

**FORECLOSURE MEDIATION  
NOTICE TO HOMEOWNER OR  
RELIGIOUS ORGANIZATION**  
(For cases with a Return Date of  
10/1/2011 or later)

JD-CV-127 Rev. 7-15  
C.G.S. §§ 49-31f, 49-31k; PA 15-124

STATE OF CONNECTICUT  
SUPERIOR COURT  
JUDICIAL BRANCH  
[www.jud.ct.gov](http://www.jud.ct.gov)



**ADA NOTICE**

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**Notice to Homeowner or Religious Organization:  
Availability of Foreclosure Mediation**

You have been served with a foreclosure complaint that could cause you to lose your property.

A **Foreclosure Mediation Program** has been set up to help certain homeowners and religious organizations.

You must fill out the attached **Foreclosure Mediation Certificate form, JD-CV-108** and **Appearance form, JD-CL-12** and file them with the Court no later than 15 days from the Return Date on the *Summons* form that was served on you (or delivered to you). If these forms are not attached, you may get them at any Judicial District courthouse or from the Judicial Branch website at [www.jud.ct.gov/webforms](http://www.jud.ct.gov/webforms).

A mediation may be scheduled if:

1. You are the **owner-occupant** of a **1, 2, 3 or 4 family residential** property; and
  - you are a **borrower** or a **spouse or former spouse of a borrower who qualifies as a Permitted Successor-in-Interest** (see *Foreclosure Mediation Certificate*, form JD-CV-108, to determine if you qualify as a Permitted Successor-in-Interest); and
  - the **mortgage** on your owner-occupied residential property is being **foreclosed**; and
  - the property being foreclosed is your **primary residence**; and
  - the property is located in **Connecticut**; *or*
2. the property is **owned by a religious organization that is the borrower**, and is located in **Connecticut**.
3. If you are eligible based on the above criteria, you will first meet with a mediator who will determine if mediation with your lender or mortgage servicer will be scheduled.

Mediation is where a person who does not take sides helps parties try to settle their case.

Judicial Branch mediators will conduct mediation sessions at the courthouse.

**There is no application fee for this program.**

Print Form



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The Court's Foreclosure Mediation Program is set up to help eligible homeowners and their lenders or mortgage servicers see whether they can reach a fair and voluntary agreement under the supervision of a neutral mediator employed by the Court. The program addresses all aspects of the foreclosure including any assistance options that may be available through your lender or mortgage servicer to help you 1) keep your home, or 2) gracefully exit from your home by way of a short sale, deed-in-lieu of foreclosure, or negotiated sale date or law day.

**The objectives of the mediation program are:**

- To determine whether the parties can reach an agreement that will either:
  1. Avoid the foreclosure by means that may include programs that are available through your lender or mortgage servicer; or
  2. Expedite or facilitate the foreclosure in a manner that is acceptable to both you and your lender or mortgage servicer.
- To reach this determination with reasonable speed and efficiency, with both parties participating in the mediation process in good faith, without unreasonable and unnecessary delays.

**What you must do:**

1. Fill out the Appearance form and Foreclosure Mediation Certificate. These forms are included in this packet. You must file them with the court **no later than 15 days after the return date**. The return date is printed on the upper right part of the Summons form in this packet. **You do not have to come to court on the return date**. The court cannot notify you of the date and time you must come for your first premediation meeting until you file these forms.
2. Mail a copy of the Appearance form and the Foreclosure Mediation Certificate to the Plaintiff's attorney at the address of the attorney or law firm on the Summons form, and to any other party who has filed an appearance in your case.
3. **Start gathering documentation** so that you will be prepared to meet with your mediator. Lenders typically request copies of the following documents:

**Proof of Income**

- *Wage/Salary Income* — Pay stubs covering the last 30 days.
- *Self-Employment Income* — Profit & Loss statement for the most recent quarter or year to date, signed and dated.
- *Benefit Income* — Most recent award letter (*social security, disability, food stamps, pension, public assistance, adoption assistance*).
- *Rental Income* — All leases with signatures.
- *Alimony/Child Support* — If you rely on this income to pay your mortgage, Court order showing the amount of alimony and/or child support that you receive.
- *Contribution Income* — Contribution letters from all non-borrowers who are related to you and live with you, signed and dated by them, and proof of their income.
- *Federal Tax Returns* — Personal returns with all schedules for the last 2 years; copies of business returns, if applicable; copies of IRS tax filing extensions, if applicable.
- *Bank Statements* — Personal bank statements for the last 2 months and business bank statements for the last 4 months if self-employed. Must include all pages, bank logo, and account holder's information.

**Other Information**

- Most recent utility bill (*gas, electric, or water*).
- Most recent real estate property tax bill.
- Evidence of amount of homeowner's association dues or condominium fees, and whether current or delinquent.

- Homeowners' insurance declaration page.
  - Hardship letter — A letter explaining what happened that prevented you from making your mortgage payment, and that indicates whether or not the hardship has been resolved, signed and dated by all borrowers.
4. Within 35 days from the return date, your lender or mortgage servicer will mail you a packet of forms, their list of required documentation, and other information about your loan or your property. A copy will also be sent to your mediator. **Upon receipt of this packet, complete the forms provided, gather any additional documentation on the list, and bring the completed forms and documentation to your scheduled premediation meeting with your mediator.** You can read more about this meeting in the next section below. **Do not mail the completed forms and documentation to the court.**

## The Mediation Process

If your return date is October 1, 2013 or later, the Foreclosure Mediation Program will consist of two stages:

- **Premediation** — During this stage, you will meet one-on-one with a mediator to review your financial information and to discuss possible options. If necessary, the mediator will assist you in completing forms and gathering the documentation required by your lender or mortgage servicer. The mediator may also refer you to other resources that can help you, such as the housing counseling agencies listed on the attached Notice of Community-Based Resources. You may have one or more meetings with the mediator, but premediation will end approximately 12 weeks from the return date on your Summons. At the conclusion of premediation, the mediator will ensure that your documentation is delivered to your lender or mortgage servicer or its attorney, and will determine whether mediation with your lender or mortgage servicer will be scheduled. If the mediator determines that mediation will not be scheduled, mediation will terminate. If mediation has been terminated, you may ask the Court to be included in mediation if you think the mediator has made a mistake or if you have had a change in circumstances. If the mediator determines that mediation will be scheduled, you will receive notice of the date and time of your mediation in the mail. The first mediation will be scheduled no later than 5 weeks from the date your forms and documentation are delivered to your lender or mortgage servicer, or its attorney.
- **Mediation** — If mediation is scheduled, you will meet with a mediator and a representative of the lender or mortgage servicer and its attorney to review any assistance options that may be available to you through your lender or mortgage servicer. **You may be asked to submit additional documentation as part of the mediation process** depending on your situation. By law, the representative is permitted to participate in mediation by phone as long as the representative is knowledgeable about your case and the types of assistance that may be available to you. If you are represented by an attorney, your attorney may appear for you after the first mediation as long as you are available to participate by phone. If you do not have an attorney and if there are 2 or more self-represented borrowers, then after the first mediation session, it is likely that only one of you will need to come to mediation if the other(s) are available to participate by phone.

## Other Information you should know:

The information you provide during the mediation process will be treated as confidential and will not be shared without your consent with anyone besides your lender or mortgage servicer, its attorneys, and a court-employed mediator with the Foreclosure Mediation Program.

Prior to your premediation meeting(s) with the mediator, if you need help filling out the forms, gathering the required documentation, or preparing for mediation, you may contact one of the housing counseling agencies listed on the attached Notice of Community-Based Resources (*JD-CV-126*). However, if you are not able to get help quickly enough, you must do your best to fill out the forms and gather the documentation yourself. The mediator will give you additional help during the premediation process.

If your spouse is not a borrower on your loan, but you wish to have them attend mediation with you, your lender will need your written consent in order to discuss your loan with your spouse.

**FORECLOSURE MEDIATION  
CERTIFICATE**

JD-CV-108 Rev. 7-15  
C.G.S. §§ 49-31k, 49-31l; P.A. 15-124

STATE OF CONNECTICUT  
SUPERIOR COURT  
JUDICIAL BRANCH  
[www.jud.ct.gov](http://www.jud.ct.gov)



**Instructions to Homeowner Applicant**

1. Use this form if the return date in your case is on or after July 1, 2009.
2. Fill out this Certificate form and an Appearance form, JD-CL-12 (available at the courthouse or online at [www.jud.ct.gov](http://www.jud.ct.gov)) and file them with the court not more than 15 days after the return date on the Summons.
3. You must mail or deliver a copy of this completed Certificate form to the plaintiff's attorney, or to the plaintiff if the plaintiff is not represented by an attorney, and to all parties who have filed an appearance in the case.

FMREQ



**This form will be used to determine your eligibility for the Foreclosure Mediation Program.**

Type or Print Legibly

Name of case (Plaintiff on Summons vs. Defendant on Summons)		Docket number (To be filled in by court staff)
Return date (On upper right portion of Summons)	Judicial District of (On upper left portion of Summons)	
Your name		
Address (Number, street, town, state, zip code)		
Telephone number ( )	Business phone ( )	Cell phone ( )

**A. If you are an individual, answer the following questions:**

- |   |                              |                             |
|---|------------------------------|-----------------------------|
| 1. Do you own the property?   | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 2. Do you live in the property?   | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 3. Is it your primary residence?  | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 4. Is it a 1, 2, 3 or 4 family residential property located in Connecticut? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 5. Is this a mortgage foreclosure?  | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 6. Are you a borrower on the note?  | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

If you are not a borrower on the note, but answered "yes" to questions one (1) through five (5) and you are the spouse or former spouse of a borrower, go to Section C, on Page 2.

If you answered "yes" to questions one (1) through six (6) and another defendant in this case has requested or may request in Section C to participate in the Foreclosure Mediation Program as a Permitted Successor-in-Interest, who became the owner of the property as a result of divorce, legal separation, or a property settlement agreement related to a divorce or legal separation, go to Section D.1.

**OR**

**B. If you are filing this on behalf of a religious organization, answer the following questions:**

- |  |                              |                             |
|--|------------------------------|-----------------------------|
| 1. Does a religious organization own the property?             | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 2. Is the property located in Connecticut?                     | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 3. Is the religious organization the borrower on the note?     | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 4. Is the return date in the case on or after October 1, 2011? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

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Continued on next page...

Print Form

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### C. Permitted Successors-in-Interest

If you are not a borrower on the note, but answered "yes" to questions one (1) through five (5) in Section A and you are the spouse or former spouse of a borrower, you may be able to participate in the Foreclosure Mediation Program as a Permitted Successor-in-Interest. Answer the following questions to help the Court determine if you qualify:

1. Are you a defendant in this case? ☐ Yes ☐ No
2. Is the return date in this case on or after October 1, 2015? ☐ Yes ☐ No
3. If you answered "yes" to one (1) and two (2), how did you become the owner of the property?  
(check the box that applies to you, if any)
  - ☐ 3a. I became the only owner of the property when it was transferred to me from my deceased spouse's estate.
  - ☐ 3b. I became the only owner of the property because my deceased spouse and I held joint title to the property.
  - ☐ 3c. I became the owner of the property because it was transferred to me as a result of a divorce, legal separation, or a property settlement agreement related to a divorce or legal separation.

If you checked 3c., go to Section D.2 and Section D.3.

### D. Consents

If a Permitted Successor-in-Interest, who became the owner of the property as a result of divorce, legal separation, or a property settlement agreement related to a divorce or legal separation, has applied or may apply for the Foreclosure Mediation Program, you must complete this section to qualify for the Foreclosure Mediation Program: (check only the box(es) that apply)

1. If you answered "yes" to questions one (1) through six (6) in Section A and another defendant has requested or may request to participate in the Foreclosure Mediation Program as a Permitted Successor-in-Interest, who became the owner of the property as a result of divorce, legal separation, or a property settlement agreement related to a divorce or legal separation, check this box to complete your consent:  
☐ I consent to the plaintiff mortgagee's disclosure of my non-public personal financial information to the spouse or former spouse who qualifies as a Permitted Successor-in-Interest to the extent that the plaintiff mortgagee has that information.
2. If you answered "yes" to questions one (1) and two (2) in Section C, and checked box 3c., check this box to complete **your** consent:  
☐ I consent to the plaintiff mortgagee's disclosure of my non-public personal financial information to all borrowers on this note, to the extent that the plaintiff mortgagee has that information.
3. If you answered "yes" to questions one (1) and two (2) in Section C, and checked box 3c., check this box to certify that all borrowers on the note have provided **their** consent:  
☐ I certify that all borrowers on the note have agreed to allow the plaintiff mortgagee to disclose their non-public personal financial information to me, to the extent that the plaintiff mortgagee has that information, and that the borrowers have shown their consent by (check any box that applies):
  - ☐ Submitting a Foreclosure Mediation Certificate containing their consent, or
  - ☐ Giving documentation to the plaintiff mortgagee that allows for the full disclosure of the borrower's non-public personal financial information to me.

Signed	Print name of person signing	Date signed
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### Certification

I certify that a copy of this document was or will immediately be mailed or delivered electronically or non-electronically on (date) \_\_\_\_\_ to all attorneys and self-represented parties of record and that written consent for electronic delivery was received from all attorneys and self-represented parties of record who were or will immediately be electronically served.

Name and address of each party and attorney that copy was or will immediately be mailed or delivered to\*

*If necessary, attach additional sheet or sheets with name and address which the copy was or will immediately be mailed or delivered to.		
Signed (Signature of filer)	Print or type name of person signing	Date signed
Mailing address (Number, street, town, state and zip code)		Telephone number



## State of Connecticut Department of Banking Foreclosure Hotline Bulletin Community-Based Resources for Connecticut Homeowners in Foreclosure

*Note: Assistance in multiple languages is available through Connecticut Housing Finance Authority (CHFA/HUD)-approved housing counseling agencies (refer to the list below). Ayuda en Español es disponible a través de agencias de consejería de vivienda aprobado por CHFA/HUD (favor de referirse a la lista de abajo).*

### **Toll-free Mortgage Foreclosure Assistance Hotline: 1-877-472-8313** **Department of Banking Website: [www.ct.gov/dob](http://www.ct.gov/dob)**

The free Foreclosure Hotline is open Monday - Friday 8:00 a.m. to 5:00 p.m. Calls will be returned within two business days. Homeowners who are currently a party to a foreclosure action with time sensitive foreclosure concerns should call the Hotline for assistance. You can also reach the Department of Banking by calling **1-800-831-7225 (toll-free)** or **860-240-8299**.

### **Mortgage Assistance from the Connecticut Housing Finance Authority (CHFA)**

The Connecticut Housing Finance Authority administers the state's Emergency Mortgage Assistance Program (EMAP) which was created by the Connecticut General Assembly. EMAP can help eligible homeowners with overdue payments and provide monthly mortgage assistance. For more information, contact a CHFA/HUD-approved housing counseling agency (listed below), call CHFA at **1-877-571-2432**, or visit [www.chfa.org](http://www.chfa.org).

### **CHFA/HUD-Approved Housing Counselors:**

CHFA/HUD-approved housing counselors provide free help to Connecticut homeowners who are struggling financially and may be at risk of foreclosure. They can review your budget and try to find ways to help with your financial issues. They are trained in handling FHA and "conventional" loans and can help you negotiate with your mortgage company or apply to CHFA for an Emergency Mortgage Assistance loan. If a foreclosure case has been filed against you and you have asked to participate in the Foreclosure Mediation Program, they can help you get ready for mediation (including the Premediation meetings with your mediator) and help you submit financial documents to your mortgage company as part of the mediation process. **CHFA/HUD approved housing counselors welcome residents from all over Connecticut. You do not need to go to the agency closest to you.**

County	CHFA/HUD-Approved Housing Counseling Agency	Phone
Fairfield	Bridgeport Neighborhood Trust, 570 State Street, Bridgeport <a href="http://www.bntweb.org">www.bntweb.org</a>	203-290-4248
	Urban League of Southern Connecticut, Inc., 137 Henry Street, Stamford <a href="http://www.ulsc.org">www.ulsc.org</a>	203-327-5810
Hartford	Neighborhood Housing Services of New Britain, 223 Broad Street, New Britain <a href="http://www.nhsnb.org">www.nhsnb.org</a>	860-224-2433
New Haven	New Haven HomeOwnership Center, Inc., 333 Sherman Avenue, New Haven <a href="http://www.nhsfnewhaven.org/hoc">www.nhsfnewhaven.org/hoc</a>	203-777-6925
	Capital for Change, Inc., 171 Orange Street, New Haven <a href="http://www.gnhclf.org">www.gnhclf.org</a>	203-624-7406
	Neighborhood Housing Services of Waterbury, 161 North Main Street, Waterbury <a href="http://www.nhswaterbury.org">www.nhswaterbury.org</a>	203-753-1896

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## Legal Resources

**Foreclosure Prevention Clinics:** The Connecticut Fair Housing Center and the Department of Banking present free clinics for homeowners in foreclosure. The clinics offer information on the foreclosure process and on preparing for court from a Center attorney, and on resources for homeowners from the Department of Banking. After the presentations, homeowners can talk about their situations one-on-one with volunteer attorneys and paralegals. **When scheduled in Hartford County**, the clinic is held on the **3rd Tuesday evening of the month** and is run by the Connecticut Fair Housing Center and the University of Hartford Paralegal Studies Program. **When scheduled in Fairfield County**, the clinic is held on the **3rd Wednesday evening of the month**, and is run by the Connecticut Fair Housing Center and Homes Saved By Faith. The Fairfield County clinics are sponsored by the mayors of Bridgeport, Stamford, and Norwalk. Call **1-888-247-4401** or visit [www.ctfairhousing.org](http://www.ctfairhousing.org) for more information.

**Judicial Branch Foreclosure Volunteer Attorney Program:** Volunteer attorneys are available to give advice and answer questions about foreclosure at certain courthouses in the state. Homeowners facing foreclosure throughout Connecticut are welcome to attend. Call 860-263-2734 for additional information, or visit [http://jud.ct.gov/volunteer\\_atty\\_prgrm.htm](http://jud.ct.gov/volunteer_atty_prgrm.htm).

**Foreclosure Manual for Self-Represented Homeowners:** The Connecticut Fair Housing Center publishes "Representing Yourself in Foreclosure: A Guide for Connecticut Homeowners," a free manual describing the foreclosure and mediation process for self-represented homeowners. Copies are available from CHFA/HUD-approved housing counselors, on [www.ctfairhousing.org](http://www.ctfairhousing.org), or by calling the Center at **1-888-247-4401**.

**Statewide Legal Services (SLS):** SLS provides free legal advice and referrals for callers qualifying for its services (guidelines include income limits). Call **1-800-453-3320** or **860-344-0380** or visit [www.slsct.org](http://www.slsct.org) for more information.

**Court Service Centers:** In certain Superior Court locations, Court Service Centers provide public access computers, printers, fax machines, copiers, phones, and work space for self-represented parties. Refer to [www.jud.ct.gov](http://www.jud.ct.gov), and go to the **Quick Links** menu on the home page of the Judicial website for more information.

**Lawyer Referral Services:** County Bar Associations in Connecticut offer referral services that introduce homeowners to lawyers who can answer questions during an initial half-hour consultation. You can send an e-mail with your questions and availability. Services beyond the 1st half-hour fee will be at the attorney's usual fee.

County	Phone	Fee for 1/2 hour Consultation	Website	Email
Fairfield	203-335-4116	\$35	<a href="http://www.fairfieldlawyerreferral.com">www.fairfieldlawyerreferral.com</a>	fcba@conversent.net
Hartford*	860-525-6052	\$25	<a href="http://www.hartfordbar.org">www.hartfordbar.org</a>	hcba@hartfordbar.org
New Haven	203-562-5750	\$35	<a href="http://www.newhavenbar.org">www.newhavenbar.org</a>	NHCBainfo@newhavenbar.org
New London	860-889-9384	\$25	<a href="http://www.nlcb.org">www.nlcb.org</a>	See website for contact form

\*The Hartford County Bar also covers Litchfield, Middlesex, Tolland, and Windham Counties.

**How Foreclosure Rescue Scams Work.** People in foreclosure are often the target of "foreclosure rescue scams." Be **very** careful of non-lawyers who ask you to pay a fee for counseling, loan modification, foreclosure prevention, or a "forensic audit" of your loan documents, **regardless of their promises or claims**. Many out-of-state attorneys target Connecticut residents: **you should never pay attorneys that you do not meet**. Contact the Department of Banking for more information at **1-877-472-8313** or visit [www.preventloanscams.org](http://www.preventloanscams.org).

**Mortgage Crisis Job Training Program.** The state-funded Mortgage Crisis Job Training Program is a project of The WorkPlace, Inc., in partnership with the Connecticut Housing Finance Authority (CHFA), Capital Workforce Partners, and Connecticut's workforce system. The Program helps homeowners increase their job skills and earning potential. It offers customized employment services, job training scholarships, financial literacy, and credit counseling. For information call **1-866-683-1682** or go to [www.workplace.org/mortgage-crisis-job-training-program/](http://www.workplace.org/mortgage-crisis-job-training-program/).

**Financial Assistance Programs.** Connecticut's 12 Community Action Agencies (CAAs) help people meet immediate needs through services such as Eviction and Foreclosure Prevention, energy/heating assistance, food pantries, and weatherization. CAAs also empower people to improve their financial future through employment services, financial literacy training, and other programs. To locate your local CAA call the Connecticut Association for Community Action at **860-832-9438** or visit: [www.cafca.org/our-network](http://www.cafca.org/our-network).

For more information on programs for homeowners facing financial distress, review the Department of Banking's materials on [www.ct.gov/dob](http://www.ct.gov/dob) or call **1-877-472-8313**. You can also call Info line at 2-1-1 for resources.

## Instructions

1. Type or print.
2. **For Criminal and Motor Vehicle cases:** Fill out the form, including the certification section at the bottom of the form. File the original with the clerk. Mail or deliver a copy of the appearance to the prosecutor. (*Sections 3-4(d) and 3-5 of the Connecticut Practice Book*)
3. **For Civil , Eviction (*Summary Process*), and Small Claims cases:** Fill out the form, including the certification section at the bottom of the form. File the original with the clerk. Mail or deliver a copy to all counsel and self-represented parties of record. If a party who has been defaulted for failure to appear files an appearance before the entry of judgment after default, the default will automatically be set aside by the clerk. (*Sections 3-4(a), 3-4(b), 3-5 and 17-20 of the Connecticut Practice Book*)
4. **For Family cases:** Fill out the form, including the certification section at the bottom of the form. In addition to selecting plaintiff or defendant, indicate the scope of your appearance. File the original with the clerk. Mail or deliver a copy to all counsel and self-represented parties of record. (*Sections 3-4(a) and 3-5 of the Connecticut Practice Book*)
5. **For Juvenile cases:** Do not use this form. Use form JD-JM-13 Appearance, Juvenile Matters.
6. **For Self-represented parties who have changed their address after filing an appearance:** Check the box at the top of the other side or page 1 of this form. Fill out the form, including your new address in the Mailing Address section of this form. Fill out the certification section at the bottom of the form. File the original with the clerk. Mail or deliver a copy to all counsel and self-represented parties of record or, in a criminal case, to the prosecutor.

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JD-CL-12 (Back/Page 2) Rev. 9-13

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**APPEARANCE**JD-CL-12 Rev. 9-13  
P.B. §§ 3-1 thru 3-6, 3-8, 10-13, 25A-2STATE OF CONNECTICUT  
**SUPERIOR COURT**  
www.jud.ct.govInstructions — See Back/Page 2  
ADA Notice — See Back/Page 2**Notice To Self-Represented Parties**

A self-represented party is a person who represents himself or herself. If you are a self-represented party and you filed an appearance before and you have since changed your address, you must let the court and all attorneys and self-represented parties of record know that you have changed your address by checking the box below:

☐ I am filing this appearance to let the court and all attorneys and self-represented parties of record know that I have changed my address. My new address is below.

Name of case (Full name of Plaintiff vs. Full name of Defendant)

Return date

January 22, 2019

Docket number

☐ Judicial District  
☐ Housing Session  
☐ Small Claims  
☐ Geographic Area number

Address of Court (Number, street, town and zip code)

Scheduled Court date (Criminal/Motor Vehicle Matters)

**Please Enter the Appearance of**

Name of self-represented party (See "Notice to Self-Represented Parties" at top), or name of official, firm, professional corporation, or individual attorney

Juris number of attorney or firm

Mailing Address (Number, street) (Notice to attorneys and law firms - The address to which papers will be mailed from the court is the one registered or affiliated with your juris number. That address cannot be changed in this form.)

Post office box

Telephone number (Area code first)

City/town

State

Zip code

Fax number (Area code first)

E-mail address

in the case named above for: ("x" one of the following parties; if this is a Family Matters case, also indicate the scope of your appearance)

☐ The Plaintiff (includes the person suing another person).☐ All Plaintiffs.☐ The following Plaintiff(s) only: \_\_\_\_\_☐ The Defendant (includes the person being sued or charged with a crime).☐ The Defendant for the purpose of the bail hearing only (in criminal and motor vehicle cases only).☐ All Defendants.☐ The following Defendant(s) only: \_\_\_\_\_☐ Other (Specify): \_\_\_\_\_☐ This is a Family Matters case and my appearance is for: ("x" one or both)☐ matters in the Family Division of the Superior Court☐ Title IV-D Child Support matters

Note: If other counsel or a self-represented party has already filed an appearance for the party or parties "x'd" above, put an "x" in box 1 or 2 below:

1. ☐ This appearance is in place of the appearance of the following attorney, firm or self-represented party on file (P.B. Sec. 3-8): \_\_\_\_\_

(Name and Juris Number)

2. ☐ This appearance is in addition to an appearance already on file.

I agree to accept papers (service) electronically in this case under Practice Book Section 10-13

☐ Yes☐ No

Signed (Individual attorney or self-represented party)

Name of person signing at left (Print or type)

Date signed

**Certification**

I certify that a copy of this document was mailed or delivered electronically or non-electronically on (date) \_\_\_\_\_ to all attorneys and self-represented parties of record and that written consent for electronic delivery was received from all attorneys and self-represented parties receiving electronic delivery.

Name and address of each party and attorney that copy was mailed or delivered to\*

For Court Use Only

Signed (Signature of filer)

Print or type name of person signing

Date signed

Telephone number

\*If necessary, attach an additional sheet or sheets with the name of each party and the address which the copy was mailed or delivered to.

Print Form

Reset Form

**SUMMONS - CIVIL**

JD-CV-1 Rev. 4-16

C.G.S. §§ 51-346, 51-347, 51-349, 51-350, 52-45a,  
52-48, 52-259, P.B. §§ 3-1 through 3-21, 8-1, 10-13STATE OF CONNECTICUT  
**SUPERIOR COURT**

www.jud.ct.gov

**See other side for instructions**

- ☐ "X" if amount, legal interest or property in demand, not including interest and costs is less than \$2,500.
- ☒ "X" if amount, legal interest or property in demand, not including interest and costs is \$2,500 or more.
- ☒ "X" if claiming other relief in addition to or in lieu of money or damages.

TO: Any proper officer; BY AUTHORITY OF THE STATE OF CONNECTICUT, you are hereby commanded to make due and legal service of this Summons and attached Complaint.

Address of court clerk where writ and other papers shall be filed (Number, street, town and zip code) (C.G.S. §§ 51-346, 51-350) <b>123 Hoyt Street, Stamford, CT 06905</b>		Telephone number of clerk (with area code) <b>( 203 ) 965-5308</b>	Return Date (Must be a Tuesday) <b>January 22, 2019</b> Month Day Year
<input checked="" type="checkbox"/> Judicial District <input type="checkbox"/> Housing Session	<input type="checkbox"/> G.A. Number: <b>Stamford</b>	At (Town in which writ is returnable) (C.G.S. §§ 51-346, 51-349) <b>Stamford</b>	Case type code (See list on page 2) Major: <b>P</b> Minor: <b>00</b>

**For the Plaintiff(s) please enter the appearance of:**

Name and address of attorney, law firm or plaintiff if self-represented (Number, street, town and zip code) <b>MILFORD LAW LLC D/B/A KAPUSTA, OTZEL &amp; AVERAIMO</b>		Juris number (to be entered by attorney only) <b>003287</b>
Telephone number (with area code) <b>( 203 ) 874-6773</b>	Signature of Plaintiff (If self-represented)	
The attorney or law firm appearing for the plaintiff, or the plaintiff if self-represented, agrees to accept papers (service) electronically in this case under Section 10-13 of the Connecticut Practice Book. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Email address for delivery of papers under Section 10-13 (if agreed to) <b>staff@milfordlegal.com</b>

Number of Plaintiffs: **1** Number of Defendants: **4** ☐ Form JD-CV-2 attached for additional parties

Parties	Name (Last, First, Middle Initial) and Address of Each party (Number; Street; P.O. Box; Town; State; Zip; Country, if not USA)	
First Plaintiff	Name: <b>HSBC BANK USA, NATIONAL ASSOCIATION, AS TRUSTEE FOR THE HOLDERS OF MERRILL LYNCH MORTGAGE INVESTORS, INC., MORTGAGE PASSTHROUGH CERTIFICATES, MANA SERIES 2007- OAR2</b> Address: <b>c/o Nationstar Mortgage LLC d/b/a Mr. Cooper, 8950 Cypress Waters Blvd., Coppell, TX 75019</b>	P-01
Additional Plaintiff	Name: Address:	P-02
First Defendant	Name: <b>DAVIS, JOHN T.</b> Address: <b>29 Lynn Court, Darien, CT 06820</b>	D-01
Additional Defendant	Name: <b>DAVIS, ANNE MARIE</b> Address: <b>29 Lynn Court, Darien, CT 06820</b>	D-02
Additional Defendant	Name: <b>MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.</b> Address: <b>1818 Library Street, Suite 300, Reston, VA 20190</b>	D-03
Additional Defendant	Name: <b>DEPARTMENT OF THE TREASURY - INTERNAL REVENUE SERVICE, 1000 Lafayette Boulevard, Bridgeport, CT 06604</b> Address: <b>AND U.S. Attorney General, U.S. Department of Justice, 950 Pennsylvania Avenue, NW, Washington, DC 20530-0001</b>	D-04

**Notice to Each Defendant**

- YOU ARE BEING SUED.** This paper is a Summons in a lawsuit. The complaint attached to these papers states the claims that each plaintiff is making against you in this lawsuit.
- To be notified of further proceedings, you or your attorney must file a form called an "Appearance" with the clerk of the above-named Court at the above Court address on or before the second day after the above Return Date. The Return Date is not a hearing date. You do not have to come to court on the Return Date unless you receive a separate notice telling you to come to court.
- If you or your attorney do not file a written "Appearance" form on time, a judgment may be entered against you by default. The "Appearance" form may be obtained at the Court address above or at [www.jud.ct.gov](http://www.jud.ct.gov) under "Court Forms."
- If you believe that you have insurance that may cover the claim that is being made against you in this lawsuit, you should immediately contact your insurance representative. Other action you may have to take is described in the Connecticut Practice Book which may be found in a superior court law library or on-line at [www.jud.ct.gov](http://www.jud.ct.gov) under "Court Rules."
- If you have questions about the Summons and Complaint, you should talk to an attorney quickly. **The Clerk of Court is not allowed to give advice on legal questions.**

Signed (Sign and "X" proper box) 	<input checked="" type="checkbox"/> Commissioner of the Superior Court <input type="checkbox"/> Assistant Clerk	Name of Person Signing at Left <b>PAUL LEWIS OTZEL, ESQ.</b>	Date signed <b>12/17/2018</b>
If this Summons is signed by a Clerk: a. The signing has been done so that the Plaintiff(s) will not be denied access to the courts. b. It is the responsibility of the Plaintiff(s) to see that service is made in the manner provided by law. c. The Clerk is not permitted to give any legal advice in connection with any lawsuit. d. The Clerk signing this Summons at the request of the Plaintiff(s) is not responsible in any way for any errors or omissions in the Summons, any allegations contained in the Complaint, or the service of the Summons or Complaint.			For Court Use Only File Date
I certify I have read and understand the above:	Signed (Self-Represented Plaintiff)	Date <b>12/17/2018</b>	Docket Number

## Instructions

1. Type or print legibly; sign summons.
2. Prepare or photocopy a summons for each defendant.
3. Attach the original summons to the original complaint, and attach a copy of the summons to each copy of the complaint. Also, if there are more than 2 plaintiffs or more than 4 defendants prepare form JD-CV-2 and attach it to the original and all copies of the complaint.
4. After service has been made by a proper officer, file original papers and officer's return with the clerk of court.
5. Do not use this form for the following actions:
  - (a) Family matters (for example divorce, child support, custody, paternity, and visitation matters)
  - (b) Summary Process actions
  - (c) Applications for change of name
  - (d) Probate appeals
  - (e) Administrative appeals
  - (f) Proceedings pertaining to arbitration
  - (g) Any actions or proceedings in which an attachment, garnishment or replevy is sought
  - (h) Entry and Detainer proceedings
  - (i) Housing Code Enforcement actions

### ADA NOTICE

The Judicial Branch of the State of Connecticut complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation in accordance with the ADA, contact a court clerk or an ADA contact person listed at [www.jud.ct.gov/ADA](http://www.jud.ct.gov/ADA).

## Case Type Codes

Major Description	Codes Major/Minor	Minor Description	Major Description	Codes Major/Minor	Minor Description
<b>Contracts</b>	C 00	Construction - All other	<b>Property</b>	P 00	Foreclosure
	C 10	Construction - State and Local		P 10	Partition
	C 20	Insurance Policy		P 20	Quiet Title/Discharge of Mortgage or Lien
	C 30	Specific Performance		P 30	Asset Forfeiture
	C 40	Collections		P 90	All other
	C 90	All other	<b>Torts (Other than Vehicular)</b>	T 02	Defective Premises - Private - Snow or Ice
<b>Eminent Domain</b>	E 00	State Highway Condemnation		T 03	Defective Premises - Private - Other
	E 10	Redevelopment Condemnation		T 11	Defective Premises - Public - Snow or Ice
	E 20	Other State or Municipal Agencies		T 12	Defective Premises - Public - Other
	E 30	Public Utilities & Gas Transmission Companies		T 20	Products Liability - Other than Vehicular
	E 90	All other		T 28	Malpractice - Medical
<b>Miscellaneous</b>	M 00	Injunction		T 29	Malpractice - Legal
	M 10	Receivership		T 30	Malpractice - All other
	M 20	Mandamus		T 40	Assault and Battery
	M 30	Habeas Corpus (extradition, release from Penal Institution)		T 50	Defamation
	M 40	Arbitration		T 61	Animals - Dog
	M 50	Declaratory Judgment		T 69	Animals - Other
	M 63	Bar Discipline		T 70	False Arrest
	M 66	Department of Labor Unemployment Compensation Enforcement		T 71	Fire Damage
	M 68	Bar Discipline - Inactive Status		T 90	All other
	M 70	Municipal Ordinance and Regulation Enforcement	<b>Vehicular Torts</b>	V 01	Motor Vehicles* - Driver and/or Passenger(s) vs. Driver(s)
	M 80	Foreign Civil Judgments - C.G.S. 52-604 & C.G.S. 50a-30		V 04	Motor Vehicles* - Pedestrian vs. Driver
	M 83	Small Claims Transfer to Regular Docket		V 05	Motor Vehicles* - Property Damage only
	M 84	Foreign Protective Order		V 06	Motor Vehicle* - Products Liability Including Warranty
	M 90	All other		V 09	Motor Vehicle* - All other
<b>Housing</b>	H 10	Housing - Return of Security Deposit		V 10	Boats
	H 12	Housing - Rent and/or Damages		V 20	Airplanes
	H 40	Housing - Audita Querela/Injunction		V 30	Railroads
	H 50	Housing - Administrative Appeal		V 40	Snowmobiles
	H 60	Housing - Municipal Enforcement		V 90	All other
	H 90	Housing - All Other			*Motor Vehicles include cars, trucks, motorcycles, and motor scooters.
<b>Wills, Estates and Trusts</b>			<b>Wills, Estates and Trusts</b>	W 10	Construction of Wills and Trusts
				W 90	All other

RETURN DATE: *January 22, 2019* : SUPERIOR COURT

HSBC BANK USA, NATIONAL ASSOCIATION,  
AS TRUSTEE FOR THE HOLDERS OF  
MERRILL LYNCH MORTGAGE INVESTORS,  
INC., MORTGAGE PASSTHROUGH  
CERTIFICATES, MANA SERIES 2007- OAR2 : J. D. OF STAMFORD/NORWALK

VS. : AT STAMFORD

JOHN T. DAVIS, ET. AL. : DECEMBER 17, 2018

**CERTIFICATE OF FINANCIAL RESPONSIBILITY**

This is to certify that I have personal knowledge of the financial responsibility of the plaintiff and deem it sufficient to pay the costs of this action.

THE PLAINTIFF

BY *Paul Lewis Otzel*  
PAUL LEWIS OTZEL  
Milford Law, LLC dba  
Kapusta, Otzel & Averaimo  
250 Broad Street,  
Milford, CT 06460  
203-874-6773

\*\*PURSUANT TO FEDERAL LAW, THIS LAW FIRM IS A DEBT COLLECTOR. PLEASE BE ADVISED THAT THIS IS AN ATTEMPT TO COLLECT A DEBT AND THAT ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. HOWEVER, IF YOU ARE IN BANKRUPTCY OR RECEIVED A BANKRUPTCY DISCHARGE, THIS COMMUNICATION IS NOT AN ATTEMPT TO COLLECT THE DEBT AGAINST YOU PERSONALLY, BUT IS NOTICE OF A POSSIBLE ENFORCEMENT OF THE LIEN AGAINST THE COLLATERAL PROPERTY.