

Hocking County Court of Common Pleas

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 or Motion for Extension of Time to Answer or Otherwise Plead upon the attorney for the Plaintiff and all Defendants. (If the Plaintiff does not have an attorney, you must serve the Answer or Motion for Extension of Time to Answer or Otherwise Plead on the Plaintiff) 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. Thank you for your cooperation!

To determine if you are eligible for mediation, please complete one form for all debtors on the loan and return it to the **Hocking County Court Mediation Coordinator, Common Pleas Court, 1 East Main Street, Logan, Ohio 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. **Do NOT file the Request for Mediation Form with the Clerk of Court's Office.**

**Questionnaire For Foreclosure Cases**

**This form should be completed if you would like your case evaluated to determine if it is appropriate for mediation.**

Mediation is a free, voluntary process through which you, as the debtor, and the creditor can determine if an agreement can be reached to cure any defaults in the loan and re-negotiate the terms of the loan in a manner that could allow you to remain in your property or other terms as agreed by the parties. The Court will provide a mediator who facilitates the mediation process. The mediator will not give legal advice to either party and you are therefore urged, but not required to retain an attorney to represent you and to provide you with legal advice.

Your Name(s): \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone No: ( ) (day) \_\_\_\_\_  
( ) (evening) \_\_\_\_\_

Attorney's Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone No: ( ) \_\_\_\_\_  
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, 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 have you and/or your spouse been employed by your current employer(s)? You: \_\_\_\_\_ year(s)  
Spouse \_\_\_\_\_ year(s)

5.  yes  no Are you in the process of filing bankruptcy or thinking about filing bankruptcy?

6.  yes  no Have you filed an Answer or a Request for Extension of Time to Answer?

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 of other mortgages and liens are home equity loans, tax liens, child support liens, judgments from lawsuits. List them below:

Who is owed?	How much is due?	Past due? (yes/no)
_____	_____	_____

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

Injury or illness

Adjustable Rate Mortgage (ARM): a mortgage loan where 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 specified date or the end of a specified period

My expenses are more than my income; Other (please describe): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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.

Documents/Agreements Attached \_\_\_\_\_ Yes; \_\_\_\_\_ No

12.  yes  no Have you filed or do you plan to file a divorce or dissolution?

13.  yes  no Is 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 payment to the lender who is foreclosing?
15. \$ _____	If your property tax and property insurance are <b>not</b> included in the payment to that lender, what is the amount of your monthly property taxes and insurance?
16. \$ _____	Total monthly mortgage, property tax, and property 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 <b>without THIS mortgage, property tax, and property insurance?</b> (Note: Include payments on other property liens.)
19. \$ _____	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 (Please Sign)  
Date: \_\_\_\_\_

\_\_\_\_\_  
Homeowner (Please Sign)

I do / do not approve that this form is sent to the lender. If you are not represented by legal counsel it is recommended that you seek legal counsel before answering this question:

\_\_\_\_\_  
**Homeowner Signature**

**If the borrower approved that this form be sent to the lender, the Mediation Department sends the form via the mail or fax (to save time and resources) to the lender *after* the lender ‘s questionnaire is received by the Court Mediation Services.**