



# Oregon Foreclosure Avoidance Program

## Frequently Asked Questions

*The Oregon Foreclosure Avoidance Program partners with many state agencies and non-profit organizations to provide free and low-cost resources and help to Oregonians struggling as a result of foreclosure.*

- **Why should I try to avoid foreclosure?**

Though it may seem easier to just walk away from your home and let the bank take it, foreclosure is a no-win solution for everyone involved.

- Foreclosure will damage your credit score. This means that credit card companies will likely charge you higher interest rates, you'll have difficulty getting loans in the future, and you'll have to pay more for insurance.
- Foreclosed homes damage the quality of neighborhoods and your community, leading to unkempt homes, lower real estate values for remaining homeowners, and run-down neighborhoods.

The State of Oregon offers many foreclosure resources and free counseling to help you understand all your options. To find a certified foreclosure prevention counselor near you, [click here](#).

- **How can counseling help me?**

The foreclosure process can be complicated, confusing and overwhelming. Foreclosure prevention counseling can help you get the information you need from a certified, trustworthy source. A counselor won't tell you what to do, but they will help you understand your options, so you can decide how to proceed. The service is free, and it's available at State approved agencies throughout Oregon. To find a certified foreclosure prevention counselor near you, [click here](#).

- **What is Oregon Foreclosure Avoidance Program?**

The Oregon Foreclosure Avoidance (OFA) Program is a mandatory, statewide foreclosure mediation program. Before most lenders can begin foreclosure of a residential trust deed, they must request a fact-to-face meeting with the homeowner through OFA. The process is simple. The homeowner pays a fee, meets with a certified foreclosure counselor, submits documents, and shows up at the meeting. The lender must produce information about the loan and send a representative with complete authority to negotiate and commit to a foreclosure alternative.

- **What is a Resolution Conference?**

Oregon law requires most lenders to request a resolution conference with a homeowner before starting a foreclosure. A resolution conference is an informal meeting with your lender conducted by a neutral person called a "facilitator" who is trained in mediation and basic foreclosure issues. Your lender must send a representative with complete authority to negotiate and commit to a foreclosure avoidance measure. If you are behind on your mortgage or current but experiencing a financial hardship, you may be able to request a resolution conference without waiting for your lender to act.

- **Why should I participate?**

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

- ✓ Free advice and assistance from a certified foreclosure 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 face-to-face 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 the 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.

- **Who 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 of Oregon 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 certified foreclosure 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 certified foreclosure counselor will attend the resolution conference with you. There is no cost to you for working with a counselor. You can find an approved certified foreclosure counselor [here](#).

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- **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. You can call MCM or go to their [website](#) for help.

- **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.

- **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 certified foreclosure 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 if I am not available on the date in the notice?**

You must attend the resolution conference in person. 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 certified foreclosure 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. Oregon Law help, <http://www.oregonlawhelp.org/>

- **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 certified foreclosure 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 operation of the program. More information about this program is available on the Department of Justice [website](#).

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.

- **What is the Foreclosure process?**

You can see the Oregon Judicial timeline [here](#).