move, and/or money, in court, and you may not even have to move. It will do you no good to accept an offer if you don't have a new place to move to.

❖ What should I do if I receive an eviction ("summary process") complaint?

You can fight an eviction in court. If you get papers telling you to go to court, **read them carefully – do not ignore them!** You have the right to file an **"answer & counterclaims"** and requests for **"discovery"** (filing discovery postpones the case for 2 weeks automatically and helps you get information to defend yourself). You have the **right to a jury** if you file your request on or before your Monday answer date. If your case is in the district court, you may have the **right to transfer** the case to Housing Court where there are lawyers available to give you advice. Read carefully to see when your papers are due. You can defend yourself, ask the judge to let you stay, and maybe win some money. Even if you lose, in some cases courts give tenants up to six months or a year to leave. Remember, you have rights!

❖ Do I need a lawyer if the new owner tries to evict me in court?

You can represent yourself, but having a lawyer can help a lot. It is a good idea to contact a lawyer as soon as you find out about the foreclosure. You can call the numbers listed at the bottom of this handout to get legal representation or at least advice. In the Boston area, there are **free eviction defense clinics** where you can get help filling out the necessary paperwork in response to an eviction action.

- The Legal Services Center, with the help of the Harvard Legal Aid Bureau, runs a special post-foreclosure eviction defense clinic on most **Fridays at 10 a.m.** at **122 Boylston Street in Jamaica Plain** (next to the Stony Brook T station on the Orange line). Call HLAB in advance at 617-495-4408 if you wish to attend.
- Greater Boston Legal Services offers a free eviction defense clinic on **Mondays at 9:30 a.m.** at **197 Friend Street in Boston**, (close to both the North Station & Haymarket T stops on the Orange or Green line). Call 617-603-1807 if you wish to attend.

Even if you do not have a lawyer, you should still go to court on the day that your hearing is scheduled or a default judgment will be entered against you. If your case is in Boston Housing Court, you can ask to see the Lawyer for the Day. Bring all documents related to your apartment to the clinic and to court (for example, **Notice to Quit, Summons and Complaint, your lease, rent receipts, security deposit receipt, inspection reports and any photographs**).

❖ *After foreclosure, is the new owner responsible for repairs and utilities?*

YES. After a foreclosure the new owner is responsible for repairs, maintenance and payment of water along with any other utilities that your previous landlord supplied. The law requires that landlords pay for heat and hot water unless a written agreement makes the tenant responsible for these utilities. If you don't know whom to contact for repairs or questions about the property, contact anyone who gave you papers about the foreclosure; it may be a broker, a real estate agent, or a lawyer for the bank. Demand that repairs be made and utilities kept on. You should also send the new owner or their agent a letter listing all of the problems in the unit. Keep a copy of the letter for your records. Take photographs. It is also a good idea to call your local Board of Health/Inspectional Services Department to request a free inspection. If the new owner does not address any **serious** problems in your apartment or building, or if the utilities are being shut-off, you can go to court and schedule an emergency hearing to ask the court to order the new owner to make repairs and supply utilities.

❖ *Should I pay rent after foreclosure?*

Be careful! If there has been a foreclosure, DO NOT pay rent to the old landlord. Instead, try to find out who the new owner is. If the new owner doesn't accept your rent, set it aside every month in a separate account. Save the rent money and do not spend it. You can offer to pay your rent in a letter to the new owner/bank, or their agent. Be sure to keep a **copy for your records.**

Helpful Resources:

Greater Boston Legal Services: 197 Friend Street, Boston, between North Station and Haymarket on the green and orange lines; tel. 617-371-1234 or 1-800-323-3205

Legal Services Center: 122 Boylston St, Jamaica Plain, tel. 617-522-3003

Harvard Legal Aid Bureau: 23 Everett Street, Cambridge, tel. 617-495-4408

Inspectional Services Department (City of Boston only): Call to get a free inspection of your apartment if there are any problems or bad conditions, tel. 617-635-5322. Outside Boston, contact your Board of Health at your city/town hall.

City Life/Vida Urbana: 284 Amory Street, Jamaica Plain. On Tuesday evenings, City Life hosts special meetings for tenants and others at risk from foreclosure. Call 617-524-3541 ext. 310 to learn more.

Mass. Legal Help website: The following link is to a webpage that outlines tenants' rights in foreclosure actions: <http://www.masslegalhelp.org/housing/tenants-facing-foreclosure>

SI USTED ES UN INQUILINO EN UN EDIFICIO QUE ESTA SIENDO TOMADO POR EL BANCO, ¿USTED TIENE DERECHOS!

❖ ¿Tengo que mudarme tan pronto mi edificio sea tomado por el banco?

¡NO! No entre en pánico. Usted quizás no tenga ni que mudarse. **SOLO UNA CORTE PUEDE DECIRLE QUE SE MUDE.** Si su propietario pierde el edificio debido a que el banco tomo posesión de la vivienda y ahora hay un nuevo dueño (usualmente un banco), usted sigue siendo un inquilino y todavía tiene derechos con los cuales puede defenderse en contra del desalojo. Si el banco lo quiere desalojar, debe primero terminar su inquilinato apropiadamente y entonces, luego de la culminación de al menos un periodo de un mes de dar completo aviso, llevarle a corte. **Si usted tiene un subsidio de Sección 8, usted tiene derechos adicionales, y debe llamar a la agencia que administra su subsidio de Sección 8 rápidamente.**

❖ ¿Debo aceptar la oferta de “dinero-por-llaves/cash-for-keys” para mudarme rápido?

“Dinero-por-llaves” casi nunca es una buen negocio. Usted NO tiene que aceptar una oferta para mudarse a cambio de dinero. Usualmente, los bancos no ofrecen suficiente dinero para mudarse, y si usted lo acepta, puede estar dejando pasar sus derechos legales. Estas ofertas usualmente solo mejoran cuando el tiempo pasa, y casi siempre son más altas si usted tiene un abogado ayudándole. Recuerde, hasta que su propietario obtenga una orden de la corte, usted no tiene que mudarse. Usted puede obtener más tiempo para mudarse, y/o dinero, en corte, y quizás no tenga que mudarse. No le hará bien aceptar una oferta si no tiene a donde mudarse.

❖ ¿Que debo hacer si recibo una demanda de desalojo “summary process”?

Usted puede luchar una evicción en la corte. Si usted recibe papeles diciéndole que vaya a la corte, **léalos cuidadosamente –¡no los ignore!** Usted tiene el derecho de someter una “**respuesta y contrademanda/ answer & counterclaims**”, y pedidos para “**producción de pruebas/Discovery**” (al llenar la reproducción de pruebas el caso se pospone automáticamente por dos semanas y le ayuda a obtener información para defenderse). Usted tiene el **derecho a jurado** si somete su pedido en o antes del Lunes de su fecha de respuesta. Si su caso es en la corte de distrito, usted puede tener el **derecho a transferir** el caso a la Corte de Vivienda donde hay abogados disponibles que le pueden aconsejar. Lea cuidadosamente para ver cuando sus papeles se vencen. Usted puede defenderse, pedirle al juez que le permita quedarse, y quizás ganar algo de dinero. Si aun así usted pierde, en algunos casos las cortes les dan a los inquilinos hasta 6 meses o un año para mudarse. Recuerde, ¡usted tiene derechos!

❖ ¿Necesito un abogado si el nuevo propietario trata de desalojarme en la corte?

Usted puede representarse a si mismo pero teniendo un abogado puede ser de mucha ayuda. Es una buena idea contactar a un abogado tan pronto se entere que su vivienda esta siendo tomada por el banco/foreclosure. Usted puede llamar los números listados en la parte de debajo de esta hoja para obtener representación legal o al menos consejos. En el área de Boston, hay **clínicas de defensa gratuitas** donde usted puede ser ayudado llenando los documentos necesarios en respuesta a una acción de evicción.

- The Legal Services Center, con la ayuda de Harvard Legal Aid Bureau, lleva a cabo una clínica de defensa de evicción por juicio hipotecario casi todos los Viernes a las **10 de la mañana** en el **122 Boylston Street** en **Jamaica Plain** (próximo a la estación de la T, Stony Brook en la línea Anaranjada). Llame a HLAB con adelanto al **617-495-4408** si desea atender.
- Greater Boston Legal Services ofrece una clinica de defensa gratuita los lunes a las **9:30 AM** en el **197 Friend Street** in **Boston**, (cerca de ambas estaciones de tren de North Station y Haymarket en la línea Anaranjada o Verde). Llame al **617-603-1807** si desea atender.

Aun si usted no tiene abogado, debe ir a la corte el día en que su audiencia es programada o un juicio por fallo a comparecencia será interpuesto en su contra. Si su caso es en la Corte de Vivienda de Boston, usted puede pedir ver al Abogado del Día. Lleve consigo todos los documentos relacionados a su apartamento a la clínica y a la corte (por ejemplo, **Notice to Quit/Noticia de Desalojo, papeles de la corte “Summons and Complaint”, su contrato, recibos de renta, recibo se seguro de deposito, reportes de inspección y cualquier fotografías**).

❖ **Luego de juicio hipotecario, es el nuevo dueño responsable para reparaciones y utilidades?**

Si. Luego de un juicio hipotecario el nuevo propietario es responsable de reparaciones, mantenimiento y pago de agua como también cualquier otra utilidad que su propietario anterior proveyó. La ley requiere que propietarios paguen por calefacción y agua caliente a menos que haya un acuerdo escrito donde el inquilino sea responsable de estas utilidades. Si usted no sabe a quien contactar para reparaciones o preguntas sobre su propiedad, contacte a cualquier persona que le haya dado los documentos del juicio hipotecario “foreclosure”; puede ser un agente de seguros, bienes raíces, o un abogado del banco. Demande que las reparaciones sean hechas y las utilidades se mantengan puestas. Usted también debe enviarle al nuevo propietario una carta listando todos los problemas en la unidad. Mantenga una copia de la carta para sus récords. Tome fotografías. También es buena idea llamar a su oficina local para Directiva de Salud/ Departamento de Servicios de Inspección para obtener una inspección gratuita. Si el nuevo propietario no arregla cualquier problema serio en su apartamento o edificio, o si las utilidades están siendo desconectadas, usted puede ir a la corte y hacer una cita para un audiencia de emergencia para pedirle a la corte que le ordene al nuevo propietario que haga las reparaciones y suministre las utilidades.

❖ **¿Debo pagar renta luego de que el banco halla tomado posesión?**

Tenga cuidado! Si ha habido un juicio hipotecario, NO pague renta al propietario anterior. En vez, trate de averiguar quien es el nuevo propietario. Si el nuevo propietario no acepta su renta, guárdela aparte cada mes en una cuenta separada. Ahorre el dinero de renta y no lo gaste. Usted puede ofrecer pagar su renta en una carta al nuevo propietario/banco, o su agente. Asegúrese de mantener **una copia para sus récords**.

Recursos de Ayuda:

Greater Boston Legal Services: 197 Friend Street, Boston, entre North Station y Haymarket en la línea verdeo anaranjada; tel. 617-371-1234 o 1-800-323-3205

Legal Services Center: 122 Boylston Street, Jamaica Plain, tel. 617-522-3003

Harvard Legal Aid Bureau: 23 Everett Street, Cambridge, tel. 617-495-4408

Inspectional Services Department (City of Boston only): Llame para obtener una inspección gratuita si hay cualquier problema o malas condiciones, tel. 617-635-5322. Fuera de Boston, contacte su Board of Health de su ciudad/pueblo.

City Life/Vida Urbana: 284 Amory Street, Jamaica Plain. A las seis (6 PM) de los martes, City Life provee reuniones especiales para inquilinos y otros en riesgo de foreclosure. Llame al 617-524-3541 ext. 310 para aprender mas.

Mass. Legal Help website: El siguiente link es para una pagina del web que nombra los derechos de los inquilinos en acciones de juicio hipotecarios: <http://www.masslegalhelp.org/housing/tenants-facing-foreclosure>

The Foreclosure Process In Massachusetts

Behind in Payments

Calls and Letters From Servicer

90 Day Right to Cure Letter

Foreclosure Petition In Land Court

(Can Only Object If On Active Military Duty)

Publish Foreclosure Notice in Newspaper for 3 Weeks

Certified Letter Giving at Least 14 Days Notice of Foreclosure Sale

Foreclosure Sale at the Property

Record Foreclosure Deed at Registry of Deeds

Notice To Quit (Vacate)

Summary Process (Eviction) Complaint in Court

File Answer

Court Appearance

Need Court Order To Evict You

BEWARE OF FORECLOSURE RESCUE SCAMS

- **There should never be a fee for a loan modification.**
- **Most housing counseling services are provided free of charge by non-profit organizations.**
- **Beware of any person or organization that asks you to pay an upfront fee in exchange for a counseling service or modification of a delinquent loan. Do not pay – walk away!**
- **Beware of anyone who says they can “save” your home if you sign or transfer over the deed to your house. Do not sign over the deed to your property to any organization or individual unless you are working directly with your mortgage company to forgive your debt.**
- **Never make your mortgage payments to anyone other than your mortgage company without their approval.**
- **If you are not sure if something is legitimate call a non-profit housing counseling agency or your local legal services office for free advice. You can get the name of a HUD approved housing counseling agency by calling:
1-888-995-HOPE (4673).**