

**IN THE COURT OF COMMON PLEAS
ASHTABULA COUNTY, OHIO**

DUE ON: _____

Case Name: _____ **Case #** _____

Plaintiff/Lender's Mediation Questionnaire On Foreclosure Cases

The Defendant/Property Owner in the case identified below has requested a mediation in connection with the foreclosure action be scheduled. The purpose of this Questionnaire is to provide background information for the mediator. In this form, the word "you" means the Plaintiff/Lender on the loan. If you need additional space, please attach a separate sheet.

The mediator will not give legal advice to either party. **Please complete this Questionnaire and return it with the documents identified on the next page to: Ashtabula County Mediation and Conflict Management Services, 25 West Jefferson Street, Jefferson, Ohio 44047 within 14 calendar days from the postmarked date of the letter.** In the event this questionnaire is not received in the Mediation Department within this time period, a decision concerning the appropriateness for mediation will be made by the mediator based upon information contained in the Defendant/Property Owner's Request for Foreclosure Mediation and Questionnaire. **If you have any questions, the phone number is (440) 576-3227, or email: jamyers@ashtabulacounty.us**

You will be contacted by the Mediation Department as to the scheduling of the mediation of this case. **Do NOT file this questionnaire with the Clerk of Court's Office.**

Your Name: _____
Mortgage Holder: _____
Address: _____

Phone No: _____
E-mail Address: _____

Attorney's Name: _____
Address: _____

Phone No: (____) _____
E-mail Address: _____

1. ____ yes ____ no Do you have any special concerns about participating in mediation of this case with this particular Defendant/Property Owner? If so, state the reason for your concerns.: _____

2. ____ yes ____ no Has the Defendant/Property Owner defaulted under any previously entered into pre-foreclosure workout or forbearance agreements? If yes, state the terms of such agreements, the dates of any those agreements and the defaults there under: _____

3. ____ yes ____ no Have you, in the past 3 years, filed a foreclosure action against the Defendant/Property Owner following a default under the note and mortgage? If yes, identify the case name and number, jurisdiction, and date: _____

4. _____ yes _____ no Did you obtain relief from stay in a bankruptcy proceeding filed by the Defendant/Property Owner prior to filing this foreclosure action? If yes, identify the case name and number, jurisdiction, and date on which you obtained relief from stay: _____

5. _____ yes _____ no Did you attempt to contact the Defendant/Property Owner within 90 days prior to filing the foreclosure action? If yes, state the manner in which you communicated to the Defendant/Property Owner (phone, email, correspondence), the date of the communication(s), whether the Defendant/Property Owner did or did not respond to the communication(s) and, if so, the nature of the Defendant/Property Owner's response and result of the communication(s): _____

Dated: _____

PLAINTIFF/LENDER

(Printed Name)

By: _____

DOCUMENTATION

If you are participating in mediation, the debtor will need to have the following information to make informed decisions at the mediation. Likewise, you may need information from the debtor to assess your willingness to effectively mediate this case. Please complete this page of the questionnaire.

Lender Documentation to be provided:

1. Evidence that you are the holder and/or servicer of the note and mortgage if the note and mortgage do not identify you as the lender/bank/mortgagee (i.e. assignment, certificate of merger/acquisition, purchase/sale agreement, etc.). If not available, state the reason the evidence is not available: _____

2. If plaintiff intends to claim costs and fees (including attorney fees) over and above the outstanding principle balance and accrued interest on the mortgage, then itemized account(s) substantiating fees and costs actually paid or due and owing at the time of the mediation.

PLEASE HAVE AVAILABLE ON REQUEST BUT DO NOT SEND AT THIS TIME:

All available Payment History/Transcript.

Debtor Documentation Requested:

If you need information from the Debtor(s) to assess whether your mortgage holder would be willing to re-negotiate the terms of the loan, or if you are requesting any other information from the Debtor(s), please identify that information here or if a form is attached, please so indicate.

1. Form Attached: _____
2. _____
3. _____
4. _____

Dated: _____

PLAINTIFF/LENDER

(Printed Name)

By: _____