

Troubleshooting Mortgage Servicing Problems: Regulatory Responses and Advocacy Approaches

December 16, 2013

9:00 a.m. – 12:30 p.m.

Why You Should Attend

Some of the biggest loan servicers in California are in the process of selling off large segments of their servicing portfolios. Servicing transfers can wreak havoc with borrowers' accounts, particularly if they are in the midst of seeking a loan modification or other assistance. Other borrowers encounter problems obtaining assistance due to "non-borrower" status after the death of a family member or because of limited English proficiency or disability. Attend this training for an in-depth look at some of the key loan servicing problems faced by borrowers, including servicing transfers, the difficulties heirs encounter after the death of a borrower and unfair servicing. Using case studies, practitioners and consumer advocates will provide an overview of the relevant rules and regulations governing these issues and discuss how to identify and address these all-too-prevalent loan servicing abuses in your practice.

What You Will Learn

- What to watch out for during and after a transfer of servicing
- The latest developments in the rules governing loan assumptions and loan modifications following the death of the only borrower(s) (the "widows and orphans" problem)
- Barriers faced by certain types of borrowers and advocates' approaches to combating unfair servicing
- How to identify, analyze and address key loan servicing abuses using the most up-to-date rules of the road

Who Should Attend

Practitioners who represent consumers and loan servicers will benefit from this program, as will general practitioners interested in learning more about the nitty gritty of residential mortgage servicing.

Troubleshooting Mortgage Servicing Problems: Regulatory Responses and Advocacy Approaches

Program Schedule

9:00

Program Overview and Introductions

Maeve Elise Brown

9:15

Servicing Transfers and Inheritance of Encumbered Residential Property

- Current and pending rules governing servicing transfers
- Servicing transfer case studies
- Current and pending rules governing loan assumptions and loan modifications following the death of the only borrower(s) (the “widows and orphans” problem)
- “Widows and orphans” case studies

Lisa Sitkin, Noah Zinner

10:15

Fair Servicing Part One

- What does “fair servicing” mean?
- Home Mortgage Disclosure Act (HMDA)
 - Modernization – proposals and challenges
 - HMDA in the loan servicing context
- Advocating for fair servicing enforcement under the National Mortgage Settlement

Maeve Elise Brown, Annette Kirkham, Kevin Stein

11:15

Networking Break

11:30

Fair Servicing Part Two

- Fair Servicing Case Studies
 - Limited English Proficiency
 - Disability
 - Gender
- Enforcing fair servicing rules and standards

Maeve Elise Brown, Annette Kirkham

12:30

Adjourn

Faculty

Chairperson

Maeve Elise Brown

Executive Director

Housing and Economic Rights Advocates

Oakland, California

Annette Kirkham

Senior Attorney

Fair Housing Law Project, Law Foundation of Silicon Valley

San Jose, California

Lisa Sitkin

Managing Attorney

Housing and Economic Rights Advocates

Oakland, California

Kevin Stein

Associate Director

California Reinvestment Coalition

San Francisco, California

Noah Zinner

Senior Attorney

Housing and Economic Rights Advocates

Oakland, California

Program Attorney: Christina Thompson