Checklist for Tracking Compliance with the RESPA Loss Mitigation Rules

Date of any prior applications, starting with oldest application submitted AFTER 1/10/14:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Date | Submitted after 1/10/14? | Was it “complete”? | Servicer complied with loss mit regs? | Same servicer now as then? |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

\*If all four boxes are checked for any prior app, this app may be considered duplicative. See 1024.41(i).

First day delinquent (if last unpaid payment was due Jan. 1, put Jan. 2): \_\_\_\_\_\_\_

Date when loan will be (or was) 120 days delinquent: \_\_\_\_\_\_\_

Date servicer initiated foreclosure by making the “first notice or filing”: \_\_\_\_\_\_\_

Has a foreclosure sale been scheduled? If yes, when was it scheduled? \_\_\_ Sale date: \_\_\_\_\_\_\_

Date pending loss mit application was submitted: \_\_\_\_\_\_\_

As of application date, had a foreclosure sale been scheduled?

If yes, foreclosure sale date: \_\_\_\_\_\_\_

If no, treat as if application submitted > 45 days pre-foreclosure

For any application submitted > 45 days before foreclosure, servicer must:

Send a letter (pursuant to 1024.41(b)(2)) within 5 business days notifying homeowner that application is complete, or if incomplete, what docs are needed to complete and deadline to do so.

Date (b)(2) letter was mailed by servicer: \_\_\_\_\_\_\_

Date loss mit application was complete: \_\_\_\_\_\_\_

\_\_ Servicer notified in (b)(2) letter that initial app was complete

\_\_ Borrower sent all the docs requested in (b)(2) letter as of this date: \_\_\_\_\_\_\_\_

\*Once servicer has notified borrower that app is complete or borrower has submitted all requested docs, the app remains “facially complete” even if servicer later requests additional docs.

Was application complete OR facially complete:

\_\_ before 120th date of delinquency \_\_before servicer initiated f/c by making “first notice or filing”

\_\_before a sale was scheduled \_\_at least 90 days before sale date \_\_at least 37 days before sale date

After application was complete, did servicer ever request additional docs?

|  |  |  |  |
| --- | --- | --- | --- |
| Docs requested | Date requested | Deadline to submit | Date submitted |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

Date servicer sent written offer/denial: \_\_\_\_\_\_ Was it within 30 days of complete app? Y / N

Evaluated for all options? Y / N Specific reason for denial given? Y / N

Deadline to accept loss mit offered:

Deadline to appeal denial:

Date servicer responded to appeal: