

Qualified Written Request

In that letter demand your Life of Loan History, copy of Note, Deed of Trust, Riders, all Assignments of the Deed of Trust, TIL, Right of Rescission (if refi), Lender Final HUD-1, copy of initial loan application and final lender loan application, all disclosures and all loan documents in your file, copy of appraisal. Send this three times certified return receipt required and also send it to the Broker, Title Company and all others in the Chain of the Transaction.

At this point you need to send CountryWide a QWR (Qualified Written Request) for everything, Life of Loan History, ALL documents, Copies of Original Notes and Deeds of Trust, TIL, Right to Cancel, all Riders to the Note, copy of the original application signed at closing, everything in your file with them. They must provide them, no ifs, ands, or buts.

Send 3 of these requests by Certified Return Receipt Mail. Make them run around for awhile. While you are at it fax a few too.

Get out your original documents, from the origination of this loan through to the closing. Arrange them chronologically and check for certain documents at the time of closing. TIL, Right to Cancel (2 copies), HUD-1. Review your final application in the package - how was income treated, was it inflated, do you have a copy of your original appraisal, was it inflated. From what you have said they must have treated this as a Stated or No Doc type of submission, were there irregularities in that documentation.

If things do not appear to be proper in the stack of closing documents, then you very well might want to proceed to the Document Review stage. You must fight fire with fire, you need to be proactive and on the offensive.

This is a "Qualified Written Request" under Section 6 of the Real Estate Settlement Procedures Act (RESPA).

I am writing to request:

- (1) Copies of all documents pertaining to the origination of my mortgage including my loan application, Right to Cancel, Deed of Trust, note, adjustable rate note, addendum to the note for the interest only payment period, Truth in Lending statements, Good Faith Estimate (GFE), HUD 1, appraisal, and all required disclosures and rate sheets associated with this transaction for the above referenced loan. The copies should be legible and all documents shall be copied in their entirety.
- (2) A copy of the loan history including all payments made, all fees incurred, what has been paid out of the escrow account, and how all payments were applied. This information should cover the entire life of the loan.

I have reason to believe that the loan terms were misrepresented to me at the time of application and further obscured and/or modified prior to signing. I believe that my income was inflated on the application, and that the property appraisal was similarly falsely inflated. I also have reason to believe that certain statements were not provided for my approval prior to closing, and that signatures may have been forged on various documents. Additionally, I believe that a notary was not present to witness my signatures on several pertinent documents.

I started the process of trying to renegotiate this loan on 12/11/07 when I spoke with Andrew in your Home Retention department. On 12/18/07, I faxed a letter of hardship, along with bank statements and pay stubs as he recommended. I was advised that someone would contact me within 7-10 working days. On 1/14/08, I called back, as I hadn't heard from anyone. I was told that my claim was denied due to lack of funds. I was instructed to fax a revised letter of hardship and new pay stubs, and I was told that my negotiator was named Gina Williams at extension 4858. I faxed those documents to her attention on 1/14/08.

I have been given the runaround by the voice recognition call routing system on numerous occasions. I have talked to various agents with different versions of what the loan modification process really entails. I have been re-routed to the wrong department or individual at least 7 times. I have been disconnected from helpful individuals, such as a nice woman named Michella on 1/14/08 who, I was told, "has no extension" when I unsuccessfully tried to call her back. I have been told that the negotiator handling my loan is unavailable to speak to anyone via telephone. All of these calls are documented in your records, as they are in mine. The customer service provided to me has been less than adequate. Let this letter serve to document my request to have my communications responded to in a timely manner.

As well as keeping extensive personal records, I am documenting this process on a watchdog website called loansafe.org.

I can be reached at xxx-xxx-xxxx whenever a customer service representative wishes to contact me. My email address is xxxxxxx@xxxxxx.xxx, and is the best way to contact me.

I understand that under Section 6 of RESPA you are required to acknowledge my request within 20 business days and must try to resolve the issue within 60 business days.

Sincerely,

Stephanie x. xxxx

Sample Written Complaint to Lender

The following is a sample qualified written request from you, the borrower, to a lender. Use this format to address complaints under the Real Estate Settlement Procedures Act (RESPA). Be sure to read more about RESPA, and your rights under this Act, elsewhere [on the RESPA site](#).

Attention Customer Service:

Subject: [Your loan number]
[Names on loan documents]
[Property and/or mailing address]

This is a "qualified written request" under Section 6 of the Real Estate Settlement Procedures Act (RESPA).

I am writing because:

- Describe the issue or the question you have and/or what action you believe the lender should take.
- Attach copies of any related written materials.
- Describe any conversations with customer service regarding the issue and to whom you spoke.
- Describe any previous steps you have taken or attempts to resolve the issue.
- List a day time telephone number in case a customer service representative wishes to contact you.

I understand that under Section 6 of RESPA you are required to acknowledge my request within 20 business days and must try to resolve the issue within 60 business days.

Sincerely,

[Your name]

REMEMBER: This letter SHOULD NOT be included with your mortgage payment, but should be sent separately to the customer service address.

You SHOULD continue to make the required mortgage and escrow payment until the request is resolved.

You may bring a private right of action under Section 6, if you suffer damages due to the lender's servicing of the loan. See the [RESPA statute and regulations](#).

Subject: Loan number xx
My Name & address

To Whom It May Concern:

This is a "Qualified Written Request" under Section 6 of the Real Estate Settlement Procedures Act (RESPA).

I am writing to request:

(1) Copies of all documents pertaining to the origination of my mortgage including my loan application, Right to Cancel, Deed of Trust, note, adjustable rate note, addendum to the note for the interest only payment period, Truth in Lending statements, Good Faith Estimate (GFE), HUD 1, appraisal, and all required disclosures and rate sheets associated with this transaction for the above referenced loan. The copies should be legible and all documents shall be copied in their entirety.

(2) A copy of the life of loan history including all payments made, all fees incurred, what has been paid out of the escrow account, and how all payments were applied. This information should cover the entire life of the loan.

I have reason to believe that the loan terms were misrepresented to me at the time of application and further obscured and/or modified prior to signing. I believe that my income was inflated on the application, and that the property appraisal was similarly falsely inflated. I also have reason to believe that certain statements were not provided for my approval prior to closing, and that signatures may have been forged on various documents. Additionally, I believe that a notary was not present to witness my signatures on several pertinent documents.

I started the process of trying to renegotiate this loan in XXXXXXXXXXXX when I spoke with XXXXXXXXXXXX in your Loss Mitigation department. I faxed a letter of hardship, along with bank statements and pay stubs as well as a hardship letter as he recommended. After many follow ups on my part, XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX those were his words exactly! His reason was never really quite clear!

The customer service provided to me has been less than adequate let alone just plain rude.

Let this letter serve to document my request to have my communications responded to in a timely manner.

I can be reached at (my phone number) whenever a customer service representative wishes to contact me. My email address is blahblahblah , and is the best way to contact me.

I understand that under Section 6 of RESPA you are required to acknowledge my request within 20 business days and must try to resolve the issue within 60 business days.

Sincerely,

My signature