



# STATE OF OREGON FORECLOSURE AVOIDANCE PROGRAM

## Frequently Asked Questions

### ***What is this program?***

In 2012, the Oregon Legislature passed a law requiring lenders to meet with homeowners at the start of the [nonjudicial foreclosure process](#). In 2013, the Legislature expanded the program so most homeowners will have an opportunity to meet with their lenders before any foreclosure begins.

### ***How do I participate?***

There are just four simple steps to participate: pay a fee, meet with a housing counselor, submit your documents, and show up. It's really that easy.

### ***Why should I participate?***

If you follow the four simple steps, you will get:

- Free advice and assistance from a housing counselor.
- The ability to submit documents to your lender through a secure online portal.
- Information about your loan, including an itemized statement of what you owe, a payment history, and the name of the entity that owns your loan.
- A meeting with a representative of your lender who has complete authority to negotiate and commit to a foreclosure avoidance measure.
- A chance to avoid foreclosure before the lender begins that process.

Even if you are not able to save your home, you will be able to talk to your lender about deeding the home back, selling the property for less than you owe, or moving out voluntarily in exchange for a small payment to help you relocate.

### ***Whom can I call for more information or help?***

Call Mediation Case Manager (MCM) at 855-658-6733 for help at any time. MCM manages the program for the state and can help you with setting up your online account, scheduling, payments, submitting documents, using the online portal, and more. Information is also available on the program website at [www.ForeclosureMediationOR.org](http://www.ForeclosureMediationOR.org).

Call a housing counselor as soon as possible to begin planning for the resolution conference. The housing counselor will advise you about options to avoid foreclosure, help assemble the best possible proposal for your lender, and prepare you for the meeting. If you want help negotiating with your lender, a housing

counselor will attend the resolution conference with you. There is no cost to you for working with a housing counselor. See the [Foreclosure Resources page](#) for a list of approved housing counseling agencies in Oregon.

***What if I can't afford the fee?***

If you are low income, all but \$50 of your fee may be waived. The reduced fee must be paid by the deadline on the notice. Call MCM at 855-658-6733 for help and more information.

***What happens if I don't pay the fee on time?***

The fee deadline is set by law and cannot be changed. If you don't pay your fee on time, MCM will cancel the resolution conference and issue your lender a Certificate of Compliance. Your lender may foreclose without further delay. Call MCM at 855-658-6733 for help and more information.

***What if I don't submit my documents on time?***

If you don't submit all of your documents on time, MCM will not cancel the resolution conference. But your lender may not give you information about your loan and you will be much less likely to reach an agreement to avoid foreclosure. You should meet with a housing counselor as soon as possible for help gathering the right documents for your lender and uploading them to the online portal.

***What information does my lender have to give me?***

Within 25 days after you submit your documents, your lender must give you the following information about your loan:

- A copy of the Promissory Note and Deed of Trust
- The name and address of the owner of your loan
- A record of your payment history for the last 12 months, or since you were last current on the loan, a statement of what you owe (itemized by principal, interest, fees, and other charges) and the amount you would need to pay to cure the default
- Input and output values of any Net Present Value test used to evaluate your eligibility
- The most recent appraisal or price opinion the lender used to determine the value of the property.
- The portion of any servicing or other agreement that limits modification of your loan and a statement of what effort was made to get the limitation waived
- A description of any additional documents needed to evaluate your eligibility for a foreclosure avoidance measure

***What is a resolution conference?***

A resolution conference is an informal meeting with your lender to negotiate a foreclosure avoidance measure. A neutral person, called a "facilitator," will lead the discussion. The facilitator is trained in mediation and basic foreclosure issues.

***What if I am not available on the date in the notice?***

If you are not available on the date MCM sets, you may be able to reschedule the resolution conference if your lender agrees or there is “good cause” for moving the date. You should contact MCM as soon as possible to request a new date.

***Do I need an attorney to represent me at the resolution conference?***

You may bring an attorney, a housing counselor, or both to the resolution conference, but you are not required to do so. If you cannot afford an attorney but would like one, free or low-cost legal assistance may be available. Please see the [Foreclosure Resources page](#) for more information.

***Does my lender have to offer me a foreclosure avoidance measure at the resolution conference?***

No. Oregon law requires your lender to send a representative with complete authority to negotiate and commit to a foreclosure avoidance measure, but your lender is not required to modify your loan if you are not eligible. Your housing counselor can help you determine which options you may be eligible for so that you can put together the best possible proposal to your lender.

***What if I have special needs?***

Notify MCM as soon as possible if you need any special accommodations or a translator at the resolution conference.

***How do I know this program isn't a scam?***

The Oregon Foreclosure Avoidance Program was created by law and is overseen by the Oregon Department of Justice. Mediation Case Manager is the sole entity appointed by the Department of Justice to manage the day-to-day operations of the program. More information about this program is available on the Department of Justice website at [www.doj.state.or.us](http://www.doj.state.or.us).

Unfortunately, there are many scammers claiming to offer help to struggling homeowners. If you believe you have been a victim of a scam or have questions about a particular business, including Mediation Case Manager, call the Department of Justice’s Consumer Protection Hotline at 877-877-9392.