AFFIDAVIT Federal Loss Mitigation Programs

JD-CL-114 Rev. 3-12

STATE OF CONNECTICUT **SUPERIOR COURT**

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Instructions

Prepare legibly.
 Submit the original to the clerk of court.

Docket number (if available)

Name of case (Plaintiff v. Defenda	ant)	
Judicial District	Address of Court (Number, street and town)	Return date (if available)
Your name (Affiant)		l
Tour name (rimany		
Address of property at issue (Nur	nber, street, town, state, zip code)	
• •	duly sworn, deposes and says:	
1. I am over the age of	eighteen years of age and believe in the obligations of an oath.	
2. I am the	(job title) of	
(D) : (''' D) : (''''		
(Plaintiff or Plaintiff's se	rvicer) and am authorized to sign on behalf of	
		(Plaintiff or Plaintiff's servicer)
I am familiar with the	business records and procedures of	
(Distriction Distriction of		
(Plaintiff or Plaintiff's se	rvicer) with respect to the mortgages that it owns and/or services	3.
4. Based on my review	of the business records of	
·		
	servicer) and the account of the borrower (the word "borrower" in ortgage loan that is the subject of this case), I have specific know	
	by the Defendant(s) in this case.	neage of the loan secured by the
0 0		
5. The loan secured by	the mortgage for which plaintiff seeks foreclosure is subject to the	ne following <i>(check all that apply):</i>
☐ The loan is not ov	vned or guaranteed by a Government Sponsored Enterprise (GS	SE), is not guaranteed or insured by
any federal agend	cy, and is not serviced by a lender participating in the federal Mal	king Home Affordable Program. (If this
	o further information regarding this paragraph 5, paragraph 6, or	
	appropriate boxes under subparagraphs 5a, 5b and 5c as well as	s paragraphs 6 and 7 (if applicable)
must be checked.	,	
	e following programs under the federal Making Home Affordable	
	cation Program (HAMP), the Second Lien Modification Program (
	natives Program (HAFA), and the Home Affordable Unemployme lopted by Fannie Mae and Freddie Mac:	ent Program (UP), including any of
	ple for review under the above programs and a review is pen	nding at this time
	gible for review under the above programs because <i>(check all th</i>	
proceed to subpa		at apply alla, il ally box is offected,
	vicer does not participate in MHA.	
	s not owner-occupied, is vacant, is condemned, and/or has more	than four units.
	· · · · · · · · · · · · · · · · · · ·	

	The loan was originated on or after January 1, 2009. The unpaid principal balance of the loan prior to capitalization of any arrearages, fees, and other costs exceed the applicable limit:
	\$729,750 for 1 unit; \$934,200 for 2 units; \$1,129,250 for 3 units; or \$1,403,400 for 4 units.
	The loan's servicer does not have the contractual authority to modify the loan under MHA per investor guidelines. ne loan is eligible for review under the above programs but the borrower does not qualify for the following reason(s) heck all that apply):
	Plaintiff or Plaintiff's servicer has made a "Reasonable Effort" to solicit the borrower (as defined under MHA Handbook Chapter II, Section 2.2.1, as amended from time to time) but: was unable to establish "Right Party Contact" (as defined under MHA Handbook Chapter II, Section 2.2.2, as
	amended from time to time). The borrower advised the Plaintiff or the Plaintiff's servicer that the borrower is not interested in participating in any of the above programs.
	Plaintiff or Plaintiff's servicer has not timely received all documentation necessary to complete a review for loss mitigation, specifically (check all that apply):
	Proof of current income, specifically
	Completed IRS Form 4506-T or 4506T-EZ
	☐ Dodd-Frank Certification ☐ Request for Modification and Affidavit Form
	Other: (specify)
	If none of the above reasons for disqualification are checked, please check all that apply under the following four sub-paragraphs:
5. a. 1.	Specific to HAMP:
	☐ The subject loan is not a first mortgage loan. (This denial reason applies to HAFA and UP as well). ☐ The total payment on the first mortgage (principal, interest, taxes, insurance, and association fees, if any) is less than 31% of the borrower's monthly gross income. (This denial reason applies to UP as well, unless the servicer has waived this requirement; with respect to Fannie Mae and Freddie Mac loans only, this denial reason applies to HAFA as well; for non-Fannie Mae and Freddie Mac loans, an additional denial reason must also be selected under HAFA.)
	Payment cannot be feasibly reduced to make it equal to 31% of the borrower's monthly gross income without requiring excessive forbearance. (If selected, denial reason must also be selected under HAFA).
	Net Present Value Calculation does not favor modification. (If selected, denial reason must also be selected under HAFA and UP).
	The borrower received a previous modification under HAMP effective (date) and failed to comply or defaulted. (If selected, denial reason must also be selected under HAFA; but this denial reason
	applies to UP as well). The borrower received a trial plan modification but failed to make each payment by the end of the month in which it was due. (If selected, denial reason must also be selected under HAFA; but this denial reason applies to UP as well).
	Other (specify)
5. a. 2.	Specific to HAFA (Complete only if instructed above in sub-paragraph 5.a.1.): The borrower did not respond to HAFA solicitations.
	☐ The borrower communicated that the borrower was not interested in pursuing HAFA. ☐ The borrower did not return the signed Short Sale Agreement.
	The borrower did not obtain a contract for sale within the time permitted under the program.
. .	Other (specify)
5. a. 3.	Specific to 2MP (Complete only if this is a second lien): Corresponding first lien has not been modified under HAMP.
	2nd lien has an unpaid balance of less than \$5,000.
	☐ 2nd lien has a pre-modification scheduled monthly payment of less than \$100.☐ 2nd lien has already been modified under 2MP.
	2nd lien has already been modified under ZWP. 2nd lien does not require payments until the first lien is paid in full.
	Insured, guaranteed or held by FHA//VA/Rural Development.

5. c. With respect to the Corporation (Fred		Mortgage Association (Fannie Mae) or the Federal Home Loan Mortgage
☐ The loan is subje	,	r one of the above entities' loss mitigation programs and a review is pending
at this time. The loan is not su	biect to review unde	er one of the above entities' loss mitigation programs because the loan is not
owned or guarante	eed by Fannie Mae	or Freddie Mac. (if checked, proceed to paragraph 6)
	ct to review under on s) (check all that app	ne of the above entities' loss mitigation programs but does not qualify for the oly):
		ning to HAMP and/or HAFA is set forth above in sub-paragraphs 5.a.1. and e into this sub-paragraph as well.
=		not received any response to solicitations for loss mitigation.
☐ Plaintiff or Plaimitigation, spe		not timely received all documentation necessary to complete a review for loss
(List all docum	entation not timely re	received)
Other reasons	for non-owner occup	pied property
Other reasons	for owner occupied	property
referenced foreclosur	re avoidance prograi	s sent). If the borrower has been denied assistance under any of the above ims, the borrower has been notified separately in writing of any denial as detailed (insert date of letter).
Check Only If Applical	ble:	
has expired; the b	orrower has no pend	w of the decision to deny participation in any applicable loss mitigation program ding applications pursuant to any loss mitigation program listed above; and the in a trial or other temporary period of a loss mitigation program.
Signature of Affiant	A	Address where signed (Number, street, town, state, zip code)
>		
Subscribed and sworn to before me on:	Date signed	Signed (Notary Public)