

HOCKING COUNTY COMMON PLEAS COURT

Request for Foreclosure Mediation

Case Name _____ Case Number _____

CAUTION

You have been served with a Foreclosure Complaint that could cause you to lose your property. You should consult with an attorney concerning your rights and responsibilities. To avoid having a default judgment taken against you, you MUST serve your written answer: Motion for Extension of Time to Answer, Motion to Stay Proceedings, or other pleadings, upon the attorney for the Plaintiff and all Defendants. (If the Plaintiff does not have an attorney, you must serve the answer, motion or other pleadings to the Plaintiff and all Defendants) AND file your written Answer or such Motion with the Court. Refer to the *Summons on Complaint* for additional details.

You are strongly urged to seek legal counsel. Your interests will be best protected if you seek counsel early. However, if you choose to proceed without an attorney, understand that you may seek legal advice at any time.

Mediation Request In order to process this request, all information asked on this sheet must be provided. Failure to do so may result in a delay of your request.

To determine if you are eligible for mediation, please list all debtors on one form and return it with the Motion to Stay to the **Hocking County Clerk of Courts, 1 E. Main St., P.O. Box 28, Logan, OH 43138**

You will receive written notice whether your case will be mediated or will continue on the trial docket. When completing this form, the word "you" means any debtor on the loan. If you need additional space, attach a separate sheet.

QUESTIONNAIRE FOR FORECLOSURE CASES

This form should be completed if you would like your case evaluated to determine if it is appropriate for mediation. Return the completed form to the Hocking County Clerk of Courts with the Motion to Stay.

Your Name: _____ Your Attorneys Name: _____
Address: _____ Address: _____
Phone: _____ (mobile) Phone _____
_____ (other) _____ Is this attorney for Foreclosure ___ Bankruptcy ___

1. ___ Yes ___ No Is this property your only residence?
 2. ___ Yes ___ No Are you interested in trying to remain in this property?
 3. ___ Yes ___ No If you are not interested in trying to remain in this property, are you interested in discussing other options with your lender?
 4. ___ Yes ___ No Are you and/or your spouse presently employed? If yes, how long?
You: _____ years Spouse: _____ years
 5. ___ Yes ___ No Are you in the process of filing bankruptcy or thinking about filing bankruptcy?
 6. ___ Yes ___ No Have you filed an Answer, Request for Extension of Time or Motion To Stay Proceedings?
 7. ___ Yes ___ No Have you received financial counseling: If yes, provide details: _____
-

8. ___ Yes ___ No

Do other mortgages or liens exist on this property? Examples are home equity loans, tax liens, child support liens, judgments from lawsuits. If yes, list below:

| Who Is Owed | Amount Due | Is this Past Due? (yes/no) |
|-------------|------------|----------------------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |

9. ___ Yes ___ No

Check all items that have made you miss your mortgage payments:

- _____ Injury or illness
- _____ Adjustable Rate Mortgage (ARM)- a mortgage loan in which the interest rate changes periodically throughout the course of the loan
- _____ Balloon Payment-any repayment option under which the borrower is required to pay the entire amount of the outstanding balance of the loan as of a specific date or the end of a specified period
- _____ My expenses are more than my income
- _____ Other (please explain) _____

10. _____

How many payments have you missed?

11. ___ Yes ___ No

Have you signed any documents or agreements regarding your mortgage? If yes, please attach them.

Are documents attached? ___ Yes ___ No

12. ___ Yes ___ No

Have you filed or plan to file a divorce or dissolution?

13. ___ Yes ___ No

Is this or will this property be subject to an estate action in Probate Court?

If yes, identify the jurisdiction, case name and number _____

14. \$ _____

What is the amount of your monthly payments to the lender who is foreclosing?

15. \$ _____

If your property tax and property insurance are NOT included in the payment to the lender, what is the amount of your monthly property taxes and insurance for this loan?

16. \$ _____

What is the total amount of your monthly mortgage with property taxes and insurance for this loan?

17. \$ _____

How much is your current monthly NET (after taxes) income from all sources?

18. \$ _____

What are your total monthly expenses without THIS mortgage, property tax & property insurance? (note: include payments on other property liens)

19. \$ _____

What is your total remaining net income (without this lien's real estate expenses?)

I state that I am of lawful age, that I have personal knowledge of the information noted above and that it is true.

Homeowner signature

Date

Homeowner signature

Date

I do / do not approve that this form be sent to the lender by the court's Mediation Department. If you are not represented by legal counsel, it is recommended that you seek legal counsel before answering this question.

Homeowner signature

Date

Homeowner signature

Date