

*This Checklist is to be completed by the mediator, with the participation of all parties. Mediator will provide a completed copy of this Checklist to all parties within 2 business days after the Planning Call.*

## **FORECLOSURE MEDIATION PLANNING CALL CHECKLIST**

Name of case: \_\_\_\_\_

Case no.: \_\_\_\_\_

Date of entry of Referral Order: \_\_\_\_\_ Judge: \_\_\_\_\_

Date, time of Planning Call: \_\_\_\_\_

Call Participants: \_\_\_\_\_

### **What does the Defendant Homeowner want to have happen?**

Do they want to stay in the property? Yes No

If Yes, on what terms?

- Loan modification
- Repayment plan
- Other: \_\_\_\_\_

Do they want to relinquish the property? Yes No

If Yes, on what terms?

- Short sale
- Deed in lieu of foreclosure
- In rem judgment
- Other: \_\_\_\_\_

### **If the Defendant Homeowner wants to keep the property:**

Has the Defendant Homeowner applied for loss mitigation or loan modification ?

Yes No

**If Yes,** when? \_\_\_\_\_

To whom was the application sent? \_\_\_\_\_

How was it sent? Fax mail website submission email hand delivery

If the application is not complete, what is missing? \_\_\_\_\_

When can the missing documents be provided to the Plaintiff's attorney?  
\_\_\_\_\_

What are the next steps after the missing documents are provided?

Plaintiff will \_\_\_\_\_

by \_\_\_\_\_

Defendant Homeowner will \_\_\_\_\_

by \_\_\_\_\_

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**If No**, the Plaintiff's attorney will provide the appropriate loss mitigation or loan modification application to the Defendant Homeowner by \_\_\_\_\_

Defendant Homeowner will complete and return the application to Plaintiff's attorney by \_\_\_\_\_

What is the source of Defendant Homeowner's income? \_\_\_\_\_

Proof of income required by Plaintiff:

- Pay stubs for \_\_\_\_\_ months
- If self-employed: Profit and Loss statements for \_\_\_\_\_ months
- Social security or disability (award letter)
- Retirement
- Rental properties (lease agreements; list of debt on the properties and the names of creditors)
- Other: \_\_\_\_\_

If the Plaintiff agrees to loan modification, will a 1099 tax form be issued? Yes No

What will the credit reporting reflect? \_\_\_\_\_

### **If the Defendant Homeowner wants to relinquish the property through a short sale or a deed in lieu of foreclosure:**

What does the *Plaintiff* think the value of the property is? \$ \_\_\_\_\_

What is this based on? \_\_\_\_\_

If the Plaintiff has a Broker's Price Opinion ("BPO"), when was it performed?

\_\_\_\_\_ Was it interior or exterior only?

What does the *Defendant Homeowner* think the value of the property is? \$ \_\_\_\_\_

What is this based on? \_\_\_\_\_

If the Defendant Homeowner is trying to sell the property,

What is the asking price? \$ \_\_\_\_\_

What was the original asking price? \$ \_\_\_\_\_

How long have they been trying to sell it? \_\_\_\_\_

Are they \_\_\_\_\_ using a realtor or \_\_\_\_\_ trying to sell it themselves

If using a realtor, how long has it been listed? \_\_\_\_\_

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If trying to sell it themselves, what is their marketing plan? Sign in yard

Newspaper ad    Craigslist    FSBO    Other: \_\_\_\_\_

What information will the Plaintiff require to approve a **short sale**? When?

\_\_\_\_\_

If the Plaintiff accepts a short sale, will a deficiency judgment be sought?

Yes            No

Comments: \_\_\_\_\_

What will the credit reporting reflect? \_\_\_\_\_

\_\_\_\_\_

Will a 1099 tax form be issued?    Yes    No

What information will the Plaintiff require to accept a **deed in lieu of foreclosure**?

\_\_\_\_\_

Process: \_\_\_\_\_

\_\_\_\_\_

What will the credit reporting reflect? \_\_\_\_\_

\_\_\_\_\_

Will a 1099 tax form be issued?    Yes    No

**When are the parties available for mediation?** *Not later than 60 days from date of entry of the Order, last available date:* \_\_\_\_\_

Plaintiff \_\_\_\_\_

Defendant Homeowner \_\_\_\_\_

**Date(s) for exchanging Information Reports** *not less than 15 days before the date of the mediation session* \_\_\_\_\_

**Date by which the Plaintiff will identify a person with authority to settle the case** *not more than 20 days after date of entry of the Order:* \_\_\_\_\_

**Who will attend?** \_\_\_\_\_

**Where will the mediation be held?** \_\_\_\_\_

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**Notes on a separate, attached, page.**