

SANDUSKY COUNTY COURT OF COMMON PLEAS

Request for Foreclosure Mediation

*****CAUTION*****

You have been served with a foreclosure complaint that could cause you to lose your property. You should consult with an attorney concerning your rights and responsibilities. To avoid having a default judgment taken against you, you **MUST** serve your written answer or motion for extension of time to answer or otherwise plead upon the attorney for the Plaintiff (if the Plaintiff does not have an attorney, you must serve the answer or motion on the Plaintiff), **AND** file your written answer or motion with the Clerk of Courts. Refer to the summons on complaint you received for additional details.

If you complete both of the steps listed above, **AND** you would like to remain in your home, you may be considered for the Court's mediation service at no additional cost to you. If these requirements apply to you, and you would like to be considered for the Court's mediation service, please read and complete the remainder of this form. If these requirements do not apply to you, or you do not wish to be considered for the court's mediation service, you may disregard this form. **IN OTHER PARTS OF OHIO, MEDIATION HAS BEEN SUCCESSFUL AT WORKING OUT FAVORABLE RESOLUTIONS TO FORECLOSURE CASES. YOU ARE STRONGLY URGED TO CONSIDER PARTICIPATING IN MEDIATION.**

You are strongly urged to seek legal counsel. You may contact the Save the Dream hotline by calling 888-404-4674. Additional information and resources can be found at www.savethedream.ohio.gov. You may also be eligible for the assistance of a volunteer lawyer to represent you in the mediation. To determine your eligibility for a volunteer lawyer, call Legal Aid of Western Ohio at 1-888-534-1432. Your interests will be best protected if you seek counsel early. If you choose to proceed without an attorney, understand that you may seek legal advice at any time.

Mediation Request

In order to process this request, all information asked on this sheet must be provided. Failure to do so may result in a delay of your request. Thank you for your cooperation!

To determine if you are eligible for mediation, please complete one form for all debtors on the loan and return it to:

Foreclosure Mediation
Sandusky County Courthouse
100 N. Park Ave.
Fremont, OH 43420

You will receive written notice whether your case will be mediated or will continue on the trial docket. When completing this form, the word "you" means any debtor on the loan. If you need additional space, attach a separate sheet.

Questionnaire For Foreclosure Cases

Case Name _____ Case Number _____

This form should be completed only if you would like to remain in your home, and wish to have your case evaluated to determine if it is appropriate for mediation.

Mediation is a free, voluntary process through which you, as the debtor, and the creditor can determine if an agreement can be reached to cure any defaults in the loan and re-negotiate the terms of the loan in a manner that could allow you to remain in your property or other terms as agreed by the parties. The Court will provide a mediator who facilitates the mediation process. The mediator will not give legal advice to either party and you are therefore urged, but not required, to retain an attorney to represent you and to provide you with legal advice.

Your Name(s): _____ Attorney's Name: _____

Address: _____ Address: _____

Phone No: (____) _____ (day) Phone No: (____) _____

(____) _____ (evening) Attorney for Foreclosure ___Bankruptcy___

1. ___ yes ___ no Is this property your only residence?
2. ___ yes ___ no Are you currently living in this property?
3. ___ yes ___ no Are you interested in trying to remain in this property?
4. ___ yes ___ no Are you and/or your spouse presently employed? If yes, how long have you and/or your spouse been employed by your current employer(s)?
You: _____ year(s) Spouse _____ year(s)
5. ___ yes ___ no Are you in the process of filing bankruptcy or thinking about filing bankruptcy?
6. ___ yes ___ no Have you filed an Answer or a Request for Extension of Time to Answer?
7. ___ yes ___ no Have you received financial counseling?

If yes, provide details: _____

8. ___ yes ___ no Do other mortgages or liens exist on this property? Examples of other mortgages and liens are home equity loans, tax liens, child support liens, judgments from lawsuits. List them below:

Who is owed?	How much is due?	Past due? (yes/no)
_____	_____	_____
_____	_____	_____
_____	_____	_____

9. Check all items that have made you miss your mortgage payments:

___ Injury or illness

___ Adjustable Rate Mortgage (ARM): a mortgage loan where the interest rate changes periodically throughout the course of the loan

___ Balloon Payment: any repayment option under which the borrower is required to pay the entire amount of the outstanding balance of the loan as of a specified date or the end of a specified period

___ My expenses are more than my income (please describe): _____

___ Other (please describe): _____

10. _____ How many payments have you missed?

11. ___ yes ___ no Have you signed any documents or agreements regarding your mortgage? If yes, please attach them.

Documents/Agreements Attached ___ Yes ___ No

12. ___ yes ___ no Have you filed or do you plan to file a divorce or dissolution?

13. ___ yes ___ no Is or will this property be subject to an estate action in Probate Court? If yes, identify the jurisdiction, case name and number: _____

14. \$ _____ What is the amount of your monthly payment to the lender who is foreclosing?

15. \$ _____ If your property tax and property insurance are *not* included in the payment to that lender, what is the amount of your monthly property taxes and insurance?
16. \$ _____ Total monthly mortgage, property tax, and property insurance for this loan (add the amounts listed on lines 14 and 15).
17. \$ _____ How much is your current monthly NET (after taxes) income from all sources?
18. \$ _____ What are your total monthly expenses **without THIS mortgage, property tax, and property insurance?** (Note: Include payments on other property liens.)
19. \$ _____ Total remaining net income (subtract the amount on line 18 from the amount on line 17).

I state that I am of lawful age, that I have personal knowledge of the information noted above, and that it is true.

Defendant's signature

Defendant's signature

Date: _____

Date: _____

By requesting mediation, I/we hereby consent to comply with all aspects of the foreclosure mediation program, including: participation in a credit counseling session prior to the mediation session; allowing a certified appraiser access to my/our property in order to complete a certified appraisal; and consenting to this form and all financial information provided to the credit counseling agency being sent to the plaintiff in order to help facilitate a resolution at the mediation session.

Defendant's signature

Defendant's signature