



Questions and Answers About the Save Your Home Philly Hotline 215.334.HOME (4663)

What is the Save Your Home Philly Hotline?

The Hotline is a free service that provides information, legal advice, legal services, and referrals to Philadelphia homeowners who are in danger of losing their homes. The phone number for the Hotline is 215-334-HOME (4663).

The Hotline is staffed on weekdays between 9 a.m. and 5 p.m. by specially trained paralegals at the office of Philadelphia Legal Assistance (PLA), a non-profit organization located at 718 Arch Street that provides free legal assistance to Philadelphia residents. PLA attorneys supervise the paralegals and are available to answer questions. The Hotline receives about 56,000 calls per year.

PLA is committed to communicating with clients in clients' preferred languages. Spanish speakers are on staff and Language Line is available for other languages.

Who can get help from the Hotline?

Philadelphia homeowners at any stage of mortgage foreclosure or tax foreclosure can get help from the Hotline, *regardless of household income*. These stages include:

- Pre-delinquency (still current on payments)
- Delinquency (late on payments)
- Default (three months behind or more on mortgage)
- Foreclosure (mortgage company/City sues the homeowner in court)
- Sheriff sale (the mortgage company/City wins the lawsuit and the sheriff sells the house)
- Ejectment (the new owner sues the homeowner to get him or her out of the house)
- Eviction (the sheriff locks the homeowner out of the house)

Where does the funding for the Hotline come from?

Most of the funding for the Hotline comes from the City of Philadelphia's Division of Housing and Community Development (DHCD). PLA is also funded by the Legal Services Corporation (LSC), an agency of the federal government that funds free legal services for low-income people.

What information does the Hotline collect?

The Hotline spends several minutes gathering basic information necessary for evaluating the homeowner's circumstances, giving advice that specifically addresses the circumstances, and making appropriate referrals. This information includes: name, address, phone number, date of birth, gender, race/ethnicity, marital status, number of adults and children in the household, household income and assets, Social Security number (or last four digits), previous bankruptcies, and other information.

The Hotline will determine the caller's stage of foreclosure by asking how delinquent the caller is, whether the caller received a complaint yet, or whether the caller has an upcoming conference.

The Hotline also searches the court docket by name and address to see if there is an active foreclosure case for the property.

Next, the Hotline will gather information about the caller's case. In a mortgage foreclosure case, this includes the servicer, mortgage company, origination date, amount financed, type of loan, interest rate, whether interest rate is fixed or adjustable, FHA or conventional, current principal balance, arrearage, months behind, monthly payment, whether taxes and property insurance are escrowed, circumstances of origination and closing, current market value of home, reasons for falling behind, etc. The Hotline will look up deed and mortgage documents on the web site of the Philadelphia Department of Records to verify and supplement the information provided by the caller. In a tax foreclosure case, this information includes the payment history, information about prior agreements, and ownership information in the Philadelphia Department of Records.

Information is recorded in a specialized case management computer system and is kept confidential.

What does the Hotline do with this information?

Using their legal training in foreclosure law and estate law, Hotline paralegals evaluate callers' circumstances and determine what legal issues there are and what programs may be available to assist the caller. When callers present unique or unusual situations, Hotline paralegals will involve PLA attorneys in the analysis.

Based on their assessment of the facts and legal issues, the paralegals provide **legal advice** specific to the callers' circumstances.

Typical legal issues in a mortgage foreclosure case are: violations of the rules of procedure by the lenders; violations of regulations about what lenders have to do when a homeowner falls behind; dispute over amount owed; failure of the mortgage company to comply with Act 6 or Act 91 requirements; violations of the Truth in Lending Act; violations of Pennsylvania UDAP (unfair and deceptive acts or practices) law; original borrower deceased; improper service of complaint; or the improper refusal by mortgage company to negotiate with homeowner. Typical issues in a tax foreclosure case are: homeowner is not listed on the deed; issues around eligibility for an Owner-Occupied Payment Agreement (OOPA); and non-compliance with prior OOPAs.

If the caller has recently been sued, the Hotline paralegal will describe to the caller the foreclosure litigation process, the importance of attending a housing counseling appointment and the conference in court, what to expect in court, and the timeline the caller can expect if the home goes to sheriff sale.

The Hotline will then make referrals for housing counseling and/or legal services as appropriate. The Hotline makes sure that callers with an upcoming conciliation conference are connected with a housing counselor.

Finally, the Hotline paralegal will give the caller his or her direct phone number and encourage the caller to call directly with any questions in the future. Most callers maintain an ongoing relationship with the Hotline.

How long does a call to the Hotline take?

The initial Hotline call lasts 30 minutes on average, but it could be as short as 15 minutes or as long as 45 minutes.

What legal services does the Hotline provide?

In addition to providing advice, the Hotline can assist callers with filing CERDOs (a form to file if the mortgage company falsely assumes the home is not owner-occupied), filing petitions to postpone a sheriff sale, and other brief legal services. For more extensive legal services, the Hotline makes legal referrals to lawyers.

How does the Hotline make legal referrals?

The Hotline makes legal referrals to the lawyers at Philadelphia Legal Assistance (PLA), Community Legal Services (CLS), Philadelphia VIP, Senior Law Center (for homeowners 60 and older), other legal services agencies, and private attorneys.

PLA and CLS are non-profit legal services organizations that provide free legal assistance to clients who meet certain criteria. In general, a client will be considered for free legal representation if the client's household income falls under 125% of the federal poverty level.

PLA and CLS have limited resources and cannot assign attorneys to all clients who fall within eligibility limits and program priorities. Under some circumstances, the 125% limit can be exceeded, but only up to 200%.

The Hotline also refers certain types of legal problems, such as estate matters, fraudulent deed transfer cases, and "tangled title" cases (where title to the property is in dispute), to Philadelphia VIP, an organization that connects pro bono attorneys with low-income clients. Philadelphia VIP's income eligibility limit is 200% of the federal poverty level.

If the caller is not eligible for assistance from PLA, CLS, Philadelphia VIP, or Senior Law Center, the Hotline refers the caller to the Lawyer Referral and Information Service operated by the Philadelphia Bar Association.

How are referrals to housing counselors made?

Most calls to the Hotline result in a housing counseling appointment being scheduled. There are many housing counseling agencies in the City, but the Hotline only refers to the 25 housing counseling agencies funded by DHCD. The choice of agency depends on a number of factors, including: caller's preference, proximity of the agency's office to the caller's home or workplace, which agencies have available appointments, and which agencies can handle the caller's special needs (e.g., home visits). Housing counselors are available regardless of household income.

Most housing counseling agencies inform the Hotline about their available appointments through an on-line calendar system (Google Calendar) that allows the Hotline to schedule appointments without having to make a phone call to the agency.

When a housing counseling appointment is made, the Hotline sends a reminder letter to the caller informing him or her of the date, time, and place of the housing counseling appointment, and a list of documents to bring. In addition, most housing counseling agencies send a postcard or make a phone call to new clients to remind them of their appointment.

Many callers have been to a housing counseling agency already, or have a particular housing counseling agency to which they would like to be referred. Whenever possible, the Hotline refers callers back to the agencies they have worked with in the past, or to the agency the homeowner requests.

What if a homeowner already has a housing counselor?

All homeowners should call the Hotline, even if they think they do not need to.

Some homeowners might think that calling the Hotline is not necessary because they are already getting help with their foreclosure. They would still benefit from calling the Hotline because the organization helping them might not be funded by the City to help with the Diversion Program or with tax foreclosure. Or worse, the organization might be a foreclosure rescue scammer. (The Hotline maintains a list of known mortgage rescue scam operations.)

Some homeowners think they are all set because they are in contact with their mortgage company or with the Department of Revenue and they believe they are getting an agreement. However, the Hotline can conduct a legal screening to make sure that this is really what is happening.

When a homeowner calls the Hotline and goes through the intake process, the Hotline will be able to follow what goes on in the homeowner's case and intervene if something goes wrong. The Hotline's attorney supervisor attends every mortgage foreclosure conference and is available there to help Hotline callers and their housing counselors if any complicated situations arise.

Whom do I contact with questions about the Hotline?

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