

# LOCAL MORTGAGE FORECLOSURE DIVERSION PROGRAMS



# BUCKS COUNTY RESIDENTIAL MORTGAGE FORECLOSURE DIVERSION PROGRAM

Est. August 4, 2009

- Owner Occupied Residential Property
  - Certification by Plaintiff's Counsel
  - Urgent Notice
    - Hotline 1-866-760-8911
    - Bucks County Housing Counselor
    - Free Legal Services (if eligible) 877-429-5994
    - Participation is FREE

# Bucks County Diversion Program Certification and Notice

1- Complaint (personal service)

2- Mail:

Defendant at Property

Defendant's Last Known address

Defendant's Attorney of record

Owner

# Bucks County Diversion Program Stay

- at least 20 days after conference
- To do:
  - Meet Housing Counselor
  - Financial Documents
  - 2 weeks or more before conference: proposal
  - Plaintiff must be prepared to respond at conference

# CHESTER COUNTY MORTGAGE FORECLOSURE DIVERSION PROGRAM

None applicable

# DELAWARE COUNTY MORTGAGE FORECLOSURE HOTLINE PROGRAM

est. by Order dated September 17, 2009

Requirement: Owner 's principal residence

Housing Counselor sends proposal to lender  
and attorney

Independent “conference”

30 day stay

# Delaware County Diversion

**“IMPORTANT NOTICE”**

Served by Sheriff with Complaint

Save Your Home Hotline 800-989-2227

30 days from date of Notice to call Hotline

# Delaware County Diversion Program

- Procedure for securing 30 day stay
  - Housing Counselor completes Notification of Contact and sends to Plaintiff's Counsel
  - Housing Counselor must call Plaintiff's Counsel if 25 days from the date of the Notice lapsed



# MONTGOMERY COUNTY PILOT DIVERSIONARY PROGRAM

Effective June 1, 2015

- Actions filed after January 1, 2015
- Residential, owner-occupied
- Debt \$300,000.00 or less
- Defendant not involved
  - divorce,
  - bankruptcy
  - estate proceeding

# Montgomery County Diversion Program Notice

- sent by Court with Order scheduling conference
- encourages borrower to contact Housing Counselor at Clarifi (HUD approved)
- **FREE**

# Montgomery County Diversion Program Stay

- Effective at filing Complaint (allows service)
- Conference 5-6 weeks after filing (Fridays)

# Montgomery County Diversion Removal from Program

- Failure to appear
- Failure to complete submission of financial package (excludes first conference)
- Conclusion of conciliation
- Dismissal from Program

# Montgomery County Diversion Program Preparation for Conference

Service and status courtesy update to Nancy Grisafi before  
conference [ngrisafi@montcopa.org](mailto:ngrisafi@montcopa.org)

- **Borrower duties:**
  - Meet housing counselor in person and provide documents
  - Attend conference
- **Lenders Duties:**
  - Plaintiff's Counsel must attend conference
    - Knowledge of case
    - Willingness to settle

**PHILADELPHIA COUNTY MORTGAGE FORECLOSURE  
DIVERSION PROGRAM**

est. April 16, 2008

Cover sheet to complaint identifies owner  
occupied residential property

- Objection procedure

Service of “IMPORTANT NOTICE”

# Philadelphia County Diversion Program Notice

- Save Your Home Philly Hotline
  - 215-334-HOME
- Stresses need to call the Hotline and speak with a housing counselor
  - Counselor advises what to do next

# Philadelphia County Diversion Program

## The Courtroom

- 676 City Hall
- Informal negotiation
- Submission of Order by consent
- If agreement, the appropriate order completed, signed and submitted for court approval
- If financial package is complete and the parties disagree, Judges Pro Tem are available to attempt resolution and, if necessary, propose appropriate Order for entry by Court



# Philadelphia Diversion Program

## 1st Order

### First Conciliation Conference Listing Order

- No service
- Served less than 14 days ago
- Second conference is scheduled
- Other

# Philadelphia Diversion Program

## 2<sup>nd</sup>, 3<sup>rd</sup> ... Orders

### Order for Second and Subsequent Listing of Conciliation Conference

- Agreement is reached (possible follow up conference for forbearance agreements)
- Attempting resolution with new conference date
- Other

# Philadelphia Diversion Program Order For Removal

- Failure to appear at first conference
- Failure to appear at subsequent conference
- Parties agree property is not residential or not owner occupied
- Unexcused failure to submit financial information at least 14 days before conference
- Conciliation concluded

Order advises of next event: file answer deadline, cmc, sale date.

# Philadelphia Diversion Program Alternate Order For Removal

- Agreement type
- Discontinued foreclosure (resolution identified)
- Bankruptcy stay

# THE END

