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## Calumet County Foreclosure Mediation Program **Notice of Availability of Mediation**

### **What is the foreclosure mediation program?**

Calumet County's foreclosure mediation program is administered by the Winnebago Conflict Resolution Center, Inc. and is part of the Wisconsin Foreclosure Mediation Network. This Network receives funding from the Wisconsin Department of Justice and support from your local courts.

The Program is available to assist homeowners facing a mortgage foreclosure action in Calumet County. Mediation is a confidential and voluntary process where you and the lender seeking to foreclose on your home may discuss ways to resolve your foreclosure case, including reinstatement of the loan and possible modification of the loan terms.

The Program is available to parties to a first or second mortgage foreclosure action involving a one-four family residential property. You need not reside in the property, but you may not own more than four other rental properties. In addition, the action must be pending in Calumet County. Vacation properties or "seasonal homes" are not eligible, nor are homes in bankruptcy.

### **How does the homeowner request foreclosure mediation?**

Along with this notice, you have also received the Mediation Request Form. This form is also available through the Court's website at <http://www.co.calumet.wi.us> and the Winnebago Conflict Resolution Center's website at [www.mediationwrc.org](http://www.mediationwrc.org). You should complete and send your request form to the program within 30 days of receiving the summons, but if that date has passed, you can still make a late request, as mediation might still be a possibility.

Within two business days of receiving the Request Form, the Program Administrator will refer a housing counseling agency to you via mail or email. Your second step is to contact your housing counselor to set up a meeting for the purpose of compiling a complete loan modification application. The housing counselor sends the loan modification application directly to the Program Administrator. Your third step is to pay the mediation fee of \$150 by check, money order or credit card payment.

After you have completed all three mediation request steps, the Program Administrator will notify your lender to request their participation, seeking a response within 10 business days. Your Lender's non-refundable mediation fee of \$150 is due at the time of their consent.



**Is participation in mediation required?**

Participation is voluntary for the homeowner/borrower and lender. Sometimes, lenders will choose not to participate in mediation. Some reasons lenders may not participate include situations when prior refinances or modifications didn't work out.

While entry into the Foreclosure Mediation Program is voluntary for both parties, by consenting, the parties agree to abide by the process set forth in the court's local rules.

If the Lender declines the invitation to mediate, the Program Administrator will refund \$125 of your mediation fee. The remaining \$25 is non-refundable and used to off-set program administrative costs.

**How can the Housing Counselor help?**

In order to increase the chance of success at mediation, you are matched with a housing counselor in your area. Housing Counselors are specially trained and certified to go over financial information with you, and to discuss programs that may be available to avoid foreclosure.

If you do not take this step, the mediation cannot proceed.

**What does mediation cost?**

There is no cost to request mediation or to work with a housing counselor. You and your lender must each pay a non-refundable mediation fee of \$150 before the case can be scheduled for mediation. Credit card payments are accepted online at [www.mediationwerc.org](http://www.mediationwerc.org) or you may mail a check or money order to The Winnebago Conflict Resolution Center 415 Jackson St, Oshkosh, WI 54901.

**Does the foreclosure stop during the mediation process?**

Even after applying for mediation, you are required to comply with all mandatory deadlines set by the court, including the time to answer the Complaint. Please read the Summons and Complaint *carefully* and make sure you understand your rights and the time period for filing an Answer or Responsive Pleading. If you do not file an Answer or Responsive Pleading, the court may grant judgment against you and you may lose your right to object to anything that you disagree with in the Complaint.

**Do you need a lawyer to participate in the mediation program?**

While everyone is always strongly encouraged to consult with an attorney, you are not required to be represented by an attorney. You may contact the statewide Lawyer Referral and Information Service at (800) 362-9082 or the local Legal Action of Wisconsin office at (800) 236-1127, to obtain the names of attorneys who may be able to assist you. If you are working with a lawyer, please notify the Program Administrator of their name and contact information.

**Who must attend the mediation session?**

The mediation session must be attended in person by all homeowners who signed the note. All attorneys must also attend in person or by video conference, if available. The loan servicer will attend by telephone. Either party may have other support persons such as attorneys, loan officers and tax advisers attend or available by phone.

**Where can I find additional foreclosure resources?**

More information on resources for homeowners facing foreclosure is available at [www.mediatewisconsin.com](http://www.mediatewisconsin.com).



# Calumet County Mediation Request Form

Within 30 days from the date you received the foreclosure Summons, complete this Request Form and return it to the **Winnebago Conflict Resolution Center, Inc.** by:

<b>Mail:</b>	Winnebago Conflict Resolution Center, Inc. Winnebago County Courthouse 415 Jackson Street, Oshkosh, WI 54901		
<b>Phone:</b>	(920) 236-4925	<b>Fax:</b>	(920) 236-1076
<b>Email:</b>	<a href="mailto:apply@mediationwcr.org">apply@mediationwcr.org</a>		
<b>Online:</b>	<a href="http://www.mediationwcr.org">www.mediationwcr.org</a>		



Name of all Homeowner(s) (who has title):	
Name of all Borrower(s) (who signed the loan):	
Full property address (Street/City/State/ZIP):	
Mailing address (if different):	
Number of units you own at property location:	
Email address:	
We prefer to use e-mail as our main way to contact you. Is that acceptable? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Home Phone:	Work Phone:
Cell Phone:	Alternate Phone:
Best phone to reach you during the day? <input type="checkbox"/> Home <input type="checkbox"/> Work <input type="checkbox"/> Cell <input type="checkbox"/> Alternate	
Name of Lender/Plaintiff in your case:	
Name of Servicer (you make your mortgage payment to them):	
Name of County where this home is located:	
Case Number (located on your Summons): 20 CV	
Date you received the Summons and Complaint:	
Is this property your primary residence? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Do you own the property? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Did you sign the Mortgage Note? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Have you started a bankruptcy that is still ongoing? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Does an attorney represent you for your foreclosure? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, name & email address:	
Have you met with a housing counselor? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, with whom have you met?	
If English is not your primary language, will you bring an interpreter to the mediation? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Have you received a prior loan modification for this property? <input type="checkbox"/> Yes <input type="checkbox"/> No	

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How did you hear about the Calumet County Foreclosure Mediation Program?

- Colored forms attached to summons (pink, yellow or green)
- Website (which one):
- Housing Counselor (Name):
- Radio announcement (which one):
- Hotline (which one):
- Other (please explain):

**Authorization for Research and Evaluation.** The Calumet County Foreclosure Mediation Program is operated by the Winnebago Conflict Resolution Center, Inc. CCFMP will share your contact or financial information only with program partners, such as your HUD certified housing counselor, your attorney, or your lender's representatives. We also compile anonymous aggregate case file or results information for the purpose of evaluating our services, gathering valuable research information, designing future programs and engaging in academic research, analysis and publication. I consent to the use of my information for these purposes. I also authorize my servicer to disclose all information and supply any documents that relate to the loan which is described in this Request.

I also certify that I am the owner of the property that is subject to this foreclosure action.

\_\_\_\_\_  
Property Owner's Signature

\_\_\_\_\_  
Date

**PLEASE NOTE: You are not "in mediation" until you have completed all three steps below. Once you have fully completed all three steps, you will be considered "in mediation."**

**Step 1:**

Within 30 days from the date you received the foreclosure Summons, complete the attached Request form and return it to the Winnebago Conflict Resolution Center, Inc.:

**Mail:** Winnebago Conflict Resolution Center, Inc.  
Winnebago County Courthouse  
415 Jackson Street, Oshkosh, WI 54901  
**Phone:** (920) 236-4925 **Fax:** (920) 236-1076  
**Email:** [apply@mediationwrcrc.org](mailto:apply@mediationwrcrc.org)  
**Online:** [www.mediationwrcrc.org](http://www.mediationwrcrc.org)

**You have Completed Step 1.** If you are deemed eligible for mediation, you will receive the name of your housing counselor within two (2) business days.

**Step 2:**

Call and meet with your assigned housing counselor and help them put together a complete financial package. Promptly collect and deliver to them all of the items they request. This step is critical. This should be done within two (2) weeks or sooner.

**Step 3:**

Pay to the Winnebago Conflict Resolution Center the application fee of \$150 by check, money order, or go online to make a credit card payment at [www.mediationwrcrc.org](http://www.mediationwrcrc.org).

