**Prefile Foreclosure Mediation Instructions**

**Requirements For Document Exchange**

**And Important Information Regarding Proceedings**

At least **20 days prior to mediation**, the following documents must be sent to the Office of Administrative Hearings (OAH) and the opposing party (homeowner or attorney for the lender). (Documents/information acquired after the initial disclosure should be brought to the scheduled mediation).

**Homeowner:**

* Borrower’s Information Worksheet (see enclosed).
* Hardship Letter: explaining reason for the default, signed and dated by all borrowers (i.e. people who signed the promissory note).
* Application for Loss Mitigation: make sure the application is completed for all borrowers.
* Pay Stubs: most recent thirty (30) days for any W-2 income.
* Profit and Loss Statement: for self-employment or 1099 income. Must be signed and dated.
* Bank Statements: most recent two (2) months for all accounts.
* Award Letter: most recent award letter for any social security, pension, or disability income.
* Rental Agreements and Proof of Receipt: rental agreements for any rental income you receive and 60 days’ proof of receipt, e.g. bank statements.
* Household Contributor Letter: if the lender is to consider a non-borrower occupant’s income, letter should state relationship to borrower, monthly contribution amount, and how long contribution will continue; include utility bill with contributor’s name and 30 days of pay stubs or signed profit and loss
* Prior Loan Modification Agreement.
* Other Lien Documents: most recent statement for any other loan you may have on your property, such as a home equity loan or second mortgage, showing the name, mailing address, and telephone number of the lender.
* Association Statement: most recent statement for any homeowner’s association, condominium association, or cooperative association.
* Listing Agreement: if the house has been listed for sale, the listing agreement and third party authorization.

**Lender:**

* Final Loss Mitigation Affidavit.
* Borrower’s payment history.
* Correspondence log from the time the loan went into default until the date of submission, ***if requested by the borrower.* NOTE:** If the borrower requests the correspondence log, their request must be made to the servicer prior to the document submission deadline.
* Pre-mediation statement that includes:
1. persons named on the deed;
2. persons named on the promissory note;
3. name of servicer and contact information for the single point of contact;
4. name of secured party/investor;

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(5) current unpaid principal balance, reinstatement and payoff amount, and interest rate;

(6) prior modification and/or partial claim agreements;

(7) recent property valuation, if available;

(8) date of default; and

(9) name, phone number and email address of the individual who will represent the secured party at the foreclosure mediation.

**Where to Send:**

The **Homeowner(s)** must send documents to the address of the lender or the representative of the lender set forth in the Final Loss Mitigation Affidavit filed with the court.

The **Lender** shall send all required documents to the homeowner(s) at the address set forth on the Request for Foreclosure Mediation form.

 **Both parties** shall send the documents to:

Maryland Office of Administrative Hearings

Attn: Foreclosure Unit

11101 Gilroy Road

 Hunt Valley, Maryland 21031

**Other Important Information:**

Settlement Authority: The person representing the lender must have authority to settle or be able to readily contact a person with authority to settle the matter.

 Postponement Requests:

(a) A request for postponement shall be considered only if the party requesting the postponement establishes good cause for the postponement.

(b) Except as provided in paragraph (d) below, a request for postponement shall be made in writing and filed with the Office of Administrative Hearings and mailed to the other party not less than five days before the scheduled foreclosure mediation.

(c) Documentation of the reasons for the postponement may be required from the party making the request.

(d) Emergency Request for Postponement:

i. For purposes of this paragraph, “emergency” means a sudden, unforeseen occurrence requiring immediate attention that arises within five days of the foreclosure mediation date.

ii. In an emergency, a request for postponement may be made by telephone.

(e) When practicable, all parties to the proceeding shall be contacted before a ruling on a postponement request is made by the OAH.

***If you have questions regarding this matter, CALL THE OAH FORECLOSURE UNIT AT 410-229-4246***

**Borrower(s) Information Worksheet**

**(FORM TO BE Submitted with Document exchange)**

**OAH Case Number**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Name of Borrower(s):**

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 **Monthly Obligations Related to the Property**

Mortgage $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Second Mortgage $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Condo/Homeowners’ $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Association Fee

Other (describe):

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **Borrowers’ Gross Monthly Income and Others’ Monthly Contributions**

|  |  |
| --- | --- |
| Name of Borroweror Contributor | Monthly Gross Income or Contribution |
|  | $ |
|  | $ |
|  | $ |
| **Total** | $ |