

QUESTIONS/ISSUES/COMMENTS RE Foreclosure Deferment Program – AS AMENDED 2010

Disclaimer: This document is for internal Public Trustee use only and not for public distribution. This is Carol Snyder's work product and her non-attorney interpretation of the deferment law. This is intended to provide some answers to questions about implementation of the law and the changes made in HB 10-1240 to the law on deferments. **HB10-1240 took EFFECT on May 5, 2010 – immediately upon signature of the Governor – and applies to all foreclosures "in the pipeline" as well as those started after that date, but its provisions are NOT retroactive to any actions already taken on foreclosures "in the pipeline" as of 5/5/10.**

The Housing Board (within the Colorado Division of Housing) is to adopt some policies to provide clarification and guidelines for the deferment program. This authority was granted to the Housing Board in HB10-1240.

1. When will forms be finalized for use on this Program?

Forms that MAY be standardized by DOH: **Notice to Public Trustee re Foreclosure Deferment**

Eligibility per 38-38-101(1)(h) - (suggested form, substantial statutory compliance necessary) – **SEE ATTACHMENT**

Affidavit of Posting (or Personal Service) - (suggested form, substantial statutory compliance necessary) – **SEE ATTACHMENT**

Affidavit for Holder/Attorney to Void Notice of Potential Eligibility Pursuant to 38-38-101(1)(h) – NEW – SEE ATTACHMENT

Certificate by Housing Counselor that Borrower is NOT Qualified for Foreclosure Deferment

Certificate of Qualification for Foreclosure Deferment by Housing Counselor

Certificate by Housing Counselor that Foreclosure Deferment Shall Terminate Early

Certificate by Housing Counselor that Borrower has OPTED OUT of participation in the deferment program – NEW (being created and may be part of the "Not Qualified" form used by housing counselors)

If the forms used in the Public Trustee's office are NOT standardized by DOH, each Public Trustee may post them on their individual website as 'recommended' forms for use.

Note: The Notice to Public Trustee re Foreclosure Deferment Eligibility, the Affidavit of Posting (or Personal Service) and the Affidavit for Holder/Attorney to Void Notice of Potential Eligibility Pursuant to 38-38-101(1)(h) are made available on the CPTA website. The forms used by the Housing Counselors are not available to PTs or to the general public; they are only available to HUD-approved housing/foreclosure counseling agencies.

At this time, the forms filed with the PT offices are not REQUIRED forms and many lenders/attorneys have devised their own forms – that's okay so long as the forms contain the information required by the law. **If these forms are STANDARDIZED by the Division of Housing**, lenders/attorneys will strongly be encouraged to use the suggested forms. You must be able to match the form you're receiving to a particular foreclosure case in your county.

Note: The Affidavit of Posting (or Personal Service) CANNOT be signed by the process server or posting agent – according to law, it MUST be signed by the holder or holder's attorney. If the holder is NOT a qualified holder according to law, the signature of the holder or holder's attorney on the Affidavit must ALSO be notarized. However, the holder or holder's attorney SHOULD HAVE in its files a *separate document* signed by the process server or posting agent showing when the posting or service was made by that person. SOME holder's attorneys MAY also give that document to the PT but it is NOT required and is more for the protection of that attorney.

Form REVISED by DOH: NOTICE for posting on the property – adopted by Colorado Division of Housing – English on one side; Spanish on the other side (**this form is required to be used by holder/holder's attorney for posting on the eligible property**). Per the 2010 law, this form now **MUST show the PT's foreclosure number** as well as a **telephone number** for the lender or attorney **or a designated phone number** for borrowers and housing counselors to call for loan mitigation/modification discussions.

The revised NOTICE to be posted on the eligible property is being provided to each PT, for informational purposes, even though it is NOT a form that the PTs will use. It is also posted on the Division of Housing website <http://www.dola.state.co.us/cdh/foreclosurenotice/index.htm>

along with a general description of the Deferment Program.

2. To which foreclosure files does the deferment program apply?

The deferment program does NOT apply to ALL foreclosures. It applies ONLY to eligible loans/borrowers/properties pursuant to criteria set forth in the law. PTs will receive a separate document or notice from the holder or holder's attorney if they believe this law applies to the foreclosure. That will be the notice to the PT to "track" that file for deadlines and receipt of documentation required. REMEMBER: Just because the holder/attorney may determine that the foreclosure is "eligible" for a deferment does NOT mean it will be "qualified" for the deferment.

The effective date of the original deferment program was August 1, 2009 (which was a Saturday, 60 days after the Governor signed the bill on June 2, 2009) so it became effective on the next business day of Monday, August 3, 2009. **HB 10-1240** revised some provisions of the deferment program and it became effective IMMEDIATELY upon the Governor's signature on May 5, 2010 – **the revisions apply to all newly-filed foreclosures as well as those already "in the pipeline" as of that date.** For example, you may have already accepted and opened a foreclosure before May 5, 2010, but the revisions of 2010 will apply to it no matter what status it might be in at this time, but the provisions of the 2010 law are **not retroactive** to what's already happened in that foreclosure case.

3. When do DEADLINES begin running on this deferment program?

The 2010 revisions **prohibit a lender/attorney from POSTING the property prior to filing the new foreclosure package with the PT and having it ACCEPTED by the PT and assigned a PT foreclosure number.** This was accomplished with specific direction that early posting cannot be done as well as the fact that the posted NOTICE must now show the PT's foreclosure number. It is, therefore, **VERY important that all PTs notify attorneys as soon as they have accepted and opened a file and assigned it a number** so that the attorney can have the property NOTICE posted in a timely manner. The law says posting of the property will be done no later than 15 days after filing the documents with the PT and the PT's determination that the filing is complete. (38-38-802(1). HB 10-1240 also allows "personal service" on the borrower as an alternative to the posting of the NOTICE. This was done because some Borrowers asked posting agents to hand them the Notice rather than embarrassing them with a posting on their front door. The Affidavit of Posting (or Personal Service) is due to the PT no later than 20 days after filing the documents with the PT and PT's determination that the filing is complete. The Affidavit of Posting (or Personal Service) clearly must contain "the Public Trustee sale number" and that does NOT mean the attorney's file number but the PT's foreclosure case number. It is the PT's foreclosure case number that is prominent in the publication (not the attorney's file number).

IMPORTANT: Deadlines for the homeowner to contact a housing counselor, for the housing counselor to notify the lender of the contact, for the lender to make a payment address available to the borrower and counselor, and for the counselor to make a determination as to qualification ALL RUN FROM THE DATE OF POSTING ON THE PROPERTY (or personal service on the Borrower) – not from the date the PT determines the filing is complete and opens the foreclosure file.

Deadlines **for receipt of the Affidavit of Posting (or Personal Service)** need to be calculated from the day that the PT "determines that the filing is complete" and accepts that file, creates a file, and assigns a foreclosure number to that file. In other words, if the initial package received by the PT's office is examined by the PT's office and then REJECTED for any reason as not accurate or it is incomplete, the file should not be accepted, created or assigned a number and deadlines will NOT begin to run for the **Affidavit of Posting (or Personal Service) required by the** deferment program. Once that rejected file is resubmitted and found to be complete and acceptable by the PT that will begin the **Affidavit of Posting (or Personal Service) deadline** for that foreclosure.

4. Is "agricultural" property eligible for the deferment program?

Yes, it MIGHT be eligible if the agricultural property has the borrower's primary residence on it and it meets the other criteria set forth in the law for eligibility. If, however, it is vacant agricultural land or the loan was made as a "commercial" loan for farming purposes it may not be eligible for the deferment program. **THIS IS A DECISION to be made by the holder/holder's attorney and NOT by the Public Trustee.**

5. How will I have some assurance that the Certificate of Qualification and the Certificate of Early Termination from the housing counselor is a valid document?

The forms used by the housing counselors will NOT be broadly distributed and every attempt will be made to keep them secure for use ONLY by HUD-approved agencies and counselors.

A list of the HUD-approved housing counseling agency names and the names, phone numbers and email addresses (if available) of the individual housing counselors employed by those agencies will be provided to all Public Trustees. The list and the information on it will be for "**internal distribution**" **only and is NOT to be shared with anyone** (including borrowers and attorneys) **outside of the Public Trustee's Office**. The list will be updated as frequently as possible to reflect counselors who are newly employed or no longer employed by those agencies. If you have questions about an individual certificate signer, you may also telephone or email for verification by Stephanie Riggi at the Colorado Foreclosure Hotline 303.685.4230 or at Stephanie@brothersredevelopment.org

6. If the Affidavit of Posting (or Personal Service) is NOT timely filed with the PT's office, how should the continuances of the sale date be handled?

The Affidavit of Posting (or Personal Service) is **DUE to the PT no later than 20 days** after filing of the foreclosure package and acceptance/assignment of a foreclosure case number by the PT.

It is suggested that if the Affidavit of Posting (or Personal Service) is due today, for example, and you do NOT receive it by the end of business today,

- Tomorrow morning, immediately continue the scheduled sale date for one week.
- Then send an email notice to the holder/holder's attorney notifying that you have not received the Affidavit of Posting (or Personal Service); that you have continued the sale date for one week and will continue it another week for each week thereafter that you do not have the Affidavit filed with you; that the 2nd CN notice will not be mailed and that publications will not be done on the case until you have received the Affidavit. Our foreclosure computer vendors may be providing an "automatic" email function for us to use to send this "one time only" notice. USUALLY, once you notify the law firm that the Affidavit of Posting (or Personal Service) has not been timely received and you have continued the sale on their case, the law firm will respond with filing of an Affidavit of Posting (or Personal Service) within a couple of weeks, if not sooner.
- If you have publications scheduled to begin right away (which, early in the delinquency period, you should not because of the timelines involved in the legislation), you should cancel the publications – or do not begin the publications. The 2010 law made it clear that you do NOT have to immediately cancel the publications and some PTs won't immediately cancel them until the PT can see that the case is NOT going to move forward as a regular foreclosure but will actually remain in deferment for a period of time.* Even if you already have an Amended Mailing List from the holder/holder's attorney, do NOT do the 2nd mailing of the Combined Notice **until the Affidavit has been provided to you**.
- Mark the file for follow up each week until you have the Affidavit. If you **STILL DO NOT HAVE** the Affidavit provided to you, continue the sale date for one additional week. Our foreclosure computer vendors are providing a Report that can be run periodically to let you know the cases on which you have not yet received an Affidavit of Posting (or Personal Service) so that you can continue the sale date for an additional week for each week (or portion thereof as applicable) that you do not have the Affidavit provided to you.
- Do NOT send any additional delinquency notices to the holder/holder's attorney. The requirement is for a one time only notice from the PT.

*There is really NO NEED to actually cancel publications with the newspaper UNTIL the Affidavit of Posting (or Personal Service) is late enough to prevent the PT from doing the publications (and 2nd notice mailing) timely according to law. Publications must begin no more than 60 days nor less than 45 days prior to the first scheduled sale date and the 2nd notice mailing must be done within the same envelope of time. Therefore, if the Affidavit is filed with the PT so late that the publication CANNOT be cancelled without payment to the newspaper, then the PT should be cancelling the publications. IF YOU SEND YOUR PUBLICATIONS TO THE NEWSPAPER EARLY IN THE FORECLOSURE PROCESS and if the Affidavit is simply a week or two late there should be no need to actually cancel the publications (or change the first scheduled sale date stated in the notice to be published) because publications won't be scheduled to begin in the newspaper until approximately 40-50 days later. However, when the Affidavit is VERY late and will prevent the PT from timely beginning publications, then the publications should be cancelled. If the Affidavit is received very late, it does NOT make sense for the PT to publish a notice containing the first scheduled sale date to show the sale will be held in 2 weeks (for example) when the publications will not be completed by that date. In that case the PT should revise or amend the Combined Notice to be published to indicate that the foreclosure was "originally

scheduled for sale on _____ but the sale has been continued until _____". In that event, it is suggested that you ALSO do the mailing of the amended Combined notice.

7. What should I do if I receive LATE documents regarding the deferment program?

Housing Counselors have been advised that there is NO provision in the law for their Certificate of Qualification to be provided to the PT after the deadline! **It would be outside the scope of any Public Trustee's authority to make exceptions and allow a late filing.** That's why we are encouraging EVERYONE to use email to the extent possible so that communications can be made quickly. If email is not available, then FAX transmissions can be used. If you receive a late Certificate of Qualification from the housing counselor, you should immediately email or phone or fax that counselor (name, phone number and email address will be on the Certificate form) advising that it was late and you cannot put the case into a deferment. Then follow up any phone notification with something in writing to that effect. **NOTE: It is NOT enough to simply receive only an email from a Housing Counselor telling you that a borrower is qualified for deferment – you must receive the Certificate of Qualification properly completed and signed by the counselor.**

Holders/Holder's Attorneys have certain deadlines to meet, as do Borrowers. Some provisions of the deferment law allow for late actions or filings with penalties, but unless there is a specific provision in the law that allows for something to be done or filed "late" **the PT has NO LEGAL AUTHORITY to make exceptions or allowances for delinquencies.**

PTs also have certain deadlines to meet – especially when the 90-day foreclosure deferment period expires or if the deferment is terminated early. Be sure to track all of the PT deadlines as well.

8. What should I do if a holder/attorney gives me the 38-38-101(1)(h) notice that the property may be eligible for deferment and then advises me that a mistake was made and the property is not eligible?

Under the 2010 law, a holder/attorney is allowed to "withdraw" or "take back" the initial eligibility notice, but **only** SO LONG AS THE PROPERTY HAS NOT BEEN POSTED WITH THE NOTICE. This is accomplished by the holder/attorney filing an **Affidavit with the PT** (see attachment) stating that the eligibility notice was done in error and certifying that the property has NOT been posted. If you receive that affidavit, you can "unmark" the file as potentially eligible for deferment and proceed with the case as a normal foreclosure. The holders/attorneys NEED TO CAREFULLY EXAMINE the file BEFORE sending the PT a notice that the property may be eligible for deferment but the 2010 revisions allow them to correct a mistake in this regard. **This Affidavit is DUE TO THE PUBLIC TRUSTEE no later than 15 calendar days after the date of determination of the PT that the filing of the foreclosure is complete, is accepted and a foreclosure case number assigned –** the same deadline that would have been applicable for the posting of the property if it had been done.

Remember: If you receive the "take back" affidavit LATE or if the property has already been POSTED, you cannot make any exception and take the Affidavit – no matter how much the attorney pleads with you. Acceptance of a late affidavit or acceptance of a "take back" affidavit after the property has been posted would be exceeding the PT's legal authority. If that happens, the attorney needs to proceed to work with the housing counselor to get a determination that the borrower is NOT qualified for the deferment. Or the attorney can withdraw that foreclosure and start a new foreclosure without the initial notice of potential eligibility. Also, the "take back" affidavit cannot NOW be accepted on a case that was filed before May 5, 2010 because MORE THAN 15 DAYS have elapsed – this is an example of how HB 10-1240's provisions are not retroactive.

9. What do I do if my office is tracking a foreclosure file as if it may be eligible for deferment and then we do NOT receive a Certificate of Qualification from the housing counselor by end of business on calendar day 66 (at the latest) after we've accepted the foreclosure, opened our file and assigned a foreclosure number?

Your foreclosure management system (or manual tracking system) should calculate the **last possible date for you to receive a Certificate of Qualification from a housing counselor** (based on the date that the posting of the Notice was made on the property). If the posting of the property is made after you have accepted and opened the file and on the last possible day according to law, the borrower contacts a housing counselor on the last possible day and the housing counselor takes the entire 30 days thereafter to make a certification as to qualification or non-qualification, that date could be by **end of business on calendar day 66 after you've accepted and started the foreclosure file. Since the Notice is NOT supposed to be posted on the property BEFORE the PT accepts, opens and assigns the PT foreclosure case number, you should know by the end of business on calendar day 66 if this case will proceed as a regular, non-deferment foreclosure.** If the housing counselor determines that the property is NOT qualified for deferment you should NOT receive

anything – some counselors have been sending not qualified certificates to PTs and that really does no harm. However, the **2010 law** says that if the **borrower opts not to participate in the deferment program**, the Public Trustee will be notified of that by the housing counselor. At this time, it appears that the NEW FORM being created by the housing counselors may be a combined form for them to use for both a "not qualified certificate" and an "opt out" certificate. So **you should be receiving at least the "opt out" certificates** from the housing counselors.

If the housing counselor determines that the property IS QUALIFIED for a deferment, then you should have received the Certificate of Qualification in a timely manner. If you do not receive it by end of business on calendar day 66 after posting of the notice on the property (or personal service on the Borrower), then you should proceed with the foreclosure file as usual – proceed with publications, 2nd mailing, etc. as usual.

10. Are PTs supposed to call it a foreclosure "restart" when the 90-day deferment period ends (or the deferment is terminated early) and the foreclosure case is NOT withdrawn?

It is suggested that you call it a "resumed" foreclosure since the word "restart" is generally used for bankruptcies, etc. where you re-record the NED.

11. If a Certificate of Qualification IS RECEIVED from a housing counselor, does the PT need to check to make sure that the Certificate was timely made by the housing counselor?

Yes. The deadline for the housing counselor to provide a Certificate of Qualification is 30 days AFTER the counselor is contacted by the borrower. If the borrower contacts the counselor immediately after his/her property is posted with the Notice, the Certificate of Qualification should show a date no more than 30 days after that contact. Example: the property is posted on August 6th; the borrower contacts the housing counselor on August 10th – the Certificate of Qualification needs to be made by the housing counselor no later than September 9th. (Count 30 days beginning with August 11th as day one after contact by the borrower.) **If the Certificate of Qualification is made LATE by the housing counselor, the foreclosure should not be put into deferment – the PT does NOT have legal authority to extend or ignore deadlines in the law.**

12. The **2010 law** changes also require that the Notice of Hearing for the Order Authorizing Sale must be posted at the property as well as the Notice of Opportunity for Deferment. However, this additional posting should NOT impact PTs in any way and PTs have no obligation to assure that the additional posting was done.

NOTICE TO PUBLIC TRUSTEE REGARDING FORECLOSURE DEFERMENT ELIGIBILITY

TO: The Public Trustee of the _____ County of _____, Colorado

Foreclosure No. _____

Grantor/Borrower: _____

Property Address: _____

Current Holder: _____

Date of Deed of Trust: _____ Date of Recording: _____

Recording Information: _____ Original Principal Balance: \$ _____

Pursuant to C.R.S. 38-38-101(1)(h), you are notified that the property involved in this foreclosure action may be eligible for a Foreclosure Deferment and requires posting pursuant to 38-38-802 C.R.S.

Name of Holder: _____

OR Attorney for Holder:

Law Firm Name (if applicable)

By _____

By _____

Printed Name and Title of Signer for Holder

Attorney's Signature Colorado Bar Reg. # _____

Address: _____

Address: _____

Business Telephone: _____

Business Telephone: _____

Business FAX: _____

Business FAX: _____

Email: _____

Email: _____

AFFIDAVIT TO VOID NOTICE OF POTENTIAL DEFERMENT ELIGIBILITY
Pursuant to C.R.S. 38-38-101(1)(h)

TO: The Public Trustee of _____ County of _____, Colorado

RE: Public Trustee Foreclosure No. _____

STATE OF COLORADO)
) ss.
 COUNTY OF _____)

_____, as Holder Attorney for Holder in the above-referenced foreclosure action, states:

1. On _____, 20___, a Notice of Foreclosure Deferment Eligibility was filed with the Public Trustee indicating that the property in this action may be eligible to participate in the Colorado Foreclosure Deferment Program and, therefore, that the property required posting.
2. It has now been determined that the property in this action is **NOT eligible** to participate in the deferment program and the previous Notice is hereby declared void.
3. The affiant further certifies that the property in this action has **NOT BEEN POSTED** (pursuant to 38-38-802 C.R.S.) with the Notice of Opportunity for Deferment.

DATED: _____, 20___.

Name of Holder: _____

OR Attorney for Holder:

Law Firm Name (if applicable)

By _____
 Printed Name and Title of Signer for Holder

By _____
 Attorney's Signature
 Colorado Bar Reg. # _____ *

Address: _____

Address: _____

Business Telephone: _____

Business Telephone: _____

Business FAX: _____

Business FAX: _____

Email: _____

Email: _____

*If this Affidavit is signed by a Colorado licensed attorney for holder and contains the attorney's Colorado Bar registration number, it does NOT require notarization

Subscribed and sworn to before me this _____ day of _____, 20___, by _____ as _____ of/for _____, Holder.

My Commission expires:

 Notary Public

AFFIDAVIT OF POSTING (OR PERSONAL SERVICE)
ELIGIBLE FORECLOSURE DEFERMENT
(38-38-801 et seq., C.R.S.)

TO THE PUBLIC TRUSTEE OF THE _____ COUNTY OF _____:

*PUBLIC TRUSTEE'S FORECLOSURE NO. _____

*GRANTOR/BORROWER: _____

*PROPERTY ADDRESS: _____

*DATE OF POSTING (OR PERSONAL SERVICE): _____, 20____.

*Required Information

STATE OF COLORADO)
) ss.
_____ COUNTY OF _____)

The undersigned, _____, as Holder ** or as
 Attorney for Holder, hereby certifies that the standard, approved form of **Notice of Opportunity for Foreclosure Deferment** in this foreclosure action was posted on the front door of the residence (or at an alternative conspicuous location) at the property address, or (if applicable as allowed by 38-38-802(1) C.R.S.) was personally served on the Grantor/Borrower at the address of _____, on the date shown above.

Date of Signature: _____

Signature
Colorado Bar Registration No. _____
(must be completed if signed by Attorney for Holder)

**If this Affidavit is signed by or filed on behalf of a non-qualified Holder, it MUST be notarized.

Subscribed and sworn to before me this _____ day of _____, 20____, by
_____, as _____ of the Holder, _____.
(title)

My Commission expires: _____

Notary Public

Print Holder or Attorney Name: _____

Business Address: _____

Business Phone No.: _____ FAX No.: _____

Email: _____

**Official State of Colorado Notice of Opportunity for Foreclosure Deferment
Pursuant to Colorado Revised Statutes § 38-38-805**

This document has been approved by the Colorado Department of Local Affairs

RE: Borrowers: _____
Property: _____
County: _____
Public Trustee Sale Number: _____
Date of Notice: _____



Dear _____:

You may qualify for a 90-day deferment of the foreclosure that has been started against your property.

If you qualify, you will have the opportunity to defer the foreclosure for up to 90 days, during which time you can “catch up” on delinquent payments and keep your home. In order to be eligible for consideration:

1. You must be the borrower under the Deed of Trust securing the loan on your property.
2. You must have occupied the property within 90 days after the date of the Deed of Trust.
3. You must currently reside at the property with the intent to keep it as your primary residence.

If you are eligible under 1, 2 and 3 outlined above and you are interested in learning if you qualify for a deferment, you must contact a HUD-approved foreclosure counselor via telephone, electronic mail, or in person, within TWENTY DAYS of the date of this notice.

The HUD-approved foreclosure counselor will review your financial situation with you and determine if you qualify for a deferment. If the HUD-approved counselor determines you are qualified for a deferment, the counselor will notify the public trustee to delay the foreclosure and will work with you and your lender to try to help you keep your home.

To get information on this deferment program you may contact:

The Colorado Foreclosure Prevention Hotline:
1-877-601-HOPE (4673) or

To find a list of approved Housing Counseling Agencies please visit:

<http://www.hud.gov/offices/hsg/sfh/hcc/hcs.cfm?>

DEADLINE FOR YOU TO CONTACT A HUD-APPROVED FORECLOSURE COUNSELOR:

Holder/Holder's Attorney Name: _____

Holder/Holder's Attorney Email Address: _____

Holder/Holder's Attorney Phone Number: _____

Noticia Oficial del Estado de Colorado para una Oportunidad de Aplazar la Ejecución Hipotecaria

**De acuerdo con el Estatuto Revisado Sección 38-38-805 de Colorado.
Este documento fue aprobado por el Departamento de Asuntos Locales (Department of Local Affairs)**



RE: Prestatario(s) _____
Propiedad: _____
Condado: _____
Núm. de Venta del Administrador Publico: _____
Fecha de Notificación: _____

Estimado(s) _____:

Tal vez usted califique para 90-días de aplazamiento de su ejecución hipotecaria que se ha iniciado en contra de su propiedad.

Si usted califica, obtendrá la oportunidad de aplazar la ejecución hipotecaria hasta por 90 días. Durante este periodo usted podrá poner al corriente sus pagos atrasados y conservar su casa. Para ser elegible se debe tomar en consideración lo siguiente:

- 1. Usted tiene que ser el prestatario en la escritura de fideicomiso que garantiza el préstamo hipotecario en su propiedad.**
- 2. Usted debe haber ocupado la propiedad dentro de los 90 días después de la fecha de la firma de la escritura de fideicomiso.**
- 3. Usted tiene que estar viviendo actualmente en la propiedad e intentar seguir viviendo en la propiedad como residencia primaria.**

Si usted cumple con los puntos 1, 2 y 3 mencionados arriba y esta interesado en saber si califica para un aplazamiento, usted tiene que contactar a un consejero de ejecución hipotecaria aprobado por el departamento de Vivienda y Desarrollo Urbano de los Estados Unidos (por sus siglas en ingles HUD) por teléfono, correo electrónico o en persona, dentro de VEINTE DIAS después de la fecha de esta notificación.

El consejero de vivienda aprobado por HUD revisará su situación financiera con usted y decidirá si usted califica para un aplazamiento. Si el consejero aprobado por HUD determina que usted califica para este aplazamiento, va ha notificar al Administrador Publico (Public Trustee) para aplazar la ejecución hipotecaria y tratara de trabajar con usted y su compañía financiera para conservar su propiedad.

Para obtener más información sobre este programa de aplazamiento puede contactar a: La Línea de Ayuda de Prevención de Ejecución Hipotecaria: 1-877-601-4673(HOPE) o

Para encontrar una lista de Agencias de Vivienda Aprobadas por HUD por favor visite la página de Internet: <http://www.hud.gov/offices/hsg/sfh/hcc/hcs.cfm>?

FECHA LIMITE PARA CONTACTAR A SU CONSEJERO DE EJECUCIONES HIPOTECARIAS APROBADO POR HUD: _____

Nombre del Abogado Titular: _____

Correo Electrónico del Abogado Titular _____

Número de Teléfono del Abogado Titular: _____