

Foreclosure Fraud Is Supposed to Be a Thing of the Past, But It Happens Every Day

 theintercept.com/2016/05/18/foreclosure-fraud-is-supposed-to-be-a-thing-of-the-past-but-it-happens-every-day

May 18, 2016

Every day in America, people continue to be kicked out of their homes based on false documents. The settlements over allegations of robo signing, faulty paperwork, and illegal mortgage servicing didn't end the misconduct. And law enforcement, along with most judges and politicians, have looked away in the mistaken belief that they wrapped up a scandal that just goes on and on.

My new book, *Chain of Title: How Three Ordinary Americans Uncovered Wall Street's Great Foreclosure Fraud*, is about three foreclosure victims who ended up doing more investigation of the corrupt U.S. mortgage industry than any state or federal law enforcement or regulatory official.

They exposed the mass production of false mortgage documents in courthouses and county records offices across the country.

It's a work of history, depicting events that occurred from 2009 to 2012. But it's a living history, and that's one of the reasons I wrote the book.

Here at *The Intercept*, in the past 10 months, I've written about the New Jersey man who had precious family heirlooms robbed by Wells Fargo subcontractors when they illegally "trashed out" his foreclosed home. I've written about the use of false documents in Seattle and the unregistered business trusts operating in Montana. I've written about the Texas jury that awarded \$5 million in one wrongful foreclosure case with fabricated and robo signed documents. I've written about the California Supreme Court enabling foreclosure victims to challenge phony documents in their cases.

That's just a small sampling of what I hear nearly every day from homeowners who continue to challenge their cases and reveal massive fraud. And these are a few more:

Here's a document dated August 4, 2010. It's an assignment of a deed of trust from the originator, American Brokers Conduit, to Wells Fargo. It was not only digitally signed, but it was digitally notarized. So the computer appeared personally before the other computer, I guess, to verify that this was the authentic computer that signed the document.

Unofficial Document

RECORDING REQUESTED BY:

WHEN RECORDED MAIL TO:

Tiffany & Bosco, P.A.

Phoenix, AZ 85016

21

Yo

T&B NO.: 10-46043

MIN NO.: 100024200010396865

APN: 308-09-116

CORPORATION ASSIGNMENT OF DEED OF TRUST

For Value Received, the undersigned corporation hereby grants, assigns and transfers to Wells Fargo Bank, N.A. all beneficial interest under that certain Deed of Trust dated 10/18/2005 executed by [REDACTED] husband and wife Trustor, to Arizona Title Agency, Inc., an Arizona corp. Trustee, and recorded on 10/28/05 as Recording No./Book-Page 2005-1633649 of Official Records of Maricopa County, AZ describing the land therein:

AS PER DEED OF TRUST MENTIONED ABOVE.

Together with the Note or Notes therein described or referred to, the money due and to become due thereon with interest, and all rights accrued or to accrue under said Deed of Trust

Effective Date: August 4, 2010

MERS as nominee for American Brokers Conduit

**Mark S.
Bosco**

Digitally signed by Mark S. Bosco
DN: cn=US, st=Arizona, o=Tiffany
& Bosco P.A., ou=Tiffany &
Bosco, P.A., email=tiffany@bosco.com,
ou=individual, cn=Mark S. Bosco
Date: 2010.08.10 11:08:31 -07:00

Mark S. Bosco

It's: Assistant Secretary for MERS, Inc.

STATE OF ARIZONA
COUNTY OF MARICOPA

On August 10th 2010, before me, Paula Gruntmeir, a Notary Public for said State, personally appeared Mark S. Bosco personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of Arizona that the foregoing is true and correct.

**Paula
Gruntmeir**

Digitally signed by Paula Gruntmeir
DN: cn=US, st=Arizona, o=Tiffany &
Bosco P.A., ou=200812, ou=2008105,
email=www.acscs.gov/notary/notice
setup.asp?commission=269105,
cn=Paula Gruntmeir
Date: 2010.08.10 11:08:31 -07:00

Notary Public for the said County and State
My Commission Expires: August 24th, 2012

Here are some documents from a "Tanya Ramirez," signing as an officer of Countrywide, Bank of America, Recontrust, New Century Mortgage, and MERS (an private electronic registry used by banks to transfer mortgages), and once as a notary. All of the signatures are different. The partial lien release on the home of Doug Didrick, used to speed up a sheriff's sale, was submitted to a Collier County, Florida court in April 2015, just one year ago. So this robosigner still works for a company that forecloses on people for a living.

RELEASE OF DEED OF TRUST

The CLERK of the CHANCERY COURT of DE SOTO, Mississippi
You are hereby authorized and directed to mark canceled and satisfied of record the following de
f Trust executed by
MON KING, BETTY KING
benefit of COUNTRYWIDE HOME LOANS, INC which is of record in Book 2061 at Page 647, as
sent # N/A of the Records of Deed of Trust in the office of the Chancery Clerk of DE SOTO County
issippi.
WITNESS our hand this 26 day of December, 2006.

Countrywide Home Loans, Inc. (fka Country
Funding Corporation)

Tanya Ramirez
Assistant Secretary

OF ARIZONA
TY OF MARICOPA

26/2006, before me, C. Trelatsky, Notary Public, personally appeared Tanya Ramirez, personally kno
proved to me on the basis of satisfactory evidence) to be the person whose names is subscribed to the
sent and acknowledged to me that he/she executed the same in his/her authorized capacity, and that b
signature on the instrument the person, or the entity upon behalf of which the person acted, executed
sent.



C. Trelatsky
C. Trelatsky, Notary Public
03/23/2010

page dated 10/30/2006, was made by
NZONIERI, STACY CANZONIERI
ectronic Registration Systems, Inc.

was made to secure payment of \$308,000.00 and interest. It was recorded or registered in the office
r of SUSSEX County, New Jersey, on 11/21/2006 in mortgage book 7876 on page 96.

has been PAID IN FULL or otherwise SATISFIED and DISCHARGED. It may now be discharged of records
ge is now canceled and void.

nd CERTIFY to this Discharge of Mortgage on 08/03/2007.

Mortgage Electronic Registration Systems, Inc.

REC'D & RECORDED
Aug 14, 2007 08:32:31
ERMA GORMLEY
SUSSEX COUNTY CLERK
NEWTON, NJ

Tanya Ramirez
Assistant Secretary

ZONA, COUNTY OF MARICOPA

RELEASE OF DEED OF TRUST

he CHANCERY COURT of DE SOTO, Mississippi


authorized and directed to mark canceled and satisfied of record the
by

GELO

CENTURY MORTGAGE CORPORATION which is of record in Book
of the Records of Deed of Trust in the office of the Chancery Clerk of L

hand this 12 day of June, 2007.

New Century Mortgage Corp
Countrywide Home Loans, In
Fact


Tanya Ramirez
Assistant Secretary

Power Of Attorney previously reco
Book 105 at Page 601

OPA

Document Prepared By: Catherine Trelatsky, ReconTrust Company
2575 W. Chandler Blvd. Mail Stop: CHDLR-C-88 Chandler, AZ 85224 (800) 540-2684



UID: cc1b0890-ee83-4cc8-9768-b29a2a3d6035
DOCID_000734118212005N

RELEASE OF REAL ESTATE MORTGAGE

KNOW ALL NEW BY THESE PRESENTS: That the undersigned, the owner(s) of the mortgage hereinafter
described, do hereby acknowledge that a certain mortgage bearing date of 04/28/2006 made and executed by:

DARLENE M PHILLIPS

to NEW CENTURY MORTGAGE CORPORATION and Recorded in the records of the office of the Recorder of
the County of POTTAWATTAMIE, State of Iowa, in Book 106 of Official Records, Page 21099 Inst # 021166 on
05/05/2006, is redeemed, paid off, satisfied and discharged in full*. Said mortgage was in the original amount of
\$30496.00.

Dated this 27 day of January, 2009.

(Satisfaction of Real Estate Mortgages, Section 655.1. The Code, 1973, by separate instrument only. Satisfaction by
Foreign Fiduciaries, Sections 633.144 - 633.147; Release for Deceased Mortgagee, Section 633.95)

*As to method of record release of
mortgage on personal property see
Uniform Commercial Code

NOTE: For partial release of real
estate mortgages, see Documentary
Form No. 207

Countrywide Home Loans Servicing LP, by Countrywide GP,
Inc., General Partner of Countrywide Home Loans Servicing LP


Catherine Trelatsky, Assistant Secretary

State of ARIZONA, MARICOPA County, ss:

On 1-28-09, before me, Tanya Ramirez, Notary Public, personally appeared Catherine Trelatsky,
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name
subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized
capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person
acted, executed the instrument.




Tanya Ramirez
Notary Public in and for
County and State



RELEASE OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS: Countrywide Home Loans, Inc. the current mortgagee ("Mortgagee") of a certain mortgage executed by DOUG DIDRICK to Countrywide Home Loans, Inc. dated 03/26/2004 and recorded on 04/05/2004 in Official Records Book OR 3534, Page 3593, Instrument # 3373164 in the office of the Clerk of the Circuit Court of COLLIER County State of Florida, upon that certain property situated in said State and County hereby surrenders the same as canceled, and hereby directs the Clerk of the Circuit Court to cancel the same of record. The debt secured by the mortgage described above has been partially paid. Therefore, this release does not constitute a satisfaction of the debt. Absent a separate agreement in writing providing otherwise, the debt remains in full force and effect. This release serves only to release the lien of the mortgage upon the property described therein.

(CORPORATE SEAL)



IN WITNESS WHEREOF the said Corporation has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the 16 day of April, 2015.

Countrywide Home Loans, Inc.

By

Tanya Ramirez
Assistant Vice President

STATE OF ARIZONA
COUNTY OF MARICOPA

On 04/16/2015, before me, Robert Nuneviller, Notary Public, personally appeared Tanya Ramirez, Assistant Vice President of Countrywide Home Loans, Inc., whose identity was proven to me on the basis of satisfactory evidence to be the person who he or she claims to be and whose name is subscribed to the within instrument and acknowledged to me that he or she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or entity upon behalf of which the person acted, executed the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year last written.



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Earlier this month, a lawsuit from a Wells Fargo whistleblower named Duke Tran was unsealed. Tran says that he discovered that the bank routinely foreclosed on borrowers without proper documentation to prove they owned the loans. Wells Fargo managers instructed Tran, a 10-year veteran of a call center in Oregon, to lie about this lack of proof to customers. "When you come across a situation where we have a lost contract, deed, any type of document, really, but especially when it relates to securing a property, we are not to share that with the customer," read one email from management. When Tran refused to comply, he says they fired him. This was in November 2014, years after Wells settled cases with the federal government over improper mortgage documentation. Tran said that Wells used improper documentation to collect on \$1.4 billion in foreclosure prevention funding from the Home Affordable Modification Program. Wells Fargo denies any wrongdoing.

After Marina Boyd, a former corporate human resources manager from Los Angeles, fell into financial trouble, she sought a loan modification to stay in her home. In July 2010 she got approved; all she had to do was send a cashier's check for \$2,000. She did, but the bank said they never received it. The property was sold to CitiMortgage without her knowing about it until the sale went through. After fighting for a year, the sheriff told her to move out in September 2011; she left with the clothes on her back, expecting to be able to come back for her possessions, most of which were boxed up. Boyd begged the real estate agent in multiple phone calls to allow her to pick up her stuff. But one day she went by the house and everything was gone. "I called the agent and said 'where's my property, who took it?'" Boyd said. "The agent said 'it's gone, that's it,' and hung up on me." Boyd, acting as her own lawyer, discovered that Citi explicitly instructed the real estate agent to haul everything away, offering him thousands of dollars to do it. "Task opened for the trashout. ... amount approved is \$3,050. ... please get it done ASAP," reads one [email](#) Boyd obtained in the case. The case is still in court, as years of discovery requests and attempts to depose Citi employees continue. There's a trial scheduled in June. "Access to justice shouldn't take five years," Boyd said in a recent article posted at a [website](#) she created about the case. She's made a [video](#) about the case too.

Just last month, a Dade County, Florida, Circuit Court judge [dismissed](#) HSBC's foreclosure case against Joseph Buset. HSBC had cited an alleged 2012 mortgage assignment from Freemont Investment and Loan, a company that was liquidated in 2008. HSBC claimed they had bought the mortgage directly from the defunct company, but the judge ruled that the 2012 document reflected "a transaction that never happened," was "created for purposes of litigation," and failed to establish proof that HSBC is the proper owner and holder of the loan. It's one of many cases out of Florida that [have been reversed recently](#) for lack of standing to foreclose, years after the issue was supposed to have been resolved.

On May 7, protesters sought to stop the eviction of Barbara Campbell, a wheelchair-bound former Girl Scouts director, from her Detroit home. While seeking a loan modification in 2013, Campbell was told by her mortgage servicer, Nationstar, to stop making mortgage payments while they reviewed the request. The servicer then immediately moved to foreclose, citing the "failure to make mortgage payments." A different bank, Flagstar, is the plaintiff in the foreclosure case, despite not having definitive proof that it owns the loan, according to activists with Detroit Eviction Defense. You can see at the [Detroit Eviction Defense website](#) that they fight dozens of similar cases.

I could go on for more than a day merely by printing out my email correspondence. "United Bankshares Inc is criminally defrauding me out of my farm." "I lost my home, the assignment was after they started foreclosure." "Contractors illegally came into the home, helping

themselves to a third of everything she owned in the world.” I don’t have enough time to check them all out. But they keep coming, from people abused by a rotted system.

When the Justice Department and state attorneys general finished their press conferences lauding big headline settlement penalties (numbers that shrink upon inspection), they neglected the ongoing chaos in our courts. People have been tied up in foreclosure nightmares for nearly a decade, with the same kinds of false documents used to grease the evictions.

It’s virtually impossible for a foreclosure case on a securitized subprime loan from the housing bubble era to *NOT* involve false documents.

The government, the regulators, and the judges seem content to refer back to their press releases about what they delivered for homeowners, while willfully blinding themselves to the continuing destruction of the integrity of the nation’s judicial system. They’ve collectively decided to pretend that the ruination of a 300-year-old property records system never happened. And homeowners are left to pick through the rubble on their own.

Top photo: Local TV coverage of the protest against the eviction of Detroit resident Barbara Campbell.

Contact the author:



David Dayen [@ddayen](mailto:ddayen@prospect.org)

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