



## Reverse Mortgage Servicing Department

P.O. Box 40724 • Lansing, Michigan 48901-7924  
(866) 278-2008 Office  
(855) 812-0001 Fax

November 7, 2018

Sent via Certified Mail

ESTATE OF: CHRISTINE R VERMEULEN  
11259 HILLVIEW DR  
CEMENT CITY, MI 49233

### Mortgage Due & Payable Notification

**This is an attempt to collect a debt. However, if your loan is currently, or was previously involved in a bankruptcy where your case was discharged and/or you are surrendering the real property in which Celink has an interest, we are not seeking personal liability against you. We are pursuing our rights as they relate to the real property under the terms of the Deed of Trust or Mortgage.**

RE: Reverse Mortgage Loan #1096624

Dear Estate Representative:

As you may or may not know, there was a reverse mortgage on this borrowers home and we are prepared to assist you in any manner possible to ensure that this debt is properly handled.

There are specific guidelines mandated by the Department of Housing and Urban Development (HUD), and they are as follows:

- The reverse mortgage in the amount of \$135,686.61 \* as calculated to the end of the current month, is technically in default due to the death of the borrower.

This default must be resolved by any of the following methods:

- A. The debt must be paid-in-full within 30 days from the date of this letter with wired or certified funds.
- B. The mortgage will be released and no deficiency judgment filed if the property sells, or is conveyed by will or operation of law to the borrowers estate or heirs, for at least 95% of the appraised value, even if the outstanding loan balance is greater than the current appraised value.
  - Please contact us for more information if you are interested in this option and believe that the property value is less than the outstanding principal balance.
- C. If the debt is not paid-in-full, or the property is not sold within 30 days from the date of this letter, we are required to initiate foreclosure proceedings.
- D. We are permitted to consider accepting a deed-in-lieu of foreclosure, as long as good marketable title can be conveyed.



\*1096624CORRLET003\*



**If you fail to cure this breach within 30 days from the date of this letter, we will proceed immediately with foreclosure and sale of the property.**

**HUD guidelines require that we obtain a full appraisal on the property. You may be receiving a phone call from our appraisal vendor in the coming weeks to attempt to schedule an appointment to visit the property. Your estate may request an appraisal, at their own expense, if an estimate of the property's current value is desired. Please note that all appraisals must be completed by a HUD-certified appraiser.**

Once the foreclosure action begins, you have the right to argue that all promises and agreements under the Note and Security Instrument were met and to present any other defenses that you may have. As such, you can still pay all monies due, including attorneys fees, and have the foreclosure process discontinued.

If there is a surviving spouse who was not a borrower on the reverse mortgage, please contact us to discuss whether there may be any other options available.

Please note that if the reverse mortgage had available funds in a Tax & Insurance Set Aside (or Lifetime Expectancy Set Aside) to pay for property taxes and/or insurance, those funds are no longer available due to the due and payable status on the loan. You will be responsible for paying for any future tax and insurance obligations on the property from this point forward.

We realize these are very difficult times and are willing to work with you, but it is essential that you contact us immediately to discuss these important matters. You may reach our Reverse Mortgage Servicing Department at (866) 278-2008 from 8:00am-5:00pm EST, Monday through Friday.

Sincerely,

Reverse Mortgage Servicing Department

\* This is not a payoff figure. Please contact our Reverse Mortgage Servicing Department to obtain an accurate payoff amount.

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### **Legal Rights and Protections Under the SCRA**

Servicemembers on “active duty” or “active service,” or a spouse or dependent of such a servicemember may be entitled to certain legal protections and debt relief pursuant to the Servicemembers Civil Relief Act (50 USC App. §§ 501-597b) (SCRA).

### **Who May Be Entitled to Legal Protections Under the SCRA?**

- Regular members of the U.S. Armed Forces (Army, Navy, Air Force Marine Corps and Coast Guard).
- Reserve and National Guard personnel who have been activated and are on Federal active duty
- National Guard personnel under a call or order to active duty for more than 30 consecutive days under section 502(f) of title 32, United States Code, for purposes of responding to a national emergency declared by the President and supported by Federal funds
- Active service members of the commissioned corps of the Public Health Service and the National Oceanic and Atmospheric Administration.
- Certain United States citizens serving with the armed forces of a nation with which the United States is allied in the prosecution of a war or military action.

### **What Legal Protections Are Servicemembers Entitled To Under the SCRA?**

- The SCRA states that a debt incurred by a servicemember, or servicemember and spouse jointly, prior to entering military service shall not bear interest at a rate above 6 % during the period of military service and one year thereafter, in the case of an obligation or liability consisting of a mortgage, trust deed, or other security in the nature of a mortgage, or during the period of military service in the case of any other obligation or liability.
- The SCRA states that in a legal action to enforce a debt against real estate that is filed during, or within one year after the servicemember’s military service, a court may stop the proceedings for a period of time, or adjust the debt. In addition, the sale, foreclosure, or seizure of real estate shall not be valid if it occurs during or within one year after the servicemember’s military service unless the creditor has obtained a valid court order approving the sale, foreclosure, or seizure of the real estate.
- The SCRA contains many other protections besides those applicable to home loans.

### **How Does A Servicemember or Dependent Request Relief Under the SCRA?**

- In order to request relief under the SCRA from loans with interest rates above 6% a servicemember or spouse must provide a written request to the lender, together with a copy of the servicemember’s military orders. Reverse Mortgage Servicing Department, PO Box 40724, Lansing MI 48901-7924 Toll-Free(866)278-2008
- There is no requirement under the SCRA, however, for a servicemember to provide a written notice or a copy of a servicemember’s military orders to the lender in connection with a foreclosure or other debt enforcement action against real estate. Under these circumstances, lenders should inquire about the military status of a person by searching the Department of Defense’s Defense Manpower Data Center’s website, contacting the servicemember, and examining their files for indicia of military service. Although there is no requirement for servicemembers to alert the lender of their military status in these situations, it still is a good idea for the servicemember to do so.

### **How Does A Servicemember or Dependent Obtain Information About the SCRA?**

- Servicemembers and dependents with questions about the SCRA should contact their unit’s Judge Advocate, or their installation’s Legal Assistance Officer. A military legal assistance office locator for all branches of the Armed Forces is available at <http://legalassistance.law.af.mil/content/locator.php>
- “Military OneSource” is the U. S. Department of Defense’s information resource. If you are listed as entitled to legal protections under the SCRA (see above), please go to [www.militaryonesource.mil/legal](http://www.militaryonesource.mil/legal) or call 1-800-342-9647 (toll free from the United States) to find out more information. Dialing instructions for areas outside the United States are provided on the website.

## IMPORTANT DISCLOSURES

### **Notice of Error and Request for Information**

Federal law gives customers the right to notify us of an error regarding the servicing of their loan or to request information regarding their loan. If you wish to provide a notice of error or a request for information, you must write to us at the following address: P.O. Box 85400 Attn: Mailstop AUS-01, Austin, Texas 78708. The letter must provide the customer's name, loan number, and description of the error or detailed list of the information being requested.

### **If your property is located in the State of Texas:**

COMPLAINTS REGARDING THE SERVICING OF YOUR MORTGAGE SHOULD BE SENT TO THE DEPARTMENT OF SAVINGS AND MORTGAGE LENDING 2601 NORTH LAMAR, SUITE 201, AUSTIN, TX 78705. A TOLL-FREE CONSUMER HOTLINE IS AVAILABLE AT 877-276-5550. A complaint form and instructions may be downloaded and printed from the Department website located at [www.sml.texas.gov](http://www.sml.texas.gov) or obtained from the department upon request by mail at the address above by telephone listed above or by email at [smlinfo@sml.texas.gov](mailto:smlinfo@sml.texas.gov).

### **If your property is located in the State of New York:**

Your servicer is either a registered servicer or exempt servicer registered with the Superintendent of the New York State Department of Financial Services. For further information or to make a complaint regarding your servicer you may contact the New York State Department of Financial Services Consumer Assistance Unit at (800) 342-3736 or by visiting [www.dfs.ny.gov](http://www.dfs.ny.gov).

### **If your property is located in the State of Arkansas:**

Your servicer is licensed in Arkansas and complaints about your servicer may be submitted to the Arkansas Securities Department via the Department's website (<http://www.securities.arkansas.gov/>) or toll-free at (800) 981-4429.