

Document Execution Coversheet

Date: April 30, 2018

Loan #: 0000156111

File #: 16-04791

Document Type: Affidavit

Borrower: VERA SMOLYANSKY

Property Address: 3318 HIGHLAND RD, NORTHBROOK, IL 60062

Please execute and return the attached document to:

Marinosci Law Group, P.C.
134 N. LaSalle St. Suite 1900
Chicago, IL 60602

Contact Information for questions:

Claudia Liendo
312.940.8580
cliendo@mlg-defaultlaw.com

Excluded Legal Fees & Costs (Attorney's Fees & Costs affidavit will be filed at Judgment recovering the amounts below)	
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FC Fees/Costs	250.00
FC Fees/Costs	0.00
Atty Fee F/C	100.00
Atty Fee F/C	268.75
Property Scrub (non-recoverable, miscoded?)	17.40

TOTAL EXCLUDED - Recoverable	636.15
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Property Inspections	137.50
Prior Servicer Advances	4620.45
Credit	0.00

TOTAL INCLUDED - Recoverable	4757.95
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PAY 4 Recoverable Balance	5394.10
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PAY 4 Total Payoff	945827.09
Excluded	636.15
AOI Total	945190.94

STATE OF ILLINOIS
COUNTY OF COOK

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS,
- COUNTY DEPARTMENT - CHANCERY DIVISION -

WILMINGTON SAVINGS FUND SOCIETY, FSB,
D/B/A CHRISTIANA TRUST, NOT INDIVIDUALLY
BUT AS TRUSTEE FOR HILDALE TRUST

Plaintiff,
vs.

VERA SMOLYANSKY, YURY SMOLYANSKY,
GREAT LAKES CREDIT UNION, UNKNOWN
OWNERS AND NON-RECORD CLAIMANTS

Defendant(s).

Case No.: 2016 CH 05793

Cal No.: 59

Property Address:
3318 HIGHLAND RD
NORTHBROOK, IL 60062

AFFIDAVIT OF AMOUNTS DUE AND OWING

I, _____, hereby deposes and affirms under oath:

I am employed as a _____ for Fay Servicing, LLC, as attorney-in-fact for Plaintiff, Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as trustee for Hildalet Trust. I have authority to make this affidavit because I am a person familiar with the business and its mode of operation. In the regular performance of my job functions at Fay Servicing, LLC, I am familiar with the business records maintained by Fay Servicing, LLC for the purpose of servicing mortgage loans, collecting payments and pursuing any delinquencies. Fay Servicing, LLC's, Servicing Records typically include electronic data compilations and imaged documents pertaining to the loans it services.

To the extent that the business records of the loan in this matter were created by a prior servicer, the prior servicer's records for the loan were integrated and boarded into Fay Servicing, LLC's, systems, such that the prior servicer's records concerning the Loan are now part of Fay Servicing, LLC's, business records. Fay Servicing, LLC, maintains quality control and verification procedures as part of the boarding process to ensure the accuracy of the boarded records. It is the regular business practice of Fay Servicing, LLC, to integrate the prior servicer's records into Fay Servicing, LLC's, business records, and to rely upon the accuracy of those boarded records in providing its loan servicing functions. These prior servicer records are integrated and relied upon by Fay Servicing, LLC, as part of Fay Servicing, LLC's, business records.

Based on my training and personal knowledge of the processes by which they are created and

maintained, Fay Servicing, LLC's, Servicing Records were made at or near the time by, or from information provided by, persons with knowledge of the activity and transactions reflected in such records, and are kept in the ordinary course of business activity regularly conducted by Fay Servicing, LLC. It is the regular practice of Fay Servicing, LLC's, mortgage servicing business to make and update its Servicing Records. If called to testify at the trial of this matter, I could competently testify as to the facts contained in this affidavit.

Fay Servicing, LLC acquired the servicing rights from the Defendant's loan on _____ from _____ . At the time of this transfer, the Defendant's loan had an unpaid principal balance of \$_____.

The amount due is based on my review of the following records: _____. A true and accurate copy of these records, which I used when making this calculation is attached to this affidavit.

Fay Servicing, LLC, uses _____ software to automatically record and track mortgage payments. This type of tracking and accounting program is recognized as standard in the industry. When a mortgage payment is received, the following procedure is used to process and apply the payment, and to create the records I reviewed: Each entry in the records is made contemporaneously with the corresponding event by Fay Servicing, LLC's, personnel with direct knowledge thereof, acting in the regular course of business and not in anticipation of litigation.

The record is made in the regular course of Fay Servicing, LLC's business. In the case at bar, the entries reflecting the Defendant's payments were made in accordance with the procedure detailed above, and these entries were made at or near the time the payment was received.

_____ software accurately records mortgage payments when properly operated. In the case at bar, _____ software was properly operated to accurately record the Defendant's mortgage payments.

Based on the foregoing, VERA SMOLYANSKY failed to pay amounts due under the Note, and the amount due and owing as of 04/05/2018, is:

● Principal Balance	\$802,331.08
● Interest through 04/05/2018 (Per diem interest \$93.42)	\$70,945.88
● Escrow Advance	\$67,156.03
● Property Inspections	\$137.50
● Prior Servicer Advances	\$4,620.45
GROSS AMOUNT DUE	\$945,190.94

Less/Plus Balance in reserve account	(\$0.00)
NET AMOUNT DUE	\$945,190.94

plus reasonable attorney's fees and costs.

The Servicing Records pertaining to Defendant's, VERA SMOLYANSKY, account further reveal that there has been a default in the Defendant's, Note and Mortgage, and that sufficient and certified moneys to cure the default have not been tendered, nor have there been any agreed extensions, modifications or agreements between the parties to delay this foreclosure action.

Under penalties as provided by law pursuant to §1-109 of the Code of Civil Procedure, I certify that the statements herein are true and correct.

Executed at _____, on _____.

Fay Servicing, LLC, as attorney-in-fact for Plaintiff,
Wilmington Savings Fund Society, FSB, d/b/a
Christiana Trust, not Individually but as Trustee for
Hilldale Trust

Signature: _____

Name: _____

Title: _____

AFFIANT STATES NOTHING MORE

STATE OF _____)
) SS:
COUNTY OF _____)

Subscribed and Sworn to before me on _____.

NOTARY PUBLIC

Prepared By:
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