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**NEW LAW UPDATE: DENIED A HAMP MOD?
NEW HAMP DIRECTIVES REQUIRE BANKS/SERVICERS
TO EXPLAIN HOW THEY CALCULATED YOUR NPV!**



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Troubled Homeowners Can Demand NPV Re-Calculations!

Troubled Homeowners Need NPV Re-Calculations!
[New Access to the U.S. Treasury's NPV Calculator]

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The U.S. Department of the Treasury and the Department of Housing and Urban Development (HUD), as part of the Home Affordable Modification Program (**HAMP**) HAMP program (Making Home Affordable program), as mandated by Section 1482(b) of the Dodd-Frank Act, launched a new website called www.CheckMyNPV.com. It is a free website that will allow homeowners to run their own Net Present Value (NPV) re-evaluation test. Borrowers denied a HAMP mortgage modification have never had access to the secret NPV calculator run by Fannie Mae or the big banks. Now, borrowers can demand the input values used to run their NPV test, and re-run their own NPV, to verify or learn the issues which caused them denial. Accountants, attorneys, financial advisers and HUD counselors can now attempt to understand the HAMP net present value (NPV) evaluation process.

The new government website enables borrowers to run the NPV test themselves. Borrowers can enter NPV input values provided by their servicer or estimate the NPV input values to obtain an NPV test result. Borrowers can then compare the results provided by the website with their bank's NPV test. The results are not official, but intended as a guide.

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News: OC Top Attorney OC Metro AVVO 2011, 2010
Richard Rydstrom, Esq. 949-678-2218

NEWS: On October 14, 2010, The National Association of Attorney's General announced that 50 States have signed a joint Mortgage Foreclosure Joint Statement; stating in part: "We believe such a process may constitute a deceptive act and/or an unfair practice or otherwise violate state laws." Depending upon unique facts, some possible causes of action assuming a wrongful foreclosure and wrongful forcible eviction may include:

- 1) Unfair or Deceptive Business Practices; Breach of Contract; Fraud
- 2) Set-Aside & Wrongful Foreclosure/Wrongful Eviction
- 3) Trespass
- 4) Conspiracy-to-Defraud (common law);
- 5) Slander of Title;
- 6) Abuse of Process;
- 7) Nuisance;
- 8) Waste;
- 9) Conversion of personal property;
- 10) Quiet Title;
- 11) Violation of RESPA;
- 12) Violation of TILA; FDCPA (and its state versions).

Troubled Homeowners Can Demand NPV Re-Calculations!

Although it may be too much too late, the website and HAMP NPV re-evaluation information will probably result in both (1) enhanced litigation, and/or (2) correction of any number of errors including input date concerning financial, borrower, income, expense, or property data mistakes. In practical terms, it has been a rare event for any servicer to respond to a borrower's request for NPV detail, or forward the input data that it used to run (or re-run) a borrower's NPV calculation. This website will empower the borrower, but the borrower may need help to understand the results.

The HAMP program has been challenged by various problems including documentation submission and data input problems. Both the borrowers and the servicers should have been afforded the full rules of the game prior to the ninth inning, but better late than never.

With respect to the HAMP NPV calculator, there are countless issues that may cause differing results, in addition to the accurate characterization of the 33 inputs listed on the Net Present Value (NPV) Input Data Fields and Values Form. These input issues may include estimated valuation, zip code, proper characterization of the loan interest rate and type, term, debt/expenses (versus credit report debt/expenses), gross monthly income (gross-ups (1.25), modified amounts (75%) and excluded types), mortgage insurance coverage percentage, forbearance amounts (and excessive forbearance amounts), negative equity and valuation issues, forgiveness issues, investor requirements, and whether 5 digits were used in the Mark-to-Market LTV Ratio.

The explanations of these issues may create more questions. Borrowers will need a cogent explanation or understanding of why they were denied, not only when the NPV test came back negative, but when the NPV test came back positive.

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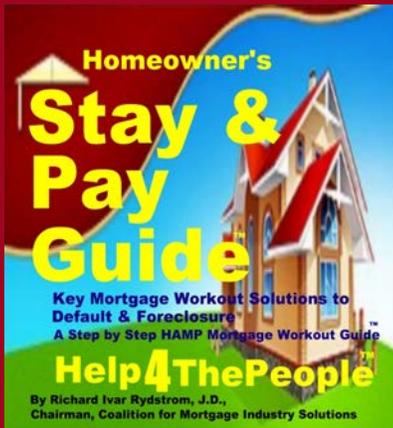
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Moreover, borrowers will want to understand how much or why excessive forbearance was used in the calculation, what excessive forbearance means, to what extent Principal Forbearance was provided for in an attempt to reach the HAMP required 31% target, in what increments did the bank use to forbear principal in its calculation (i.e: \$50, \$100, \$500 each), what Front End DTI (debt-to-income ratio) was used in the calculation, what Back End DTI was used in the calculation, whether Back End DTI caused a denial of HAMP eligibility, whether any amounts of negative amortization were added to the unpaid principal balance (UPB) to get the new principal balance in the calculation, whether the first mortgage exceeded 125% of the current market value of home, the result of the Imminent Default analysis, and the result of the **HARDSHIP** analysis.

The change of input data for income or debt amounts, zip code, estimated market value, or outstanding loan balances may cause the NPV test to vary from negative to positive, resulting in denial or approval of a HAMP mortgage modification. Without access to what numbers were used in the calculation, a borrower would never know if their denial was in error.

Other issues and questions that the borrower will need to ask or understand are included in the HOMEOWNER LITIGATION REPORT:
SECRETS TO UNDERSTANDING NPV DENIALS!

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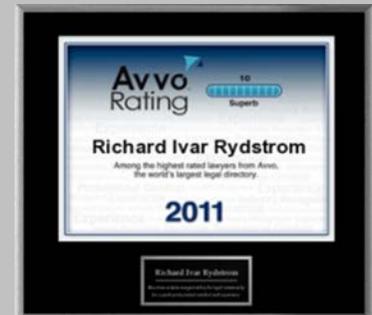
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