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Outlook

NATIONAL CONSUMER LAW CENTER

Donovan Earns Countryman Award

Outstanding Leader for The Consumer Law Community

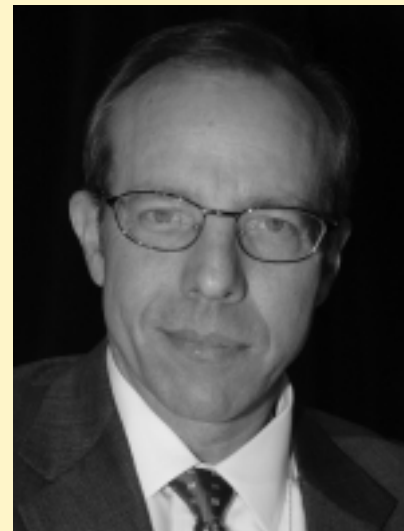
NCLC proudly presented the 2009 Vern Countryman Award to Michael D. Donovan, of Donovan Searles, at our annual Consumer Rights Litigations Conference in Philadelphia last fall.

“Mike has changed for the better the way the marketplace works for low-income families and others across the country,” said Willard P. Ogburn, NCLC executive director, in announcing the award. “He brings a big case, high impact litigation approach to the nitty-gritty, everyday

wrongdoings experiences by all too many low-income people in America. Simply put, he’s an outstanding consumer advocate and we’re fortunate to have him on the side of the good.”

Several former Countryman Award winners vociferously supported Donovan’s nomination—a testimony to his passions for the rights of the less well-off, and to the leading role Donovan has played in the consumer law movement:

continued on Page 11



*Mike Donovan,
2009 Countryman Winner.*

Government’s Response Inadequate to the Task

Lauren Saunders, managing director of NCLC’s Washington office, comments on the government’s response to the growing foreclosure crisis

Advocates around the country are frustrated by the ineffectiveness of programs to help families avoid foreclosure. Here at NCLC, we share that frustration. Though the Obama Administration has embarked on a number of efforts to address the foreclosure crisis, we fear that at the end

Fundamentally nothing will change until Congress provides some sticks to augment the Administration’s carrots. LAUREN

SAUNDERS

of the day history will show that the response was too little, too late.

More than 3 million foreclosure actions were filed in 2009 and a total of 13 million foreclosures are expected by the end of 2014. Millions of families have already lost their homes, which sit vacant, devastating neighborhoods and communities. More than a year into the Administration’s Housing Affordable Modification Program (HAMP), the program remains inadequate to the task.

NCLC and our national coalition allies have met several times with high level White House staff and officials from the Treasury and HUD (Housing and Urban Development) Departments to discuss our concerns with HAMP and the changes needed to ensure large numbers

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Outlook

is a biannual publication of the National Consumer Law Center intended to inform our supporters about the Center's advocacy and fundraising activities.

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NCLC Earns Exceptional Rating for Fiscal Management

For the fifth consecutive year NCLC has been awarded a four-star rating for sound fiscal management by Charity Navigator, one of the country's premier charity evaluators. This exceptional rating, received by only five per cent of the charities evaluated, reflects NCLC's ability to efficiently manage and grow its finances and to fiscally outperform most other charities in America.

"As the number of nonprofits continues to increase, careful donors are looking for accountability, transparency, and results from the organizations they support," said NCLC executive director Willard P. Ogburn. "This highly favorable review by Charity Navigator should give donors confidence that NCLC is worthy of their trust and support."

To look at the complete rating, visit www.charitynavigator.org.

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Complete information will be available early this summer at www.NCLC.org

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LEVY'S MILLION DOLLAR SURPRISE

It's a very rare day NCLC gets a one million dollar check in the mail.

San Francisco attorney Arthur D. Levy had told us, in a quiet, low-key way, to expect a cy pres award from one of his cases, so we were on the lookout for a check. But the million dollars that came in September 2009 was a huge surprise. That million dollar award grew even bigger in January with our receipt of another \$216,000 disbursement from the settlement.

Levy told us, "I'm happy this cy pres went to NCLC. I didn't expect it would be this big an award when I first proposed NCLC as its recipient, but it's appropriate, given the Center's consumer law expertise. It's the right thing to do in this case."

The award resulted from a five-year case against Auto Insurance Specialists, Mercury's largest insurance agency, to recover broker fees for AIS/Mercury customers. Levy, lead counsel in the case, said the \$25 million class action settlement mandated restitution to half a million customers.

"We couldn't be more surprised, delighted and grateful," said NCLC executive director Willard P. Ogburn of the award. "A gift of this size gives us the luxury of looking beyond our immediate, everyday needs, and stretching our sights to the future and how best to use these



funds to help low-income consumers in the long term—that's a real gift."

Levy, who has more than 30 years experience in environmental, securities, and financial services litigation, is in individual practice, co-counseling major cases with other attorneys. Of particular interest to him are consumer law and historic preservation cases. Professional activities also include alternative dispute resolution as a neutral for the San Francisco federal and state courts.

Levy is a member of NCLC's Partners Counsel, and has been a speaker at NCLC's annual conferences.

NCLC has a New Look... and a New Website

With this edition of *Outlook*, NCLC unveils a new logo and look. Coming soon, in early spring, we will unveil our completely overhauled website, NCLC.org. The new site will still contain a treasure trove of valuable information for lawyers, consumer advocates, policymakers, and the public. We hope the new design and reorganization of the materials will make the site clearer and easier to navigate. We encourage you to check it out!

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For more information on directing a cy pres to NCLC, contact Suzanne Cutler at SCutler@nclc.org

NEW CREDIT CARD PROTECTIONS, NEW ABUSES Consumer Watchdog Needed to Monitor Industry

On February 22, 2010 the long-awaited protections of the Credit Card Accountability, Responsibility and Disclosure Act took effect. The Act, which was passed by Congress in May 2009, put an end to some of the worst abuses by credit card companies. Many of the law's provisions were based on years of detailed analysis and advocacy by NCLC staff.

Yet consumers will remain vulnerable to other abuses and new schemes devised by card issuers to get around these protections. According to NCLC's experts, these abuses and evasions are further proof of the need to establish a strong new regulator of consumer financial

It shouldn't take an Act of Congress each time credit card companies dream up a new scheme. We need a new regulator that is nimble and quick enough to counter the creativity of credit card lenders.

CHI CHI WU

products.

"The Credit CARD Act protections eliminate some of the worst abuses from the last decade," noted Chi Chi Wu, a staff attorney at NCLC. "But we are in a new decade, and the companies have figured out a whole different set of tactics to keep gouging consumers. It shouldn't take an Act of Congress each time credit card companies dream up a new scheme. We need a new regulator that is nimble and quick enough to counter the creativity of credit card lenders," said Wu.

Among a host of evasions of the new law, companies are continuing to approve over-limit purchases without the consumer's opt in, are demanding that the over-limit amount be paid in full, and then are charging an over-limit fee but calling it a late fee. In addition, companies are evading the Act's prohibition on rate increases on existing balances unless the consumer is over 60 days late. Companies are purporting to charge 29 percent APR, but promising to refund 10 percent of the interest charges the next month if customer pays on time.

"These underhanded tactics are precisely what Congress has worked so hard to clean up in the Credit CARD Act," said Lauren Saunders, managing attorney of NCLC's Washington office. "Card issuer attempts to outwit consumers must be reined in by a financial watchdog whose job it is to crack down on evasion, abuse and unfairness."

For tips and information on what the credit card protections mean for consumers, see www.NCLC.org

Lawsuit Stops Improper Debt Collection Tactics in Nebraska

A settlement has been reached in a Fair Debt collection case in Nebraska that provides highly favorable relief for both the three named plaintiffs and for a putative class of Nebraska debtors. According to the lawsuit, General Collection Company was filing improper state court actions seeking to collect on alleged credit card debt.

NCLC and its co-counsel negotiated a settlement agreement providing \$21,000 in cash and forgiveness of debt to the named plaintiffs. "In addition, the class received important injunctive relief," said Delbaum. "The defendants agreed in writing to stop the deceptive practice at the core of this litigation—the use of an inapplicable cause of action to obtain unwarranted statutory attorney fees," he said.

"The gist of the claim was that the company was using a Nebraska cause of action that authorizes the court to award a percentage of the recovery as attorney fees, but that this cause of action does not apply to credit card debt," said Charles Delbaum, an NCLC staff attorney.

Pam Car and William Reinbrecht of Omaha, Neb., and Rand Bragg of Chicago served as co-counsel with NCLC on the case.

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Staff



NCLC Welcomes Talented New Staff

VIVIAN ABRAHAM, an alumna of Boston College Law School, practiced personal injury and business litigation for five years before coming to NCLC. She now works in the Editorial Department and is currently editing supplements to the Collection Actions and Fair Debt Collection legal practice manuals.

Before becoming NCLC's new administrative/technical assistant, **ALAINA LAROCCA** completed her bachelor's in Social Psychology and Math at UMass Boston while working part-time as a graduate program assistant for the Nursing Program. Prior to moving to Massachusetts, Alaina worked for Huntington Services, Inc., a computer IT company based out of Massapequa, NY while also

attending college.

LAUREN MAHONEY began work at NCLC in August 2009 as a development assistant. A 2009 graduate of UMass Amherst, she previously worked as a shelter advocate and development intern at Safe Passage, a nonprofit domestic violence organization based in Northampton, Mass.

JILL MCDONALD, publications assistant, joined NCLC in August 2009. After graduating from Smith College in 2006, she worked at ACIS, a Boston-based travel company, before coming to NCLC.

NCLC's newest staff members: Lauren Mahoney, Vivian Abraham, Jill McDonald and Alaina LaRocca.

NCLC 24-7

www.NCLC.org

NCLC Teams with Legal Aid to Stop Utility Terminations Keeping Heat and Electricity on in Massachusetts

NCLC has expanded its long-running *Project Stay Connected*, a Massachusetts-based program that helps low-income residents maintain essential utility services.

NCLC has partnered with six legal aid programs across Massachusetts working to maintain heating and electricity services for low-income residents. This partnership was made possible with a generous grant to NCLC from The Boston Foundation. Through this grant, NCLC staff provides back up and support to front line lawyers working on utility-related cases. Already, legal aid programs have helped hundreds of low-income residents across the state to stop utility terminations, restore service, enroll clients on the low-income discount rate or obtain fuel assistance.

"NCLC's collaboration with legal services programs has significantly increased the number of low-income households who

were able to avoid termination of electric and gas service, and has made it possible for those clients to get help within their own communities," says Charles Harak, the project director. "Our hope is that every low-income household facing termination of utility service will be able to get expert help quickly."

Funding from the Boston Foundation was made possible through its Food and Fuel Fund, which supports organizations that provide immediate and direct help to local residents in distress. NCLC was chosen for its success with *Project Stay Connected*, a program that has provided over 1,500 front-line service providers and advocates with basic utility trainings and a statewide e-mail list-serve. The project also carries out a wide range of policy initiatives to help low-income people reduce their energy consumption and pay their energy bills. Since it was started in

2004, *Project Stay Connected* has helped thousands of low-income Massachusetts residents either avoid losing utility services or get services restored.

NCLC's collaboration with legal services programs has significantly increased the number of low-income households who were able to avoid termination of electric and gas service.

CHARLES HARAK

NCLC Report Solves Puzzle of Loan Servicer Behavior

Foreclosures Cheaper Than Loan Mods

Despite repeated government efforts to encourage loan modification agreements between struggling homeowners and their mortgage servicers, no program has made any real dent in the rate of home foreclosures. In its recent report, *“Why Servicers Foreclose, When They Should Modify, and Other Puzzles of Servicer Behavior,”* NCLC explains why it has been so difficult for struggling homeowners to obtain modification agreements.

The report reveals that mortgage servicers—including many large banks—have found it cheaper to foreclose on homeowners than to offer loan modifications that would benefit homeowners and investors. As a result, many families who might be able to stay in their homes under a loan modification plan are being moved right past that option and on to foreclosure.

“Servicers, unlike investors or homeowners, generally don’t risk losing money on foreclosures,” said the report’s author, Diane Thompson, an attorney at NCLC. “In fact, servicers usually make money on foreclosures,” she said.

Thompson pointed out that mortgage servicers—including many large banks—have found it cheaper to foreclose on homeowners than to offer loan modifications that would benefit homeowners and investors. Unfortunately, a servicer deciding between a foreclosure and a loan modification faces the prospect of near certain loss if the loan is modified, and no penalty, but potential profit, if the home is foreclosed.

Who are these servicers that profit from foreclosures? Servicers are the banks or financial companies that usually collect payments and administer mortgage loans. They play a key role in the current fore-

closure crisis, since original lenders frequently sell loans to investment trusts that rely on servicers to carry out most day-to-day transactions. Homeowners seeking to save their homes by modifying unaffordable loans typically deal with servicers.

The report found that servicers often deny homeowners principal and interest rate reductions because as servicers they find it profitable to offer repayment plans or forbearance agreements that do little to reduce homeowners’ debt burdens.

“Too many of those financial incentives encourage servicers to ignore the interests of homeowners,” said Thompson. “The people who could change the way servicers are doing business—Congress, the Administration, and the Securities and Exchange Commission—and the market participants who set the terms of engagement—credit rating agencies and bond insurers—have failed to provide servicers with the necessary incentives to reduce foreclosures and increase loan modifications.”

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NCLC’s report makes the following recommendations:

- Avoid irresponsible lending through regulation of loan origination
- Mandate loan modifications before a foreclosure
- Fund quality mediation programs
- Provide for principal reductions on existing loans in the Administration’s Home Affordable Modification Program (HAMP) and through bankruptcy reform
- Increase automated and standardized loan modifications for borrowers in default and provide a safety net for borrowers for whom a standardized modification is not affordable or who later default, through no fault of their own, on a loan modification
- Ease accounting rules for modifications to facilitate standardized review, encourage long-term modifications, and enhance servicer recovery of the expenses incurred in performing a modification
- Require more transparency and uniformity in how servicers report loan modifications to investors
- Limit fees charged borrowers in default to reasonable and necessary ones

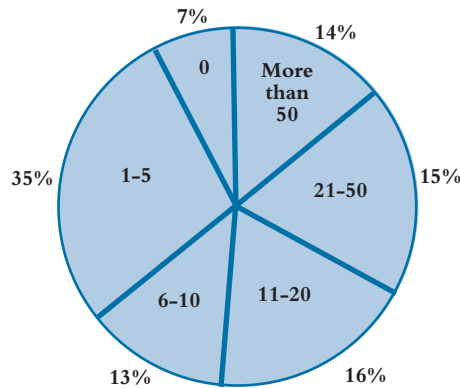
Survey Confirms Mortgage Servicer Violations of HAMP

In October 2009, the National Consumer Law Center and the National Association of Consumer Advocates issued a report that indicated a widespread failure among participating servicers to adhere to the Administration's Home Affordable Modification Program requirements regarding foreclosure sales. The report included numerous case studies from consumer attorneys where servicers proceeded with a foreclosure sale without completing a proper HAMP review.

On November 30, 2009, NCLC and NACA surveyed NACA member attorneys who work on housing and foreclosure prevention issues about their experience with HAMP. We asked them the following: "How many households have you or your office represented, where a mortgage servicer attempted to proceed with a foreclosure sale on someone's primary residence without first properly reviewing the homeowner for a HAMP mortgage loan modification?" The results of the survey demonstrate that servicers continue to violate the letter and spirit of HAMP.

- Almost 95% of the 113 consumer advocates responding from over 24 states have represented homeowners in cases where the servicer attempted to proceed with a foreclosure sale without a completed HAMP review.
- Nearly 50% of the respondents have represented 10 or more households suffering from this situation.
- 29% of the survey respondents stated that they have represented more than 20 households where a servicer attempted to proceed with a foreclosure sale.
- 14% of the survey respondents stated that they have represented more than 50 households where a servicer attempted to proceed with a foreclosure sale.

Percentage of Respondents Reporting the Number of Attempted Foreclosure Sales on a Client's Primary Resident Without a Proper HAMP Review



"The results from our survey are clear—servicers are not abiding by the current HAMP policy on stopping foreclosure sales," said Alys Cohen, an NCLC staff attorney. "Unless the Treasury Department mandates a policy that requires servicers to refrain from foreclosure referrals or procedures until a full and fair evaluation of a homeowner's eligibility for HAMP has been completed, too many American families will be improperly denied the opportunity to save their homes."

(As of press time for Outlook, Treasury had not yet announced any changes in policy-ed.)



Massachusetts Court Approves Small Claims Reforms

In response to a flood of abusive suits in the state's small-claims courts, the Massachusetts Supreme Judicial Court recently approved a significant set of reforms urged by NCLC to protect debtor's rights.

The Court approved new standards that were recommended by a task force of prominent lawyers, including NCLC's Robert Hobbs and Charles Delbaum. The standards, which took effect in October 2009, require debt collectors to provide basic information about the money they want to collect and to certify that debtors have been properly notified of when to appear for court proceedings. They also call for clerk magistrates who oversee small-claims hearings to review all payment agreements and to ensure that collectors are not illegally tapping disability or Social Security income as a source of debt payments.

"This is an important first step in what we hope will be a wholesale reform of how debtors are treated by the courts in Massachusetts," said Hobbs.

Hobbs also said that only a handful of consumers are represented by an attorney in the 100,000 or so annual debt collection cases filed in Massachusetts. "Many of those debt collection suits involve important legal defenses that are often not recognized by the pro se consumer defendants and thus almost all of the collection suits result in default or consent judgments," he said. "We are encouraged to see that a lawyer for the day program for consumer defendants is starting up in the Boston Municipal Court, and we hope the program can be expanded."

Bob Hobbs and Charles Delbaum prepare for the Fair Debt Collection Conference held in early March in Jacksonville, Fla.

Grants Fund NCLC Advocacy and Special Initiatives

Following are special project grants that were received by NCLC since our Fall 2009 edition of Outlook:

Atlantic Philanthropies

a subgrant from the Mississippi Center for Justice to provide expert advice, policy analysis, training, and consulting services for Mississippi's Campaign to Advance Economic Security for Elders.

Boston Foundation

for *Project Stay Connected*, which helps low-income families in Massachusetts address utility arrearages and avoid shut offs. Charlie Harak is the project director.

Annie E. Casey Foundation

for our Auto Project, to engage in auto policy advocacy at the state and federal levels. We will provide technical assistance to advocates across the country and educate policymakers, the public, and the media on the importance of auto issues to low-

income families and the need for reform. John Van Alst is the project director.

Paul and Phyllis Fireman Charitable Foundation

for *Project Stay Connected*.

Ford Foundation

for Reforming the Consumer Financial Services Marketplace, to advocate for strong consumer protections at the federal and state levels involving a broad range of consumer financial services. Carolyn Carter is the project director.

Massachusetts Department of Housing and Community Development

to analyze and access Massachusetts' Low-Income Home Energy Assistance Program. This grant involves collaboration between NCLC, MacGregor Energy Consultancy, and the University of Massachusetts' Donahue Institute.

Massachusetts Office of the Attorney General

for the Foreclosure Prevention Project, to help low-income homeowners in Massachusetts avoid foreclosure and sustain their homeownership over the long term. Odette Williamson is the project director.

George H. and Jane A. Mifflin Memorial Fund

for the Foreclosure Prevention Project, which helps low-income homeowners in Massachusetts avoid foreclosure and sustain their homeownership over the long term. Odette Williamson is the project director.

U.S. Department of Housing and Urban Development

a subgrant from National Council of La Raza to train housing counselors and other advocates in foreclosure prevention techniques and to combat predatory lending and housing discrimination.

Foreclosure Mediation Programs Off to Slow Start but Show Promise NCLC Reveals Program Flaws, Highlights Nevada and Maine Approaches

In response to the foreclosure crisis, a number of states and local governments have set up programs that require mediations or conferences before foreclosures sales take place. NCLC has collected extensive data on programs around the country and has found that while mediation programs have the potential to work, most existing programs fail to impose significant obligations on mortgage servicers and thus are not producing significant mortgage modifications.

In the fall of 2009, NCLC issued a comprehensive report on 25 foreclosure mediation programs in 14 states, *State and Local Foreclosure Media Programs: Can They Save Homes?* According to the report, the programs often lack mandatory rules and fail to impose sanctions for non-compliance with what minimal rules exist. For example, the programs do not require ser-

vicers to provide information substantiating a right to foreclose, nor do they mandate analyses of loan modification alternatives. Many set unreasonable procedural barriers that restrict large numbers of homeowners from participating.

"Under most of the existing foreclosure mediation programs, servicers have all the discretion and homeowners have little or no power," said Geoff Walsh, an NCLC staff attorney and the report's author: "If the programs continue to demand little or no accountability from servicers, they will likely go the way of federal efforts to control foreclosures that have failed as a result of relying on voluntary compliance by the lending industry."

In January 2010 NCLC took a closer look at the implementation of mediation programs in Nevada and Maine, two new

programs that incorporate stronger accountability measures than many other existing programs. Although it is too early to draw firm conclusions, it appears Nevada's law (which went into effect in July 2009) may be having an effect on slowing foreclosure activity in the state. The total number of foreclosure-related filings in Nevada for November 2009 was 33 percent lower than in November 2008.

Under most of the existing foreclosure mediation programs, servicers have all the discretion and homeowners have little or no power.

GEOFF WALSH

Seniors Face New Home Equity Threat

Reverse Mortgage Market Vulnerable to Abuses, Abusers

The equity and savings of millions of seniors are under threat from some of the same abusive practices and abusers that plagued the subprime mortgage market.

According to *Subprime Revisited: How the Rise of the Reverse Mortgage Lending Industry Puts Older Homeowners at Risk*,” the reverse mortgage market offers a ripe target for abusive lenders now that the forward mortgage market has crashed. Annual reverse mortgage volume has topped 110,000 units and \$17 billion, with top banks like Wells Fargo and Bank of America and large insurance companies like Genworth and MetLife leading the way. Within the mortgage industry, reverse mortgages continue to grow, with volume more than doubling between 2005 and 2008.

“In the reverse mortgage market, seniors face some of the same aggressive lending practices that were common in the subprime lending boom,” said Tara Twomey, an NCLC attorney and author of the report. “Well-funded marketing campaigns and perverse incentives to brokers are targeting seniors’ home equity and using reverse mortgages as their tools”

U.S. Senator Claire McCaskill (D-Mo.), participating in a press conference with NCLC when the report was released in the fall of 2009, said the report validated the need for regulatory improvements in order to protect America’s seniors as well as our tax dollars.

“We’ve seen this movie before and it didn’t have a pretty ending. Abuses in the subprime lending market almost brought down our economy. Now we’re seeing similar abuses with reverse mortgage lending—something needs to be done before more life savings are depleted and more tax dollars are drained,” Sen. Mc-

Caskill said.

Many of the same players that fueled the subprime mortgage boom—ultimately with disastrous consequences—have turned their attention to the reverse mortgage market. Lenders, including some of the nation’s largest banks, view that market as a source of profits that have dried up elsewhere. Mortgage brokers see it as a new source of rich fees. Predators who once reaped profits from exotic loans have now focused on wresting more wealth from vulnerable seniors. And securitization, which allowed subprime loan originators to disassociate themselves from the downside risks of abusive lending, is becoming commonplace in the reverse mortgage industry.

The report describes the growth of an aggressive and dangerous reverse mortgage sales culture that has outstripped the limited resources and uncertain funding for the counseling agencies that current laws rely on to prevent reverse mortgage abuses.

“We urgently need stronger protections for reverse mortgage borrowers, especially a suitability standard that obligates those who arrange and profit from reverse mortgage deals to seek to avoid harming the financial interests of elderly clients,” Twomey said.

The report also called for the extension of reverse mortgage protections to all equity conversion products aimed at seniors, a prohibition on yield spread premiums and other perverse incentives in the reverse mortgage market and better data collection by lenders.



NCLC’s Rick Jurgens, contributing author to *Subprime Revisited*

We’ve seen this movie before and it didn’t have a pretty ending... [N]ow we’re seeing similar abuses with reverse mortgage lending—something needs to be done before more lifesavings are depleted and more tax dollars are drained.

SENATOR CLAIRE McCASKILL

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Government's Response...

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of sustainable loan modifications. We also have testified before Senate and House committees to outline our concerns and advocate for meaningful assistance to struggling homeowners and strong mortgage servicing reform, and have issued an investigative report: *Why Servicers Foreclose, When They Should Modify, and Other Puzzles of Servicer Behavior*.

The Administration has been open to us and willing to discuss its program in detail. But problems that we and others identified months ago continue to plague the program:

- *Foreclosures should stop while modifications are being considered:* Homeowners must fight to save their homes as their foreclosures proceed while waiting months for a response to their modification requests.
- *Homeowners need transparency and an opportunity for review.* Homeowners should be able to easily verify whether they qualify for a HAMP modification and have an independent review process when denied a loan modification.

• *Modifications should be sustainable.* Those redefaulting due to circumstances beyond their control need the continued assistance of the modification program, and some homeowners need to be shielded from interest rate increases after the first five years of a permanent modification.

• *Enforcement is critical.* Servicers are not penalized when they disregard the most basic HAMP requirements. Servicers continue to have incentives to foreclose rather than to modify even if a modification would be a win-win for the mortgage holder and the consumer.

• *Loan principal, and second mortgages, must be reduced:* The Administration has resisted efforts to include reductions in the loan principal. Unless the principal of loans

that are deeply underwater can be reduced, many loan modifications will fail. Most mortgage servicers have also declined to participate in programs to reduce the claims of second mortgages and home equity lines of credit.

The Administration acknowledges that the goal of large-scale, sustainable loan modifications remains elusive and continues to be receptive to our input. We are continuing to hit away at the details of the program while also advocating for large-scale change. Fundamentally nothing will change until Congress provides some sticks to augment the Administration's carrots: mortgage servicers must have a legal duty to offer affordable loan modifications to qualified homeowners before foreclosing, and judicial modifications in bankruptcy must be the final safety net. That is the message that Senators and Representatives need to hear from the communities they represent.

HOME AFFORDABLE MODIFICATION PROGRAM (HAMP) BY THE NUMBERS

- **3 million foreclosures actions were filed in 2009**
- **1 million homeowners have undertaken short term payment plans**
- **Only one in ten has had his mortgage permanently modified**



Lauren Saunders, Managing Attorney, Washington office.

NCLC Webinars Train Thousands of Advocates

Following up on last year's successful launch of its webinar series, NCLC plans to continue offering these convenient, free-of charge, courses in 2010. The following webinars are currently on the schedule:

- **Loan Mod Scams** with Andrew Pizor, NCLC, March 10, 2010.
- **Consumer Fraud** with Sara DePaul, Federal Trade Commission, April 14, 2010.
- **Nuts and Bolts on Guardianship and Alternatives: When to File and How to Limit the Order** with Erica Wood, American Bar Association Commission on Law and Aging, May 12, 2010.
- **Auto and Older Americans: An overview of auto related issues of particular significance to older Americans including: vehicles equipped with assistive devices, recreational vehicles, and cosigners for auto purchases** with John Van Alst, NCLC, June 9, 2010.
- **The Role of Undue Influence in Elder Abuse** with Lori A. Stiegel, senior attorney ABA Commission on Law & Aging, July 14, 2010.

Please make sure to visit www.NCLC.org for new courses or other updates to the schedule. If you are interested in attending a webinar, please e-mail NCLC training coordinator Jessica Hiemenz at JHiemenz@nclc.org to receive a registration invitation.

Donovan Earns.....

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"He is a highly skilled consumer attorney who has demonstrated the kind of creative lawyering and professional leadership that make him an ideal candidate...the Countryman Award is not only about good lawyering; it also recognizes contributions made to the community itself. Here, too, Mike's contributions have been exemplary." Irv Ackelsberg, Philadelphia

"...what is particularly deserving of recognition are his excellent and successful trial advocacy skills resulting in four substantial verdicts in class action trials over the last four years. I am aware of no other consumer lawyer in the country that has achieved such a level of class action jury trial success. Mike...has properly received national recognition for his creative strategies and brilliant legal arguments." James C. Sturdevant, San Francisco

"I had the privilege of working with Mike and getting to know him well when we were co-chairs of NACA last century. I have learned that Mike's commitments and talent are commensurate with his well-deserved success and that is to say exemplary and extraordinary on all counts." Richard Rubin, Santa Fe
"...[as a young legal aid attorney] I was in

awe of his accomplishments and intrigued by how much change he was able to effectuate, even in defeat. Despite his already impressive resume he was so accessible to us all and willing to share his knowledge and experiences." Lynn Drysdale, Jacksonville, FL

Mike's commitments and talent are commensurate with his well-deserved success and that is to say exemplary and extraordinary on all counts.

RICHARD RUBIN, Santa Fe

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