The Hispanic National Bar Association
10CORE™ Law Society
The ABA Coalition on Racial and Ethnic Justice
Present

Know Your Foreclosure Rights:
There's Hope

Tampa Bay WorkForce Alliance Career Center
9215 North Florida Avenue · Suite 101
Tampa, FL

Saturday, August 18, 2012
12:00 p.m. – 5:00 p.m.
The materials contained herein represent the opinions of the authors and the editors and should not be construed to be those of either the American Bar Association or the ABA Coalition on Racial and Ethnic Justice unless adopted pursuant to the bylaws of the Association. Nothing contained herein is to be considered as the rendering of legal advice for specific cases, and readers are responsible for obtaining such advice from their own legal counsel. These materials and any forms and agreements herein are intended for educational and informational purposes only.

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Know Your Foreclosure Rights: There's Hope

Sponsored By
The Hispanic National Bar Association
10CORE™ Law Society
ABA Coalition on Racial and Ethnic Justice

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Gil Sanchez
  ▪  Foreclosure
  ▪  Bankruptcy
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  ▪  Foreclosure: The American Nightmare – “Know Your Options”
    Ejecución Hipotecaria: La Pesadilla Americana “Conozca Sus Opciones”
TAB 1
Know Your Foreclosure Rights: There’s Hope

Sponsored By:
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10CORE™ Law Society
ABA Coalition on Racial & Ethnic Justice

Saturday, August 18, 2012
Tampa Bay WorkForce Alliance Career Center

PROGRAM SCHEDULE

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<td>12:00 PM</td>
<td>Registration, Exhibits &amp; Refreshments</td>
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<td>12:30 PM</td>
<td>Welcoming Remarks</td>
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<td>Diana Sen – Immediate Past President of Hispanic National Bar Association</td>
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<td>Representative Janet Cruz</td>
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<td>Program Moderator- Diana Sen</td>
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<td>Introduction of the Planning Committee Members</td>
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<td>Introduction of Public Officials and Dignitaries</td>
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<td>Overview of the Town Hall</td>
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<td>1:00 PM</td>
<td>Introduction of the Speakers and Panel Discussion</td>
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<td>Moderator: Diana Sen</td>
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<td></td>
<td>Panelists: Teresa Ortiz, LL.B., M.B.A., LL.M., J.D. 10CORE™ Law Society, Member</td>
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<td>Christie D. Arkovich, Christie D. Arkovich, P.A.</td>
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<td>Gil Sanchez, Founder and CEO</td>
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<td>Sanchez Valencia, Attorneys at Law</td>
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<td>Sylvia Alvarez, Executive Director</td>
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<td>Housing &amp; Education Alliance</td>
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<td>Diana Sen, Immediate Past President</td>
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<td>Hispanic National Bar Association</td>
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<td>2:00 PM</td>
<td>Questions &amp; Answers- Diana Sen</td>
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3:00 PM  Repeat Panel Presentation
4:00 PM  Questions & Answers – Diana Sen
4:30 PM  (Wrap-UP)- Diana Sen
TAB 2
MILESTONES

40 Years of HNBA Achievement

- Testified in support of the confirmation of the Hon. Sonia Sotomayor as Associate Justice of the Supreme Court of the United States. The HNBA was the only national Latino organization to testify before the Senate Judiciary Committee.
- Met with the President of the United States and other White House, Congressional, and Justice Department leaders to address issues of concern to the HNBA and the Hispanic community in the U.S. Meeting with leaders from Mexico, Spain, Central America and South America to further common goals and issues.
- Testified before the United States Senate Judiciary Committee regarding United States Supreme Court nominees and the confirmation of Assistant Attorneys General of the United States.
- Testified before United States House and Senate Committees to provide insight on immigration, the Census Bureau, and Congress’ proposed funding of the Council on Legal Education Opportunity. Reviewing and submitting comments to the Immigration and Naturalization Service regarding regulations implementing the Immigration Reform and Control Act.
- Published *La Promesa en el Derecho™ (The Promise in the Law)* is an HNBA community outreach and education initiative designed to instill confidence and trust in the U.S. legal system. The booklet is written in both English and Spanish that provides one page explanations of ten basic features of the American system of government: The Constitution of the United States; Separation of Powers; The President of the United States; The Congress of the United States; The Supreme Court of the United States; The Courts; The Jury Process; Basics Rights in a Criminal Proceeding; The Freedom to Engage in Civic Activities; and Voting.
- Launched the HNBA Journal of Law and Policy in 2008. It is an annual publication that provides a forum for the examination, investigation, and review of legal issues and law-related policy pertaining to the Hispanic legal profession and that impacts the U.S. Hispanic Community.
- The HNBA hosted its first national Corporate Counsel Conference in 2010 to promote the hiring of Hispanic attorneys by Fortune 500 corporations. HNBA develops unique Continuing Legal Education (CLE) programs and provides professional guidance and support to Hispanic attorneys and law students nationwide.
- Introduced the Legislative Day program in 2007. It serves to further the HNBA policy agenda before Congress and executive branch officials through direct grassroots advocacy by our members, and also educates HNBA members from around the country about public policy issues and the federal legislative process.
- Released an open letter to the Judiciary calling for state and federal court judges across the country to refrain from using the words “illegal alien” and “illegal immigrant” when referring to persons who lack proper immigration status. The letter was written, in part, by Professor Lupe Salinas, Chair of the HNBA Civil Rights Law Section and former state court judge.
- Conducted its 15th Annual Uvaldo Herrera National Moot Court Competition in 2010. The Moot Court Competition continues to draw 32 teams from the nation’s top law schools and enables students to hone their brief-writing and oral advocacy skills.
while exploring a complex legal issue, and to form relationships with the judges and practitioners at the Conference.

- Published “Few and Far Between: The Reality of Latina lawyers,” a groundbreaking study that provides both qualitative and quantitative data on the status and experiences of Latinas in the legal profession, on a national level and across all major legal sectors. Authored by Jill L. Cruz and Melinda S. Molina, the report addresses the problem of the underrepresentation of Latinas in the legal profession relative to their overall representation in the United States population.

- Established a joint membership program with the American Bar Association (ABA), and other meaningful relationship with the American Corporate Council Association (ACCA), the Federal Deposit Insurance Corporation (FDIC), the Resolution Trust Corporation (RTC), the Small Business Administration (SBA), the Council on Legal Education Opportunity (CLEO), and many state and local Hispanic bar associations.

- Regularly develop Continuing Legal Education (CLE) programs and provide professional guidance and support to Hispanic attorneys and law students nationwide.

- Conducted CLE presentation of ‘A Class Apart’: the first U.S. Supreme Court Landmark case on Raza/Latino/Hispanic Civil Rights, through efforts by the HNBA History Committee.

- Promote a Hispanic legal agenda by appearing consistently in major national media, including The New York Times, the Chicago Tribune, the Plain Dealer, the National Law Journal, ABA Journal, Hispanic Business magazine, Hispanic Link, Hispanic magazine, and many others. Published the only national directory of Hispanic attorneys.

- Established and promoted Adopt-a-School and mentorship program aimed at increasing the number of Hispanic law students and attorneys by providing information, motivation and role models to Hispanic students through the involvement of Hispanic attorneys in their schools.

- Assisted the Reynaldo Garza Law School in Texas in obtaining ABA accreditation.

- Participates in local television and radio shows focusing on legal issues affecting Hispanics.

- Recently hosted its 35th Annual Convention. Through the convention the HNBA supports a Law Student Division and an annual job fair to provide employment opportunities for Hispanic law students. HNBA has awarded more than $100,000 in scholarships to students throughout its history.

- Worked with Los Abogados in Arizona to help fund an Amicus Brief in the Phoenix English only case.

- Filed an Amicus brief in the University of Michigan case.

- United state and local Hispanic bar associations and the non-legal Hispanic community to secure the appointment of a Hispanic Justice on the United States Supreme Court.

- Held a Hispanic Legal Leaders Summit to establish goals and areas of collaboration to avoid duplication of services to the community. Organized the first National Minority Bar Leadership Summit addressing issues of common concern and promoting unity among all minorities.

- Successful development of the HNBA web site containing convention information, job opportunities and links to benefits available exclusively to HNBA members as well as information of benefit to the entire Hispanic legal community.
A presidential Task Force on Minorities in the Justice system was created in 1992 in the aftermath of the Rodney King disturbances. Shortly thereafter, a report was issued with recommendations by the Task Force. In 1994 the Task Force was re-named the Council on Racial and Ethnic Justice (now the Coalition or COREJ). The Coalition was designed to implement the recommendations and develop partnerships among community groups, civil rights organizations, businesses, religious organizations, and bar associations for the purpose of eliminating racial and ethnic bias in the justice system. Its primary goal is to serve as a catalyst for eliminating racial and ethnic bias in the justice system with a focus on systemic change.

COREJ (1) assists with the development of educational programs; (2) provides public forums for dialogue between legal institutions and non legal groups; and (3) provides technical assistance and advice on how to implement specific programs, strategies, and partnerships that eliminate racial and ethnic bias.

Since its inception, COREJ has been on the cutting edge of social justice issues. It has focused on a number of substantive and diverse issues such as racial profiling, access to the justice system, overrepresentation of juveniles of color, indigent defense, racial profiling and the war on terrorism, teen violence, the impact of foreclosures on communities of color, voting disenfranchisement and the impact of technology, election protection, injustices and discrimination in Tulia, Texas and restoring justice and equity by providing strategies for disaster preparedness and response that reduce patterns of discrimination and unfairness in the delivery of disaster aid and services e.g. Katrina Project.

RECENT PROGRAMS

- Do or Die: Analysis of the Stand Your Ground Statutes (August 2012, Chicago, IL)
- Justice Equality and A More Perfect Union: Community Recovery and Restoration After A Crisis (February 2012, New Orleans, LA)
- Raising The Bar on Foreclosure Prevention Efforts – Implementing Pro Bono Programs To Help Michigan Homeowners, Hosted by Federal Reserve Bank of Chicago- Detroit Branch (October 28, 2011, Detroit, MI)
- HELP! I Need A Housing LIFELINE! (October 29, 2011, Detroit, MI)
- The War Against Foreclosures: Combating Foreclosures and Mortgage Crisis in Communities of Color (July 31, 2011, Baltimore, MD)
- Combating Foreclosures and the Mortgage Crisis in Communities of Color (February 12, 2011, Atlanta, GA)
- Stop Teen Violence: Time To Deliver (August 7, 2010, Golden Gate Law School, San Francisco, CA)
- Stop Teen Violence: Time To Deliver (May 3, 2010, Youthville Detroit, Detroit, MI)
- Stop Teen Violence: Time To Deliver (November 20, 2009, Chicago State University, Chicago, IL)

SIGNIFICANT PROJECTS

- Joint Project with the 10CORE Law Student Organization on Foreclosure
  - Overrepresentation of Juveniles of Color in the Juvenile Justice System
After an alarming number of national studies and reports revealed evidence that there is an overrepresentation of juveniles of color in the juvenile justice system and the justice system, the Coalition implemented a two-prong attack on the problems confronting juveniles of color. The first
prong focuses on strategies that prevent young people of color from being trapped in the justice system; and the second prong focuses on strategies that divert young people of color and prevent their initial entrance into the juvenile justice system. A complete listing of juvenile justice programs sponsored by COREJ is attached.

**Election Protection Project**

COREJ developed a partnership in conjunction with the Lawyers’ Committee and five ABA sections, divisions and entities to remove barriers to the electoral process for citizens of color who sought to participate in the 2004 election. COREJ, along with the Section of Individual Rights & Responsibilities and the Election Law Committee renewed their partnerships for the 2008 Elections and broadened the scope of the Project.

The goals of the 2008 Election Protection Project were: (1) Safeguard voters’ rights before, during and after Election Day by giving voters the information and resources they needed to cast meaningful ballots; and (2) Provide a comprehensive support system for eligible voters across the country that included support for registration programs, developing voter education materials, and providing direct legal assistance to protect the rights of voters. A primary goal for COREJ was to train volunteer lawyers who worked with voters on a national and local level to monitor polling places, educate voters, facilitate dialogues with state and local election officials, provide legal support to poll monitors and help answer the Lawyers’ Committee Hotline.

The three primary ABA Partners for the Election Project developed a plan for recruiting volunteer lawyers and law students and the major activities began in June 2008. An Election Protection website was launched on the ABA website.

- **Katrina Project**

  The goal of the project was to educate, conduct outreach and coordinate resources and services across the country to assist those survivors that received disparate treatment in the midst and aftermath of Hurricane Katrina. These goals were accomplished by holding a national conference and three CLE programs, conducting outreach, and publishing a Report.

**NATIONAL CONFERENCES**

- **Third National Conference – “Making the Invisible Visible: A Dialogue About Lessons Learned In the Aftermath of Katrina”**

  **Conference Overview:** The Coalition brought together approximately 200 judges, lawyers and their clients, health care workers, social workers, doctors, psychiatrists, psychologists, high school, college and law students, community groups, religious organizations, public and private leaders, survivors, responders and others who have devoted time to assisting victims of Katrina. The primary goals of the Conference: (1) conduct a productive dialogue among the survivors, planners (commissioners), and the participants; (2) produce a Report which identifies the type of problems that might emerge due to race and ethnicity, how to avoid inequities based on race and ethnicity, and how to mitigate the problems; and (3) assist the survivors of Katrina with the rebuilding of their lives, restore justice and provide equity and respect to those victims that have been treated unjustly.

  **Educational Programs:** Three successful panel presentations have been presented (1) ABA Midyear Meeting in Chicago, 2006 titled “Equity for Racial & Ethnic Survivors of Katrina;” (2) a jointly sponsored program with the National Bar Association as a Webcast Program “Hurricane Relief Seminar,” March, 2006 in Chicago; and (3) “Surviving Together; Healing Together” COREJ convened this special panel of experts in New Orleans to provide an in-depth status report of the communities that suffered disproportionately economically, legally, educationally and medically from Hurricane Katrina.
**Report:** The Final Report of the Conference contains specific recommendations from the speakers, participants and survivors. The Report titled “Making the Invisible Visible: A New Approach to Disaster Planning and Response,” contains an analysis of issues ranging from communications and language skills, to resource allocation, to pre-existing economic and social inequities. A number of excellent recommendations were received from the Conference. The recommendations were included in the Report that was issued in August 2007.

**Second National Conference on the Impact of Race and Ethnicity on the Justice System**
In March 2002, the Coalition held a highly successful conference in Baltimore. The conference was diverse, intergenerational, interactive and action-oriented. Recommendations from the Conference were used as blueprints for COREJ programs and projects. A report is available on the Conference.

- **First National Conference on the Impact of Race and Ethnicity on the Justice System**
  In Los Angeles, CA 1999, after holding two "think tank" meetings, COREJ convened an extraordinary conference. Two reports are available: Report on the Impact of Race and Ethnicity on the Justice System provides a brief overview; and the Draft of the National Conference Proceedings with Recommendations.

Several major follow-up projects were developed from the 1999 conference:

1. Enhancing Access to the Justice System through Technology: Would Technology Have Changed the Outcome of the Vote in Florida?
2. Data Collection Project on Color/Racial Profiling: The Tulia, Texas Project
3. Friends of the Council

Honorable Michael Hyman, Chairperson
Rachel Patrick, Director
Rachel.Patrick@americanbar.org
Deidra Franklin, Program Assistant
Deidra.Franklin@americanbar.org
Website: [www.americanbar.org/corej](http://www.americanbar.org/corej)
TAB 4
MEMORANDUM

TO: Rachel Patrick, ABA

FROM: Professor Florise R. Neville-Ewell

RE: Executive Summary of the Ten Commandments of Real Estate Law Society Student Organization (10CORE™)

DATE: February 7, 2011

OVERVIEW OF 10CORE™

The Ten Commandments of Real Estate Law Society Student Organization has one goal, educating the public about real estate issues. 10CORE™ seeks to accomplish this goal through three dimensions, as reflected in its Scholarship, Oral Advocacy and Educational Outreach, and Computer Donations committees reflected below.

In addition to its primary goal, which is particularly needed given the dire state of our country’s real estate market, additional benefits exist; namely

- it encourages lawyers and law students to recognize the importance of pro bono activities;
- through synergy created with lawyers and law students working together, projects are more likely to continue and get completed;
- through joint activities, lawyers will simultaneously mentor students;
- by coordinating activities, supervised students will expand the network of information available to the public through existing organizations within the community;
- by using the web as a medium, it will make information accessible to those who may never connect to outreach efforts; and
- by translating information provided to the public, it will recognize and celebrate the diversity of our communities.

ROLE OF 10CORE™ IN THE LAW SCHOOL ENVIRONMENT

As structured, 10CORE™ can exist in conjunction with existing clinical programs (designed to help the public combat real estate issues) or it can exist in law schools which lack such programs. In the latter case, since students, along with faculty, spearhead activities, the organization can thrive without funding typically needed for clinical programs.

My colleague, Professor Johnson, and I also propose extending 10CORE™ to include a post graduate clinic for recent graduates who, with supervision, can use their skills to help the public during these tumultuous times. Essentially, this clinic would indirectly assist understaffed legal aid offices who work diligently to assist people with real estate challenges.

Attachment
The Ten Commandments of Real Estate Law Society Student Organization “10CORE™” or “Society”) is a student organization in accordance with the regulations of the Thomas M. Cooley Law School.

ARTICLE I

SECTION I — Purpose

A. 10CORE’s primary educational mission is to provide the community with practical and comprehensive information about real estate issues.

B. Specifically, the primary educational mission shall be accomplished through work completed by the following three committees:

1. SCHOLARSHIP: 10CORE’s mission shall be accomplished via the publication of articles written by attorneys with the assistance of law students who have completed Property I and II (with a B average in those courses or with approval from the faculty advisor). The Vice President of this committee shall work with the faculty advisor to ensure that students are matched with outside lawyers who address timely issues involving homeowners, investors, nonprofit developers and developers. Articles may be published on the 10CORE.COM website (“Website”) as resources for the community at large;

2. ORAL ADVOCACY and EDUCATIONAL OUTREACH: Although participants will not provide legal advice, lawyers, supervised students, government officials, and recognized experts will provide presentations about relevant and timely real estate issues through scheduled "town-hall" gatherings. The Vice President of this committee shall schedule sessions and invite people from the community and local organizations.

3. COMPUTER DONATIONS: To help close the digital divide that inhibits people from gaining access to information, the Vice President of this committee shall spearhead locating businesses to donate computers to those in need. This committee will ultimately distribute computers within the community, with a special focus on assisting families who lack computer access.

C. Given its purpose, and to realize its goals, 10CORE will also welcome distinguished guest speakers involved in the real estate industry to enhance the learning environment at the law school and within the community. Speakers may include local attorneys, governmental officials and other recognized real estate professionals.

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KNOW YOUR FORECLOSURE RIGHTS: THERE'S HOPE

Speakes

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Sylvia Alvarez

Sylvia Alvarez is the Executive Director of the Housing & Education Alliance (HEA). HEA is a HUD certified housing counseling agency in the Tampa Bay area. Under her leadership, HEA has received the Tampa Housing Authority's "Housing Hero Award", Catholic Charities' "Outstanding Community Services Award" the Tampa Bay Hispanic Chamber Award for "Non Profit of the Year", PBS's "Be More Unstoppable Non Profit of the Year 2010" and Neighbor Works America's "Innovations in Homeownership."

She has expert management skills with over 25 years of experience in residential lending, real estate and affordable housing. Sylvia has extensive knowledge of a variety of residential loan products, such as FHA, FHA 203K, USDA, Conventional and down payment assistance from local, state and federal sources. Sylvia also has an extensive knowledge of the housing counseling industry including homebuyer education and foreclosure counseling.


The book was endorsed by the Hispanic Association of Real Estate Professionals and Freddie Mac. It was printed in English and Spanish and received national recognition.

Sylvia has been invited to speak at various local and national meetings and workshops including the Annual Conference of the Latino Coalition, Neighbor Works Authors Luncheon and Fannie Mae's Annual Woman's Conference in Washington, D.C. She has been invited to participate in several U.S. Treasury Roundtable Panel discussions addressing the foreclosure crisis, as well as panel discussions at the Annual Conference of the Hispanic Real Estate Professionals. She is a two time appointee to Hillsborough County's Affordable Housing Task Force and has participated at dozens of foreclosure rescue fairs throughout the Tampa Bay area including those presented by Congresswoman Kathy Castor and Congressman Gus Bilirakis.

Sylvia has a proven track record at building a strong network of business partners. She is results and goal driven, self-motivated, of high integrity and a team player and is fluent in Spanish. As a licensed realtor she has been a long-standing member of the Greater Tampa Association of Realtors, a member of the Hispanic Professional Women's Association, the League of Women Voters and the Exchange Club. She also sits on several community organization boards.
Christie D. Arkovich

Ms. Arkovich graduated from Stetson College of Law with honors in 1992. She also was a member of Stetson's Law Review. During law school, Ms. Arkovich fulfilled an internship with the Hillsborough County State Attorney’s Office and clerked for the Florida Bar. She practiced commercial law for three years with other private law firms in Tampa Bay.

In 1995, Ms. Arkovich started her own law practice in employee rights. Consumer bankruptcy was added to the practice a short time later. Now bankruptcy and foreclosure is the primary focus of the practice. The firm continues to represent employees with wrongful termination claims. Recently, the practice expanded to include suing debt collectors for wrongful collection of debts.

Ms. Arkovich is a graduate of the prestigious Max Gardner’s Bankruptcy Boot Camp which has been featured in Business Week magazine and on ABC’s Nightline. This has helped to arm the law firm with the knowledge and resources to fight mortgage companies in foreclosure actions as well as adversary proceedings in bankruptcies. In June 2010, Ms. Arkovich also attended a specialized training bootcamp offered in Minneapolis by Pete Barry, Esq. Mr. Barry is a well known consumer rights attorney having represented thousands of clients who were victims of unscrupulous debt collectors. Ms. Arkovich is a member of the National Association of Consumer Bankruptcy Attorneys and the National Association of Consumer Advocates.

In order to be effective in today’s fast-paced world of business and employment, an attorney must always keep in the forefront the overall goals of each client, striving to surpass those goals whether through negotiation or litigation. To this end, Ms. Arkovich endeavors to be a counselor in the truest sense of the word in assisting her clients to achieve their objectives.
Teresa Ortiz

I am part of a Cuban generation that grew up where government uses its political power to control every aspect of an individual's life; a society where neither substantive nor procedural due process rights exist. Even by objecting the compulsory attendance of political events and the ban on expressing any criticism of the government, I was too inexperienced to recognize that human rights were at stake, but my mind remained open to this revelation, without knowing that the collapse of Socialism in Russia would be responsible for this awareness.

In the summer of 1989, I traveled to Russia on a college’s scholarship. Due to the collapse of Socialism in Russia, my scholarship was terminated on 1990, and I had to return to Cuba. Upon my return, my determination to pursue freedom awaked. Determined now to defend human rights, I pursued a legal education by enrolling in the University of Havana School of Law (Universidad de la Habana, Facultad de Derecho).

In 1995, I became an attorney at law but increasingly frustrated and disenchanted because of the maneuverings of the political system and the countless restrictions placed on my ability to speak out in defense of clients’ rights. With intense pain and sorrow, I decided to leave my loved ones behind in Cuba, and focus on my one goal: to learn more about democracy and the fairness of other systems of law, so I am able to pass onto the people of Cuba how democracy looks like and how it must be carried on for the good and progress of the majority.

In 1997, I escaped Cuba and relocated to Mexico where without a solid economic means or family, survived for about two years, until I was able to immigrate to Puerto Rico with a student visa to pursue an MBA and to begin the first steps toward learning about democracy and the fairness of the Common System of Law in the United States.

In 2001, I relocated to Florida and attended Daytona Beach Community College for over a year primarily to improve my English language skills and to gain further knowledge of the Common System of Law.

In 2005, I earned a master degree in International Law and Letters (L.L.M.) from Stetson University College of Law along with a Leadership Development Certificate. With the legal knowledge acquired through the L.L.M studies, I learned about similarities and differences between the Common System of Law and the Civil System of Law and have come to appreciate the intricacies inherent in both systems. This invaluable education inspired me to pursue a Juris Doctorate at Thomas M. Cooley Law School which was achieved in May of 2012.

I am most proud of the fact that I became a U.S citizen and that I was honored to be employed for almost three years by the State of Florida, Office of the Attorney General.

My experience in Cuba, Russia, Mexico, Puerto Rico, in the United States of America, and the knowledge of two different systems of law have shaped me into an individual eager to enrich the legal profession in the United States. Finally, I am committed to support the American people by using my legal education to further the benefit for the greatest majority and more particularly to help those who have difficulties obtaining guidance to protect their rights due to poverty, illiteracy, or language barrier. Furthermore, I hope to support the Cuban people to obtain their desperate need for democracy. For that moment, I am prepared with a legal education that allows me to have another point of view in life, this time completely different, from what I had to learn under Fidel Castro’s regime.
Gil Sanchez

Gilberto "Gil" Sanchez, III, is founder and CEO of Sanchez Law Offices, P.A., dba Sanchez Valencia located in Tampa Bay. Gil practices in the areas of Corporate & Business Law, Real Estate, Immigration Law, Debt Management and Personal Injury. In 2009, Gil created SMALLBizLAW.US which was launched as the first small business legal services website serving small businesses legal needs across Florida. Gil previously worked for Stiles, Taylor & Grace, P.A. and Maney & Gordon, P.A.

Gil is also licensed Florida Real Estate Associate with Transworld Business Advisors. In 2009, he was awarded Honorable Mention from Business Brokers Of Florida for one of the top selling business brokers and million dollar sales in Tampa Bay. Gil previously worked for VIP Business Brokers and Business Broker Services.

Gil attended undergrad (Political Science & Latin American Studies) and law school at the University of Florida. He was a member of Delta Chi Fraternity, Florida Blue Key, President of the Colombian Student Association (COLSA), President of the Hispanic Student Association (H.S.A), President of Law College Council (L.C.C) and Student Senator. Gil ran for U.F Student Body President. Gil was owner and co-founder of Bleu Whale Entertainment, a promotions company from 1998-2003 and Florida's Finest in 2002-2004.

Gil was awarded a prestigious internship with U.S. Senator Bob Graham's Washington, D.C. office through the Washington Center. Gil was also awarded the most prestigious leadership awards at U.F.: Outstanding Male Undergraduate Leader, Outstanding Hispanic Student of the Year, U.F. Hall of Fame and Who's Who.

During law school, Gil co-founded a statewide small business and upon graduation, moved to Charlotte, North Carolina to spear head a start-up company.

Gil is the youngest of six siblings and son to Dr. Gilberto Sanchez (deceased) and Maria Nancy Sanchez. Gil was born and raised in Parkersburg, West Virginia and lived in Colombia, South America for four years. Gil returned to Sarasota, FL and graduated from Riverview High School. Upon graduation, Gil entered the University of Florida for his undergraduate and law degree.

Gil is fluent in Spanish and frequent lecturer in topics such as Leadership, Entrepreneurship and Small Business Law. Gil is an avid tennis player along with golf and soccer.

Gil enjoys traveling with his wife and daughter to learn new cultures and ways of life.
Diana Sen

Diana Sen is a Senior Counsel for LatinoJustice PRLDEF, formerly the Puerto Rican Legal Defense & Education Fund in New York where she heads their Southeastern U.S. Practice. She primarily works to safeguard the civil rights of Latinos in Florida, Georgia, North Carolina, South Carolina, Virginia, Maryland and Washington D.C. - areas that need the most attention, yet have the least representation for Latinos. Prior to LatinoJustice, Diana was a senior litigation associate with the international law firm of Fried, Frank, Harris, Shriver & Jacobson LLP in New York, specializing in general commercial and white-collar litigation for six years. In between her time at Fried Frank, Diana was a staff attorney for the Mexican American Legal Defense & Educational Fund (MALDEF) for two years in their Atlanta office as a Fried Frank/MALDEF Fellow.

Diana received her JD from Emory Law School in 2000 and her BA and MA in Political Science/International Relations from the University of Florida in 1996 and 1997 respectively. While in law school, she was a legal intern at the Atlanta Legal Aid Society’s Hispanic Outreach Project, the U.S. Attorney’s Office, CARE, and the Carter Center.

Diana is the Immediate Past President of the Hispanic National Bar Association (“HNBA”) and served as their National President from September 2010-September 2011. Previously, Diana was on the HNBA Commission on the Status of Latinas in the Profession and was the HNBA National Vice President of Membership from 2007-2008. She was the Chair of the 2008 HNBA Mid-Year Conference and National Moot Court Competition in New York and was the HNBA New York Region President in 2006-2007.

She is a Commissioner of the American Bar Association’s Commission on Hispanic Legal Rights and Responsibilities and is the Chair of the Civil Rights Committee of the New York State Bar Association. She is on the Board Development Committee and the Leadership Advisory Board of the Girl Scouts of Greater New York. Diana previously served on the House of Delegates of the New York State Bar; the board of Legal Services NYC, the largest legal services program in the country for several years, was the Vice President and Board Member of the Puerto Rican Bar Association of New York and was the Vice President and Board Member for the Georgia Hispanic Network.

In April 2008, Diana received a Mujeres Destacadas (Outstanding Women) award from El Diario/La Prensa for her service to the Latino community. She was also honored by the Puerto Rican Bar Association of Florida as one of their Latin Leaders in October 2010 and received the Orgullo Award from Seton Hall Law School Latin American Law Students Association in February 2011. On August 6th, 2011, the American Bar Association (ABA), Business Law Section Nonprofit Organizations Committee honored Diana with its Outstanding In-House Counsel Award.
Si Hay Esperanza!!!
There’s Hope!!!

INFORMACION GENERAL
GENERAL INFORMATION

&

RECURSOS ACCESIBLES
AVAILABLE RESOURCES

By/Por: Teresa Ortiz, J.D.
Florida Real Estate License No. SI3161839
Recientemente en una conferencia nacional de la organización llamada “LA RAZA” se discutió el tópico de la ejecución hipotecaria. El secretario del departamento de la vivienda y urbanización, Shaun Donavan enfatizó en el impacto que tiene la recesión en las familias en los Estados Unidos y al respecto dijo:

“Seamos claros, mientras que ésta crisis ha tocado las vidas de cada familia, con 1.3 millones de familias latinas que han perdido sus hogares, la comunidad latina ha sido la más afectada . . . . Para cualquier persona que se preocupe por una sociedad equitativa, justa e integradora de América, esas estadísticas no son tan solo preocupantes, sino que a su vez son completamente inaceptables”.

Recently, in a national conference of an organization called “LA RAZA” the topic of mortgage foreclosure was addressed. The Secretary of Housing and Urban Development, Shaun Donovan, highlighted the disproportionate impact that the economic recession has on Latino families in the United States and said:

“Let’s be clear, while this crisis has touched the lives of every family, with 1.3 million Latino families having lost their homes, the Latino community has been harder hit than anyone. . . . To anyone who cares about an equitable, fair and inclusive America, those statistics aren’t just completely unacceptable.”

U.S. Delinquent Mortgages

- 90+
- 60-Day
- 30-Day

Source: Mortgage Bankers Association

By/Por: Teresa Ortiz, J.D., Florida Real Estate License No. Sl3161839
U.S. Underwater Mortgages

- 25%+
- 11-24%
- 1-10%

Source: Mortgage Bankers Association
Estadísticas de Interés
Statistics of Interest


By/Por: Teresa Ortiz, J.D., Florida Real Estate License No. Sl3161839
Si Hay Esperanza!!! Información General

Pensando en Alguna Alternativa A Ejecución Hipotecaria?
Protección . . . Educación . . .

•Si usted está pensando en vender su propiedad como una alternativa a ejecución hipotecaria, es pertinente obtener la asistencia de un agente corredor de bienes raíces con licencia y experto en ventas rápida en el estado de la Florida para que le ayude en su transacción, por las siguientes razones:

1) Usted querrá saber los precios de bienes inmuebles similares al que usted desea vender

Por qué?

2) Simplemente porque hoy día los precios de una casa pueden variar dependiendo de varios factores

Cuáles Factores?

By/Pol: Teresa Ortiz, J.D., Florida Real Estate License No. 83161839
Thinking About Alternatives to Avoid Foreclosure?
Protection . . . Education . . .

- If you are thinking of selling your property as an alternative to foreclosure, it is appropriate to obtain the assistance of a licensed real estate agent with expertise in quick sales in the state of Florida, who can assist you in your transaction for the following reasons:

  1) You want to know the prices of similar properties in reference to the one that you are intending to sell

     Why?

  2) Just because today, the price of a house can vary depending on several factors

     What Factors?
Los factores entre otros son:

a) Se encuentra su casa localizada en un área donde recientemente han habido ventas en lo que se conoce en Inglés como “short sale?”

b) Se ha perdido el valor en el mercado de su casa pues las propiedades comparables a la suya se encuentran en proceso de ejecución hipotecaria.
**Factors among others are:**

a) Is your home located in an area with recent sales in what is known in English as "short sale?"

b) Has your home lost market value because the houses comparable to yours are in foreclosure?
Si Hay Esperanza!!! Información General
(Cont...)
You want to know the real market value of your home to receive purchase offers that would allow you to sell your home quickly.

You want to ask your real estate agent about the commission that you will pay if he or she will assist you in the execution of the sale.

How long would the sale take?

Before signing a representation agreement with the agent, make sure that you understand your rights and obligations, otherwise; have the legal representation of a lawyer who can explain you the language of the agreement.
Si Hay Esperanza!!! Información General
(Cont...)

- Será la casa promocionada en el Servicio de Listado Múltiple conocido por sus siglas en Inglés como “MLS?”

- Si usted desea verificar que la licencia del agente es válida comuníquese con la Comisión de Regulación de Negocios de la Florida llamando al siguiente número

850-487-1395

By/Porter: Teresa Ortiz, J.D., Florida Real Estate License No. SL3161839
Will the house be advertised in the Multiple Listing Service known by its acronym in English as "MLS?"

If you would like to verify that the agent's license is valid, contact the Department of Business Regulations of Florida by calling:

850-487-1395
Si Hay Esperanza!!! Información General
(Cont...) 

- Recuerde que no está solo(a), si usted ha sido abusado(a) en una transacción, por favor llame prontamente a la línea de fraude de la procuraduría general de la Florida para que denuncie el hecho.

- Número libre de cargos a llamar: 1-866-966-7226 

By/Por: Teresa Ortiz, J.D., Florida Real Estate License No. S13161839
There's Hope!!! General Information
(Cont...)

• Remember that you are not alone, if you have been abused in a transaction, please call promptly the Florida Attorney General's office to report the incident.

• Toll-free number to call: 1-866-966-7226
Si Hay Esperanza!!! Información General

¿Qué Está Haciendo la Procuraduría General de la Florida Para Combatir Abusos en los Procesos de Ejecución Hipotecaria?

• La Oficina de la Procuraduría General de la Florida obtuvo recientemente la cantidad de $462,500 para asistencia jurídica a personas de bajos ingresos que atraviesan ejecuciones hipotecarias.

   *ProVest, LLC*, una de las firmas de servicios de notificaciones judiciales más grandes de Florida accedió a pagar $462,500 a la Fundación del Colegio de Abogados de Florida. El *acuerdo* resuelve acusaciones con relación al servicio incorrecto de notificaciones relacionadas a ejecución hipotecaria.

   *ProVest* respetará ciertas prácticas comerciales destinadas a garantizar el servicio correcto de notificaciones judiciales en la Florida.

By/Por: Teresa Ortiz, J.D., Florida Real Estate License No. 48161839
There’s Hope!!! General Information (Cont...)

What is the Attorney General of Florida Doing to Fight Abuses of Foreclosure’s Service Process?

• The Office of the Attorney General of Florida recently obtained $462,500 for legal assistance to low-income people undergoing foreclosure.

**ProVest, LLC**, one of the largest service of process firms in Florida, agreed to pay $462,500 to the Foundation of the Florida Bar. The settlement resolves allegations regarding the improper service of notices relating to foreclosure. **ProVest** respect certain business practices to ensure the right service for service of process in Florida.
Si Hay Esperanza!!! Información General (Cont...)

Qué Otros Acuerdos Se Han Logrado?

Acuerdo Unido De Ejecución Hipotecaria (25 Billones) Entre El Gobierno Federal & Estatal Con Varios Bancos Grandes (Bank of America, JP MorganChase, Wells Fargo, Citi, & Ally)


20 Billones Destinados Para Aliviar La Situación Del Prestatario

$17 Billones Destinados a la Iniciativa Nacional de Ejecución Hipotecaria

$3 Billones Destinados al Refinanciamiento de Propiedades

1.5 Billones Para el Consumidor

2.75 Billones Directamente a los Estados Para Compensar Gastos

4.5 Billones Para Gob. Estatales

750 Millones Gob. Federal

By/Por: Teresa Ortiz, J.D., Florida Real Estate License No. Sl3161839
There’s Hope!!! General Information
What Other Agreements Have Been Reached?

Joint State-Federal Foreclosure Settlement

$25 Billion

$20 Billion
Direct Consumer Relief

$17 Billion*
National Foreclosure Initiatives
Results in up to $32 billion

$3 Billion
Refinancing for Underwater Borrowers

$4.25 Billion
State Payments

$750 Million
Federal Government

$1.5 Billion
Payments to Borrowers
For mortgage servicing assets

$2.75 Billion
Payments to States
Includes state foreclosure prevention efforts such as help lines, mediation, legal aid, etc.
Si Hay Esperanza!!! Información General
(Cont...)
Si Hay Refugio...Si Hay Ayuda!!!

- SI USTED NO RECIBE O NO CUALIFICA PARA NINGÚN DE LOS BENEFICIOS POR ACUERDOS ESTATUALES O FEDERALES CON LOS BANCOS (VEA LA TABLA) Y/O ADMINISTRADORES DE PRESTAMOS DE HIPOTECA Y CONTINUA EN RIESGO DE EJECUCION HIPOTECARIA -POR FAVOR SEPA A DONDE IR DE INMEDIATO EN BUSCA DE AYUDA Y REFUGIO PARA USTED Y SU FAMILIA. NO SE SIENTA PERDIDO(A) -ACTUE RAPIDO!
There’s Hope!!! General Information
(Cont...)
There is Refuge...There is Help!

- IF YOU DO NOT RECEIVE OR QUALIFY TO RECEIVE ANY OF THE BENEFITS PER THE AGREEMENT THE FEDERAL GOVERNMENT AND THE STATES HAVE MADE WITH THE BANKS AND/OR LOAN SERVICERS (SEE THE CHART), AND YOU CONTINUE AT RISK OF LOSING YOUR HOME OUT OF FORECLOSURE--PLEASE KNOW WHERE TO GO FOR HELP AND SHELTER FOR YOU AND YOUR FAMILY. YOU ARE NOT ALONE --ACT PROMPT!
Si Hay Esperanza!!! Información General
(Cont...)
Si Hay Refugio...Si Hay Ayuda!!!
There’s Hope!!! General Information
(Cont...)
There is Refuge...There is Help!

1) Bay Area Legal Services, Inc., 829 W. MLK Jr., Blvd., 2nd Floor, Tampa, Florida 33603
   Tel. 813-323-1343 ---web: www.bals.org

2) Catholic Charities Diocese of St. Petersburg, Inc./Mercy House, 1417 N. Albany Ave., Tampa, Florida 33607
   Tel. 813-272-3643

3) ACTS-Transitional Residential Rehabilitation Program, 4403 W MLK, Jr., Tampa, Florida 33614
   Tel. 813-879-1649
4) Homeless Coalition of Hillsborough County, Inc.

Tel. 813-223-6115, sitio web: homelessofhc.org

Cuando navegue el sitio de internet vaya al enlace “survivor guide” y ahí le dará la información para obtener asistencia


Transitional Housing
ACTS: 879-1649, 4612 N. 36th St, www.actsfl.org
Alpha House: 875-2024, 201 S. Tampania Ave,  
(Pregnant women and their families), www.alphahouseoftampa.org
Catholic Charities: 375-3933, 10069 Florida Ave,  
(Persons with HIV/AIDS), www.ccdosp.org
Homeless Recovery: 276-2976, 2410 N. Tampa St, (Families)
Mary & Martha House: 641-7027, Confidential address,  
(Women with female children<18 and male children<12), www.marymarthahouse.org
New Beginnings of Tampa: 972-5220, 971-6961,  
(Men and women), 1402 E. Chilkoot Ave, www.newbeginningsoftampa.com
Project Return: 933-0920, 303 W. Waters Ave,  
(Persons with mental disabilities), www.projectreturn.org
Salvation Army-Hospitality House: 226-0055,  
1603 N. Florida Ave, (Women and children), www.uss.salvationarmy.org
The Spring: 247-7233, Confidential address,  
(Domestic abuse victims; qualification needed), www.thespring.org
Uplift U: 209-1200, 2301 N. Tampa St, (Women and families), www.metromin.org
Volunteers of America: 282-4525, 1205 E. 8th Ave,  
(Persons with disabilities and/or veterans), www.voa-fla.org

By/Par: Teresa Ortiz, J.D., Florida Real Estate License No. Sl3161839
There’s Hope!!! General Information
(Cont…)
There is Refuge...There is Help!

4) Homeless Coalition of Hillsborough County, Inc.
Tel. 813-223-6115, web: homelessofhc.org
(http://homelessofhc.org/images/stories/Street_Survival_Guide_-_May_2011_-_final.pdf) & See the below list!

Transitional Housing
ACTS: 879-1649, 4612 N 56th St, www.actsfl.org
Alpha House: 875-2024, 201 S. Tampania Ave,
(Pregnant women and their families), www.alphahouseoftampa.org
Catholic Charities: 375-3933, 10069 Florida Ave,
(Persons with HIV/AIDS), www.ccdosp.org
Homeless Recovery: 276-2976, 2410 N. Tampa St, (Families)
Mary & Martha House: 641-7027, Confidential address,
(Women with female children<18 and male children<12), www.marymarthahouse.org
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(Men and women), 1402 E. Chilkoot Ave, www.newbeginningsofampa.com
Project Return: 933-9020, 303 W. Waters Ave,
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Uplift U: 209-1200, 2301 N. Tampa St, (Women and families), www.metronin.org
Volunteers of America: 282-4525, 1205 E. 8th Ave,
(Persons with disabilities and/or veterans), www.voa-fla.org
(5) Mi Casa de America/Housing and Education Alliance (HEA)
http://www.myhomeamerica.org/foreclosureprevent-esp.htm

Tel. 813-932-4663
Si Hay Esperanza!!!

Deseamos se recuperen pronto de ésta situación y que aprovechen al máximo toda la ayuda y beneficios el gobierno estatal y federal, los consejeros de vivienda, los abogados y expertos en asuntos de vivienda y ejecución hipotecaria, así como los agentes de bienes raíces ofrecen para que usted salga adelante.

No pierda nunca la esperanza de un mejor mañana!!!

Gracias por escuchar!
There’s Hope!!!

We wish you a fast recovery from this situation and make the most of all the help and benefits the state and federal government, housing counselors, lawyers and experts in housing and foreclosure, and real estate agents provide you, so you can overcome your problems.

Never lose hope for a better tomorrow!

Thanks for listening!
Aclaración de Responsabilidad

La información contenida en ésta presentación se proporciona únicamente con fines informativos y no constituye una oferta de ningún tipo. El propietario/presentador de éste material no está haciendo garantía expresa o implícita o representaciones legales relativas con relación al material y/o los datos informados.

By/Por: Teresa Ortiz, J.D., Florida Real Estate License No. S3161839
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A menudo, el embargo hipotecario ocurre debido a hechos inesperados que dejan a la gente atonita y sin saber qué hacer, por ejemplo; muerte de un miembro de la familia, un divorcio costoso, pérdida del empleo o reducción del salario, una montaña de cuentas medicas. También puede suceder que una tasa pactada de interés con posibilidad de variar de repente, hace que su pago mensual se vaya por las nubes, como también la negativa de un proceso de refinanciación. No se enfrenta solo ante este tipo de procesos, que lo pueden confundir y llevar a tomar decisiones equivocadas, debido a la negativa de los bancos de proveerle con las respuestas oportunas y la frustración de no poder accesar a los individuos con capacidad de solucionar su problema, solo la respuesta de maquinarias contestadoras. Definicion embargo hipotecario Es donde la corte decide quitarle todos los derechos, titulos de propiedad e intereses sobre el inmueble; con el proposito de ordenar la venta del mismo y así poder cubrir el prestamo que origino la hipoteca.

Como arranca un embargo hipotecario y sus primeras etapas:

Comienzo: De tres a cinco pagos atrasados, varia depende de la accion del banco. El banco notifica los abogados. Los abogados del banco analizan el titulo de la propiedad en question para identificar quienes tienen cualquier derecho sobre la misma.

Derechos sobre la propiedad: Impuestos de propiedad, hipotecas, juicios, derechos mecanicos, etc.

El embargo hipotecario se somete y las respectivas citaciones se distribuyen.

El embargo hipotecario es típicamente notificado dentro del primer mes en que se genera, usualmente en el cuarto mes después de que se han retrazado los pagos.

Demanda: La demanda pide que la corte ordene la posesion del inmueble debido a la violacion de los terminos hipotecarios por parte del prestatario.

Citaciones: La citacion es una notificacion que se entrega personalmente por el Sheriff o a través de una publicacion. El prestatario tiene 30 dias para responder a la demanda. El tiempo en que se responde es critico.

Un Lis Pendens se presenta ante la oficina del registro. Este instrumento se usa para notificar publicamente que la propiedad en mencion esta siendo sujeta a una litigacion.

Derecho de restablecimiento: El prestatario o a quien cuyo nombre esta en la hipoteca tiene el derecho estatutario de restablecer la hipoteca dentro de los siguientes 90 dias de que la citacion se haya recibido o publicado. En cualquiera de los casos es responsabilidad del prestatario cubrir todos los gastos asociados con el restablecimiento y la puesta al dia de todos los pagos atrasados de la hipoteca. Es posible que el banco aceda a extender este periodo en algunas circunstancias.

Dia inicial de Corte: El prestatario tendra que responder o declarar su posicion acerca de las demandas hipotecarias.

Juicio del embargo hipotecario: La corte falla definitivamente produciendo el embargo hipotecario en el momento en que el prestamista pierde ante la corte, o si no se presenta ante el juez. Desafortunadamente, esto es lo que sucede en la mayoria de los casos. Si no se presenta a la corte o no tiene abogado defensor, el prestatario pierde su inmueble.

El embargo hipotecario lo que hace es devolver todos los derechos de propiedad, sin embargo el titulo de la misma no se cambia hasta que un nuevo dueño sea adjudicado, luego de los debidos procedimientos de aviso, venta y finalmente orden de posesion del inmueble de vuelta al banco.

Venta de la hipoteca embargada: Una vez se entra en el proceso de fallar definitivamente y decretar el embargo hipotecario, la propiedad puede ser vendida. Es posible entonces que en ese momento se presente una deficiencia en el fallo en contra del prestatario.

Llame las 24 horas, 7 dias a la semana al 813-254-1777 para una consulta gratis. Ofreciendo Servicios Legales para toda la Bahia de Tampa.
INDIVIDUOS Y FAMILIAS QUE BUSCAN ELIMINAR TODAS O ALGUNAS DE SUS DEUDAS YA SEA QUE ESTEN RESPALDADAS O NO, BUSCAN LA PROTECCIÓN DE LA BANCARROTA BAJO EL CAPÍTULO 7 DEL CODIGO LEGAL AMERICANO DE LA BANCARROTA. LA MAYORÍA DE LAS PERSONAS QUE APLICAN POR BANCARROTA USAN ESTA OPCION DEL CAPÍTULO 7 PARA DESHACERSE DE LAS DEUDAS EN PRIMER LUGAR. ES IMPORTANTE ENTENDER QUE EL CAPITULO 7 PODRÍA PERMITIR AL APLICANTE CONTINUAR PAGANDO SU HIPOTECA DE VIVIENDA Y PRESTAMO DE VEHICULO SI LA DEUDA CALIFICA PARA SER REAFIRMADA A TRAVES DE LA CORTE DE BANCARROTA.

CALIFICA USTED?

EN OCTUBRE DEL 2005, EL CONGRESO DE LOS ESTADOS UNIDOS PASO LA LEY DE PREVENCIÓN DE ABUSO DE LA BANCARROTA. COMUNMENTE SE CONOCE COMO LA NUEVA LEY DE BANCARROTA. BAJO ESTAS PROVISORES DE LA LEY, INDIVIDUOS Y FAMILIAS APLICANDO POR BANCARROTA DEBEN DE PRIMERO PASAR UN TEST/PRUEBA QUE LOS HACE ELEGIBLES O NO PARA CALIFICAR YA SEA AL CAPÍTULO 7 QUE ELIMINA SUS DEUDAS O DEBERÍAN HACERLO A TRAVES DEL CAPÍTULO 13, EL CUAL RESTRUCTURA SUS DEUDAS BAJO UN PLAN DE REPAGO DE TRES A CINCO AÑOS SUPERVISADO POR ORDEN DE LA CORTE. EL TEST/PRUEBA EN MENCIÓN ANALIZA SU INGRESO Y SUS OBLIGACIONES POR DEUDAS PARA DETERMINAR SI LA CORTE CONSIDERA QUE USTED TIENE SUFFICIENTE INGRESO ADICIONAL PARA CONTINUAR PAGANDO A SUS ACREDITORES, CON LA POSIBILIDAD DE PACTAR INTERESES MÁS BAJOS O PERIODO DE PAGO REESTRUCTURADOS.

VENTAJAS DE CAPÍTULO 7

LA VENTAJA OBVIA DEL CAPÍTULO 7 ES QUE LA MAYORÍA DE LAS DEUDAS DE CONSUMO SERIAN ELIMINADAS. BAJO CONDICIONES NORMALES, EL SIGUIENTE TIPO DE DEudas DE CONSUMO PODRÍAN SER ELIMINADAS: TRAJETAS DE CREDITO, CUENTAS MEDICAS, PRESTAMOS RESPALDADOS, E HIPOTECAS; SI USTED ESTA DISPUESTO A PAGAR SU VIVIENDA DESPUES DE QUE SE HAYAN CUMPLIDO CIERTOS REQUISITOS Y CONDICIONES EXIGIDOS POR LA AUTORIDADES FEDERALES, COMO EL IRS. ASI COMO EL CAPITULO 7 LE OFRECE LA VENTAJA DE ELIMINAR LA MAYORÍA DE SUS DEUDAS, TAMBIEN LO PONE EN UNA SITUACION DE ALIVIO DONDE AUTOMATICAMENTE SE SUSPENDE CUALQUIER ACCION CONTRA SUYA QUE AGENCIAS DE COBRO O OTROS ACREDITORES TENGAN EN SU CONTRA. ESTO INCLUYE ENTRE OTROS, SUSPENSION DE REPRESIÓN DE SU VIVIENDA Y VEHICULOS, EMBARGO DE INGRESOS.

*POR QUE EL CAPITULO 7 NO SERIA UNA OPCION IDEAL PARA USTED?

LA BANCARROTA ES UNA HERRAMIENTA USADA PARA QUE CON EL TIEMPO USTED PUEDA CONSTRUIR UNA MEJOR SITUACION FINANCIERA, DONDE SE PUEDA LOGRAR UN FLUJO DE DINERO POSITIVO QUE PERMITA ACUMULAR AHORROS EN LUGAR DE TENER QUE PAGAR TODO A LOS ACREDITORES. NO PIENSE QUE EL CAPITULO 7 ES LA CURA COMPLETA A TODO; VARIOS TIPOS DE DEUDAS NO SE PUEDEN ELIMINAR Y SERA SU RESPONSABILIDAD TOTAL EL PAGARLAS. EL TIPO DE DEUDAS QUE NO SE PUEDEN ELIMINAR O REESTRUCTURAR SON POR EJEMPLO; CREDITOS ESTUDIANTILES, OBLIGACIONES DE MANUTENCION A MENORES, ALGUNAS HIPOTECAS DE SEGUNDO GRADO. HEMOS AYUDADO A MUCHAS PERSONAS, INCLUYENDO GENERACIONES DE FAMILIAS; A ESCAPAR EL AGOBIANTE Y DESTRUCTIVO YUGO EMOCIONAL QUE PRODUCEN LOS ALTOs INTERESES EN PAGOS DE TARJETAS DE CREDITO, Y TAMBIEN LES HEMOS GUIADO EN EL PROCESO DE LA BANCARROTA DONDE DE MANERA DIGNA HAN LOGRADO SUPERAR LAS DEUDAS.

LLAME LAS 24 HORAS, 7 DIAS A LA SEMANA AL 813-254-1777 PARA UNA CONSULTA GRATIS. OFRECIENDO SERVICIOS LEGALES PARA TODA LA BAHIA DE TAMPA

WWW.SANCHEZQUERRYLAW.COM
Una modificación de préstamos sucede cuando el banco está de acuerdo en cambiar los términos de su hipoteca de tal forma que usted pueda acceder a términos más favorables. Su hipoteca puede ser modificada de varias maneras incluyendo: reducción en la tasa de interés, adicionando más tiempo al plazo estipulado (por ejemplo de 30 a 40 años) o reducción del monto total. La idea detrás de la modificación de un préstamo es que se pueda reducir la cuota mensual de tal forma que la deuda sea más accesible a su presupuesto.

Explicación del proceso de modificación de préstamos

La modificación de préstamos es un privilegio, no un derecho. Solo porque usted desea conseguir una modificación del préstamo, no significa que usted la va a conseguir. Usted está bajo contrato de pagar el préstamo en los términos inicialmente pactados, y cuando usted solicita una modificación, usted le está pidiendo al banco que le haga una concesión que les cuesta dinero. Aun cuando el gobierno ha puesto guías para determinar quienes califican para una modificación de préstamos, no existe ninguna ley que force a los bancos a autorizar este tipo de modificaciones. Para que un banco modifique su préstamo, usted tiene que probar que si el préstamo continuaba en esos términos sería extremadamente duro para usted cumplir. Cuando usted envía el paquete demostrando sus condiciones desfavorables extremas, es posible que el banco se tome meses y hasta más de un año para revisarlo y determinar si califica o no. Cada mes es necesario actualizar el banco con su información financiera hasta que den una determinación final. Debido a que el gobierno no obliga a los bancos a aprobar las modificaciones de préstamos, y también por el tiempo que se necesita para que el banco tome la decisión de acuerdo a sus calificaciones, este tipo de modificaciones pueden ser frustrantes y además consumen tiempo en cantidad.

Cómo se califica para una modificación de préstamos

Las circunstancias varían entre individuos, lo mejor es contactar a un profesional o al banco para determinar si usted califica o no para modificar los términos de pago de su hipoteca. Sin embargo, he aquí algunas circunstancias que ayudarían al dueño del inmueble a calificar por una modificación, estos incluyen:

- Debe tener un ingreso demostrable (incluyendo cualquier contribución de amigos o familiares)
- Su casa debe de valer menos que su préstamo
- Usted debe tener una situación muy difícil que le prevenga de pagar puntualmente

Debe de valer la pena el esfuerzo por conservar su casa, si lo que usted debe supera enormemente el valor de la casa y de seguro la situación no va a cambiar, entonces la opción de venta por menor valor a la que se debe, podría ser la mejor opción.

Llame las 24 horas, 7 días a la semana al 813-254-1777 para una consulta gratis. Ofreciendo Servicios Legales para toda la Bahía de Tampa

WWW.SANCHEZQUERYLAW.COM
FORECLOSURE
EJECUCION HIPOTECARIA
LA PESADILLA AMERICANA
THE AMERICAN NIGHTMARE
“KNOW YOUR OPTIONS”
“CONOZCA SUS OPCIONES”

By—Por: Sylvia A. Alvarez
THE AMERICAN NIGHTMARE – STRATEGIES FOR PREVENTING, SURVIVING AND OVERCOMING FORECLOSURE

La Pesadilla Americana-Estrategias Para Prevenir, Sobrevivir, y Recobrarse de la Ejecución Hipotecaria

THERE IS HOPE!

Home ownership has long been called “the American Dream” - but today millions of Americans are finding themselves in financial distress and in danger of losing the most valuable thing they will ever own. The American Nightmare answers the many questions associated with foreclosure, and provides practical strategies for preventing, surviving, and overcoming what is rapidly becoming an epidemic.
• FLORIDA has been designated the 2nd-3rd hardest hit state in regards to foreclosure
La FLORIDA ha sido designada como el 2do o 3er estado mayormente afectado con relación a ejecución hipotecaria.

• Foreclosure filings in Florida are up 12%
El índice de registro de ejecución hipotecaria en Florida alcanza hasta un 12%

• Hillsborough & Pasco had twice as many as last July and Pinellas was up 80%
Los condados de Hillsborough y Pasco tuvieron tantas ejecuciones hipotecarias así como en el mes anterior y Pinellas alcanzó un 80%
• Of the top 250 zip codes with the worst delinquency in the country 134 are in Florida
  De 250 códigos postales con el peor registro de delincuencia en hipotecas en todo el país, 134 se encuentran en la Florida.
• Of the top 100 zip codes with the worst delinquency in the country 74 are in Florida
  De 100 códigos postales con el peor registro de delincuencia en hipotecas en todo el país, 74 se encuentran en la Florida.
• Of the top 20 zip codes with the worst delinquency in the country all but 1 are in Florida
  De 20 códigos postales con el peor registro de delincuencia en hipotecas en todo el país, TODOS –excepto UNO- se encuentran en la Florida.

Critics, including Democratic lawmakers in Congress, say the order is too lenient on the lenders. In 2009 and 2010, about 2.4 million first-lien mortgages were in foreclosure at the end of last year. The Federal Reserve's Office of Thrift Supervision and Office of the Comptroller of the Currency also posted a Wednesday to reimburse homeowners who were incorrectly foreclosed upon.

WASHINGTON (AP) — The federal government ordered 17 mortgage lenders and servicers on Monday to reimburse homeowners and process services and MerScorp.

Gov't orders 17 lenders to reimburse homeowners
El gobierno ordena a 15 prestamistas a reembolsar a los prestatarios/propietarios de viviendas

Publicado el 13 de Abril del año 2011 a las 24:06

WASHINGTON (AP) - El gobierno federal ordenó a 17 prestamistas y administradores de préstamos hipotecarios a reembolsar a los propietarios de viviendas que fueron embargados de manera incorrecta.

La Reserva Federal, la Oficina de Supervisión del Ahorro y la Oficina del Controlador de la Moneda también ordenaron a los prestamistas y administradores que contraten auditores para identificar el mal manejo de ejecución hipotecaria durante los años 2009 y 2010. Cerca de 2,4 millones de gravámenes en la vivienda fueron ejecutados a finales del año pasado.

Los críticos, incluyendo legisladores demócratas en el Congreso, dicen que la orden es excesivamente suave con los prestamistas.

Los prestamistas y administradores reportados por las agencias son: Ally Financial Inc., El Banco Aurora, Bank of America, Citibank, Citigroup, Inc., EverBank, HSBC, JPMorgan Chase, MetLife Bank, OneWest Bank, PNC, Sovereign Bank, SunTrust Banks, U.S. Bank y Wells Fargo, y los administradores del servicio hipotecario y de procesamiento así como también MERSCORP.
MAJOR FACTORS CONTRIBUTING TO THE CRISIS
FACTORES MAYORES QUE CONTRIBUYEN CON LA CRISIS

- No oversight or regulation
  Falta de superviseión o regulación

- Wall Street created a false market
  Wall Street creó un mercado falso

- GREED
  Ambición o Codicia

- No homebuyer education
  Falta de educación por parte del comprador de vivienda
PROGRAMS TO HELP HOMEOWNERS
PROGRAMAS DE AYUDA PARA EL DUEÑO DE VIVIENDA

MAKING HOME AFFORDABLE
HACIENDO POSIBLE SU COMPRA DE VIVIENDA

HAFA – Cash to leave your home
Dinero en efectivo al usted desalojar su casa, conocido por sus siglas en Inglés como—HAFA—
HAMP - Loan modification
Modificación de préstamo, conocido por sus siglas en Inglés como—HAMP-
HARP - Refinance – 125% LTV lifted
Refinanciamiento- El 125% nivel de pobreza requerido para cualificar es eliminado,
conocido por sus siglas en Inglés como—HARP—

FLORIDA’S HARDEST HIT PROGRAM
EL PROGRAMA DE LA FLORIDA DE GOLPE MAYOR CONOCIDO EN INGLES COMO “HARDEST HIT”
HAFA
Home Affordable Foreclosure Alternatives
Alternativas Accesibles de Ejecución Hipotecaria

- **Deed-in-lieu** – Homeowner transfers ownership to servicer
  - Entrega de título de propiedad al administrador

- **Short Sale** – Servicer agrees to accept less than amount owed
  - *Venta Rápida* conocida como “short sale”—Aquí el administrador acepta una cantidad menor de dinero del préstamo hipotecario

- **Provides up to $3,000 in relocation fees**
  - Proveen hasta $3,000 en gastos de relocalización
HAMP

Home Affordable Modification Program
Programa Accesible Para Modificar Préstamo

• Must demonstrate a hardship
  Tiene que demostrar una situación económica bastante mala

• Lowers payments to 31% of current income
  Pagos bajos– 31% de los ingresos actuales

• May lower rate,
  Baja el interés del préstamo

• Extend term up to 40 years
  Extiende el término de pago hasta 40 años

• Defer or lower principle
  Baja o difiere el monto principal
HARP
Home Affordable Refinance Program
Programa Accesible de Refinanciamiento

- Home must be underwater in value
  El valor en el mercado actual de la propiedad deberá ser menor que la cantidad adeudada en hipoteca

- Loan must be owned by Fannie or Freddie
  El dueño del préstamo deberá ser: Fannie or Freddie

- No Loan to Value restrictions
  Ninguna restricción al valor del préstamo

- Rates as low as 2%
  Tasas de interés tan bajas como un 2%
Florida’s Hardest Hit Program

Unemployed and Under-employed

Desempleado o Sub-empleado

- Up to $18,000 and 12 months of payment assistance
  Hasta $18,000 y 12 meses de asistencia de pagos

- Reinstatement funds up to $25,000
  Reintegro de fondos hasta $25,000

- May qualify even if employed full time
  Podría cualificar aún y cuando tenga empleo

- Forgivable grant - not a loan
  Concesión perdonable—no es un préstamo

- Easy, quick process
  Proceso fácil y rápido
REAL LIFE STORIES
Historias Reales

Mr. E
Sr. E.

Ms. D
Sra. D.

Mr. C
Sr. C.
FORECLOSURE - THE AMERICAN NIGHTMARE

EJECUCION HIPOTECARIA - LA PESADILLA AMERICANA

PREVENT LOAN SCAMS

www.PreventLoanScams.org
Were you guaranteed a loan modification or asked to do to any of the following:
Alguien te garantizó modificar tu préstamo o te pidió hacer algo de lo siguiente?

Pay a fee
Pagar una cuota o cantidad

Sign a contract
Firmar un contrato

Redirect mortgage payments
Redirigir pagos de hipoteca

Sign over title to your property
Firmar o transferir el título de propiedad

Stop making loan payments
Dejar o parar de hacer pagos al préstamo
WHERE SHOULD HOMEOWNERS GO TO GET FREE HELP?
Dónde puede el propietario a buscar ayuda?
HUD HOUSING COUNSELING AGENCIES

www.hud.gov
www.myhomeamerica.org

Agencias de consejería de gobierno—NOTE SITIOS EN ROJO!
US Congress voted to defund all housing counseling dollars for foreclosure in the year 2011

El pasado año  2011 –el Congreso de los Estados Unidos votó en contra de cualquier fondo disponible para ayudar a funcionar como tal a las agencias de consejería de ejecución hipotecaria

This leaves homeowners facing financial distress with no advocate to work on their behalf with no cost to them

Esta acción deja a los propietarios atravesando una situación financiera difícil sin ayuda o apoyo de consejeros que los defiendan o dirijan en su situación sin costo para ellos
WHAT DOES THE FUTURE HOLD?
QUE NOS DEPARA EL FUTURO?

• Presently between 3 to 5 years of inventory
  Inventario por los próximos 3-5 años
• Unless the foreclosure crisis is stopped there can be no real economic recovery
  A menos que la ejecución hipotecaria sea mitigada no habrá recobro económico
• Values will continue to decline
  Los valores continuarán decayendo
• Families becoming homeless or doubling up with relatives
  Las familias se quedarán sin hogar y se multiplicará la convivencia en un solo hogar
Is there any bright side to this crisis?

Hay alguna esperanza en medio de ésta crisis?

- Buying a home has never been more affordable
  Comprar una casa no ha sido tan posible que en estos momentos
- Interest rates have never been lower
  Los pagos por intereses nunca han sido tan bajos como en estos momentos
- Plenty of inventory to choose from
  Gran cantidad de propiedades disponibles para escoger
What to do at the first sign of trouble
Qué hacer cuando se tiene la primera señal de problema?

Contact a HUD certified housing counseling agency for free foreclosure help,
Or
A board certified real estate attorney

Contacta a una agencia de consejería certificada por el gobierno para obtener ayuda de gratis con relación a ejecución hipotecaria o consiga un abogado certificado en asuntos de bienes raíces
Thank you for participating in our workshop.
If you or someone you know needs help, you can contact the Housing & Education Alliance and one of our counselors will be happy to help.

813-932-4663

Gracias por participar en nuestro taller! Si usted o alguien que usted conoce necesita ayuda, por favor contáctenos y nuestros consejeros estarán felices de poder ayudarles!