Consumer Task Force

DATE: October 9, 2008

TO: Consumer Task Force

FROM: Addison Parker, Rich Seckel

RE: Agenda for October 16 meeting

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The next legal services Consumer Task Force meeting will be held:

Date: Thursday, October 16
Time: 10:45 a.m. to 2:45 p.m. ET
Place: Legal Aid of the Bluegrass Community Room
498 Georgetown Street, Lexington

Defense, defense: The big one again is foreclosure defense. We'll get the tools to do hands on review of a loan closing file. Watch for advance documents on the list serve. Your job: find defenses—and claims. Plus, case discussions and . . . box lunches.

___ Yes, I'm coming to the October 16 meeting!

Name: _____ Program: _____ Office: _____

Case topic: _____

Please sign up to help us get an accurate lunch count!

Fax to: Rich Seckel at 859-233-0007

Got a case? Call Add or Kate!

To prepare for case discussions, we invite you to call Addison or Appalred's new foreclosure defense attorney, Kate Sanford, before the meeting for an initial case review:

> *Addison Parker: 859-624-1394*
> *Kate Sanford: 859-624-1394*

11:00   Welcome and Introductions

Guests: Several private attorneys and other guests may be on hand. We'll give them an extra minute or two to describe their practice.

11:15   Practice Makes Perfect: Loan Closing File Analysis

Practice is our theme for the day. We've structured this one to get our hands— and yours—on a real case file:

Tools: First, you'll get tools, including Addison's checklists of key documents in the loan file and the Appalred finance charge and HOEPA points and fees checklist. Watch for them in advance on the list serve. Bring a calculator!

Briefing: Addison and Kate will review how to use the tools and go over key points from the Appalred foreclosure outline. Kate will then give an overview of the facts and documents in a recent case file. We'll look at claims and defenses under TILA, HOEPA and the new Kentucky High Cost Loan Act.

Just do it: We'll break into two or three groups, each with an experienced foreclosure defender, to use the tools, examine the file and find the defenses.

Then, we'll hear back from the groups.

12:00   Lunch

12:45   Case Discussions and Consultation

We'll continue the analysis above and then take up questions from advocates about their own current cases. After that:

Loan servicing abuses: What can you do? Anne Marie Regan describes some new Kentucky provisions based on HB 552. Add describes claims and defenses.

What comes after Chapter 12? Addison discusses uses of Chapter 13 for low income homeowners: whether, when, how.

Payday loans and the elderly: A borrower's Social Security check was withheld in its entirety when she tried simply to cash it with her payday lender. Good claims. Slightly crazy facts. It's in arbitration. Anne Marie tells us what she can. Add shares a brief for future use. (5 minutes)

1:30   **Issue Updates and Short Discussions**

Big Picture: Last meeting, private attorney Carol Friend joined us and offered hard hitting comments on the origins of the crisis. It's all wrapped up in . . . securitization. If she can join us, we want to hear more!

Kentucky Homeownership Protection Center: The new Center is up and running. Referrals are coming your way. Which programs are getting them? How is it working? Should clients start there — and do they get to you at the right time?

NeighborWorks: A consortium of Kentucky housing groups is getting federal bucks for foreclosure counseling and intervention. Community Ventures in Lexington also has a fund to help homeowners. We've invited Anne Chaney from CVC to give us the Neighborworks update.

Plan Ahead: We'll spend a few minutes brainstorming emerging issues and topics for future agendas, plus ideas for Task Force participants and speakers.

2:30   **Case Consultation**

If we're not exhausted, we'll go on . . .

2:45   **Adjourn!**