



the  
What You Don't  
Know Could Ruin  
You Financially

Resource Guide  
for Dealing  
With  
Predatory Lending

*A must-read for those who own or  
want to own their own home*

**HOME OWNERSHIP MATTERS**

**Mildred Wilkins, President**

7399 Shadeland Ave, #201

Indianapolis, IN 46250

Phone: 317-549-3918

Fax 317-549-3924



*"Consumer Advocacy in Action"*

Home Ownership Matters was created to help consumers become more knowledgeable about the entire spectrum of home ownership: initial planning, steps toward buying, home maintenance, plus refinancing or the sale of your home. Home Ownership Matters utilizes a series of instructional programs, provides an assortment of educational materials, and answers many questions in a format designed to make sense of your housing issues.

Home Ownership Matters...

We understand where you're coming from.

**Predatory lending costs Americans billions every year.  
But knowledge is power.**

\*The Indiana Mortgage Fraud Task Force has members  
available for public assistance:

- Better Business Bureau; Linda Carmody, CEO  
22 E Washington St #200 Indianapolis, IN 46202  
(317)488-2221
- Department of Financial Institutions; Mark Tarpey,  
Division Supervisor of the Consumer Credit Division  
402 W Washington St Room W-066 Indianapolis, IN 46204  
(317)232-3955
- Federal Bureau of Investigations; Kent Paulin, Special  
Agent (317)639-3301  
575 N Pennsylvania St Indianapolis, IN 46204
- Indiana Civil Rights Commission; Martha Kenley, Super-  
vising attorney-Real Estate (317)232-2635  
100 N Senate Ave, Rm N103 Indianapolis, IN 46204
- Indiana Housing Finance Authority; Regina Potora, Manager  
of Single Family Programs (317)232-5367  
155 N Washington St Suite 1350, S Tower Indpls IN 46204

\*For information about warning signs and your rights:  
Mortgage Bankers Assoc of America  
1(800)348-3931 [www.stopmortgagefraud.com](http://www.stopmortgagefraud.com)

\*To monitor lender watches and government actions:  
Coalition of Responsible Lending  
[www.responsiblelending.org](http://www.responsiblelending.org)

\*To get advice about loan papers, before you sign:  
--Consumer Credit Counseling Services of Central Indiana  
931 Meridian Plaza, Ste 704 Anderson, IN 46016  
1(888)711-7227 [www.cccmidwest.org](http://www.cccmidwest.org)  
--Indiana Legal Services (low income or over age 60)  
1106 Meridian Plaza, Ste 215 Anderson, IN 46016  
(765)644-2816 [www.lsoi.org](http://www.lsoi.org)

\*For more information on abusive lending, how to report it:  
--Federal Trade Commission  
(202)382-4357 [www.ftc.gov/bcp/menu-lending.htm](http://www.ftc.gov/bcp/menu-lending.htm)

Home Ownership Matters, dedicated to education related to real estate has booklets available on many subjects.

1. Consumer's Guide to Predatory Lending or What You Don't Know Can Ruin You Financially
2. the Resource Guide For Dealing with Predatory Lending
3. Consumer's Guide to Financing Your Dream
4. Consumer's Guide to Understanding "Agency"
5. Consumer's Guide to the Equal Housing Opportunity
6. Consumer's Guide to Building a Home
7. Consumer's Guide to Property Tax Deductions
8. Consumer's Guide to Home Maintenance
9. Consumer's Guide to A Woman's Place

Booklets are available in any quantity at \$1.00 per copy for shipping and handling. Mark quantity and send money order or cashier's check payable to HOM's President, Mildred Wilkins at:

Home Ownership Matters  
7399 N Shadeland Ave #201  
Indianapolis, IN 46250

Name:

Address:

Quantity:

Amount enclosed: \$

Allow 10-14 business days for delivery.

**Both Home Ownership Matters and the Fannie Mae Foundation can provide you with useful consumer booklets.**

**Fannie Mae's mission, to help families become homeowners, is expressed by their commitment of education. The booklets, such as:**

1. Opening the Door to a Home of Your Own
  2. Choosing the Mortgage That's Right for You
  3. Knowing and Understanding Your Credit
  4. Mortgage Consumer Bill of Rights
  5. Expanding Responsible Lending
  6. Why Homeownership Matters
  7. Borrowing Basics: What you don't know can hurt you
  8. A Guide to Homeownership \*[\$2.00]
  9. Life As a Homeowner
- \*are free except as noted

**You can contact Fannie Mae at 1-800-732-6643 for a copy.**



## Office of the Attorney General

### Who are we?

**The Office of the Attorney General handles a variety of legal issues on behalf of the State of Indiana. Some of the primary responsibilities include representing the State in every lawsuit in which the State has an interest. The office also provides both official and unofficial advisory opinions to state elected officials and state agencies. We also work in partnership with the members of the Indiana General Assembly each legislative session to assist their needs during the lawmaking process. Our Consumer Services Division staff regularly reviews a variety of mortgage-related complaints. Mortgage fraud can affect anyone and the effects can be financially devastating. Many senior citizens are victims of mortgage fraud. Unfortunately, mortgage fraud victims can lose their homes. The victims often do not have the income level to start over and sometimes they cannot afford to rent an apartment. This is especially true if they are senior citizens on fixed incomes.**

### What do we do?

**Our Consumer Services Division investigates, mediates, and litigates complaints involving consumer transactions including those involving mortgage-lending complaints. The section also engages in extensive consumer educations and outreach programs. We sometimes can seek civil penalties and restitution for affected consumers. Consumers must fill out a complaint form in order for us to investigate the concern. The Consumer Services Division can be contacted through our consumer protection line at 1-800-382-5516. Also, the form can be downloaded from our website at [www.in.gov/attorneygeneral](http://www.in.gov/attorneygeneral).**

### How can we help?

**The Attorney General's Office responds to hundreds of phone inquiries annually concerning consumer-lending issues and including mortgage fraud issues. Complaint analysts and attorneys review, investigate, and mediate these claims. In appropriate situations our office also refers complaints to other state and federal agencies that handle consumer-lending complaints.**

### How do you contact us?

**The appropriate contact for mortgage fraud inquiries for our office is Deputy Attorney General Roy Coffey. Roy works in the Consumer Services Division and has many years of experience in consumer law. His address is 402 West Washington Street, I.G.C.S. 5<sup>th</sup> Floor, Indianapolis, IN 46204. His phone number is 317-232-6229; his fax number is 317-232-7979 and his e-mail address is [rcoffey@atg.state.in.us](mailto:rcoffey@atg.state.in.us).**

## CONSUMER COMPLAINT

To prevent delay, please be sure to complete both sides of this form in full. Please Print clearly or type.

**1. Your Name?****2. Who is Your Complaint Against?**

Mr.  Mrs.  Miss  Ms.

Name/Firm

Your Name

Address

Address

City

State

City

State

County

Zip

County

Zip

Phone ( )

Daytime Phone ( )

Person you dealt with

Evening Phone ( )

E-mail

E-mail

Type of business:

Charity

 Real Estate

Newspaper

 Insurance

Other:

3. When did the Transaction/Incident occur? AM

Date:

Time:

PM

14. Where did the Transaction/Incident you are complaining about take place?

 At the firm's place of business Away from the firm's place of business (at work, a convention...) By telephone By mail By Internet/e-mail My home  Other:

5. What was the very first Contact between You and the Firm?

 I telephoned the firm I went to the firm's place of business I responded to a radio/TV ad I received a telephone call from the firm A person came to my home I responded to an offer on the Internet I received information by e-mail I responded to a printed advertisement I received information in the mail

Other:

6. Did the Firm call you at your phone number?

 Yes No

Did the caller want you to either buy something or make a donation?

 Yes No

Was your phone number on Indiana's Telephone Privacy List?

 Yes No

What was your phone number that the firm called? ( )

Your phone number that the firm called was a:  Business phone  Cell phone  Residential phone

Did the firm believe you owed them money when they called you?

Yes

 No

Before you received the call, had you asked the firm to call you?

Yes

 No

The person that called you was:

 An employee of the firm/charity A volunteer There was no person, just a recording A professional fundraiser/telemarketer I don't know

7. Do you consent to the Consumer Protection Division disclosing to the public the following:

The nature and status of your complaint and the name of the firm?

 Yes NoYour name?  Yes No

Your phone number?

Yes

 No

-- PLEASE BE SURE TO ANSWER THE ADDITIONAL QUESTIONS ON THE OTHER SIDE OF THIS FORM --

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8. What was the Transaction for?  My business  My family/household  My farm
9. How did you pay?  Cash  Medicare  Loan  Credit  Card  
 Check  Medicaid  **Private Insurance**  Other:
10. Did you sign any written agreement?  Yes  No **If Yes, please attach a copy of the agreement**
11. Have you complained to the business?  Yes  No **When?**  
**What action was taken?**
12. **With what other agency have you filed this complaint?**  
**What action was taken?**
13. Have you contacted a private attorney?  Yes  No
14. Have you started court action?  Yes  No **If Yes, please attach a copy of all court papers**
15. Have you been sued over this issue?  Yes  No **If Yes, please attach a copy of all court papers**
16. **Please Describe Your Complaint in Detail. (Attach an extra sheet if necessary.)**

Please attach a copy of all papers involved (order blank, warranty, credit card receipt and statement, invoice, contract or written agreement, advertisement, cancelled check, correspondence and all other related documents.)  
Please print clearly or type:

17. **How would you like your complaint resolved?**

**I certify that the information on this form is true and accurate to the best of my knowledge. I consent to the respondent and any other person releasing to the Consumer Protection Division any information or document the Division requests in investigation of this complaint.**

Your Signature

Date

WHAT WILL HAPPEN NOW? WHAT ELSE SHOULD YOU DO?

The Consumer Protection Division will send a copy of your complaint to the respondent firm or licensed professional. This office cannot disclose your complaint against a licensed professional to the public unless this office files a disciplinary action against the licensed professional. This office cannot disclose your complaint against any other person or firm without your consent. This office represents the State of Indiana and is strictly limited in what remedies it can pursue. You may be entitled to compensation or other rights that we cannot pursue for you. In addition to filing this complaint, you should contact a private attorney or a small claims court.

**Attorney General Steve Carter  
Consumer Protection Division  
402 West Washington Street  
Indianapolis, Indiana 46204**

**Telephone: (317) 232-6330  
Toll Free: (800) 382-5516  
Fax: (317) 233-4393  
Web Site: [www.in.gov/attomeygeneral](http://www.in.gov/attomeygeneral)**

## **Better Business Bureau of Central Indiana**

### **Who are we?**

The Better Business Bureau issues reports, processes complaints, educates the public about consumer issues and reviews advertising and charities.

### **How can we help?**

The BBB works through a self-regulatory process to resolve business/consumer disputes. If the company is a part of the Bureau's mediation/arbitration can be offered. An arbitrators' decision is legally binding. If a company is not a part of this program, the company is contacted by mail and asked to cooperate. Approximately 80% of the companies are cooperative.

### **How do you contact us?**

Member of Task Force-Linda Carmody, President and CEO (317)488-2221, extension 101.  
Email [lcarmody@indybbb.org](mailto:lcarmody@indybbb.org).

Appropriate person to complaints-Lisa Pacior, Director of Mediation and Arbitration  
(317)488-2221, extension 118. Email [lpacior@indybbb.org](mailto:lpacior@indybbb.org).

#### **Address:**

**Better Business Bureau  
22 E Washington St  
Indianapolis, IN 46204**

#### **Phone number for public:**

**(317)488-2222  
(866)Indy-BBB (866)463-9222 toll free**

**Fax: (317)488-2224**

**Email for public: [indo@indybbb.org](mailto:indo@indybbb.org)**

**Web address: [www.indybbb.org](http://www.indybbb.org)**

# Indiana Civil Rights Commission

## Who are we?

The Indiana Civil Rights Commission ("ICRC") is the state agency that works to protect Indiana's citizens against discrimination in the areas of employment, housing, education, public accommodation, and credit by enforcing the Indiana Civil Rights Law and the Indiana Fair Housing Act. Protected classes under these statutes are race, color, national origin/ancestry, gender, religion, disability, and under the Fair Housing Act, familial status.

## What do we do?

The ICRC investigates complaints of discrimination in these areas, and if it finds probable cause to believe any illegal discrimination occurred, ICRC attorneys prosecute the case before an administrative tribunal or, if elected by the parties, in state court. The ICRC also has an Alternative Dispute Resolution Unit that attempts mediation and conciliation of complaints throughout the investigative process.

## How can we help?

As part of its mission, the ICRC engages in public outreach, educating the public about Indiana's public policy of ensuring that all people are provided equal opportunity and access. In addition to providing civil rights training to interested groups, the ICRC sponsors several wide reaching outreach activities each year, including the Martin Luther King, Jr. Holiday Celebration and Day of Service, the Hate Crimes Conference and Town Hall Meeting, the Holocaust Memorial, and the Annual Fair Housing Summit. As part of the Commissions' enforcement and outreach efforts, the ICRC has created the Indiana Fair Housing Task Force. The Task Force is state wide advisory council comprised of government agencies, fair housing advocates, housing providers, and social service organizations, which work together to educated the general public on their fair housing rights and responsibilities and initiate new ideas to overcome barriers to fair housing.

## How do you contact us?

100 North Senate Avenue, Room N103  
Indianapolis Indiana 46204

Office: (317) 232-2600  
Fax: (317) 232-6580

Toll Free: (800) 628-2909  
TTY: (800) 743-3333

\*from Indiana Mortgage Fraud Task Force

# Indiana Department of Financial Institutions

## Who are we?

The Indiana Department of Financial Institutions regulates State Chartered Depository Institutions and Non-Depository Financial Institutions. The Indiana Uniform Consumer Credit Code (IUCCC) covers lending in Indiana for a personal, family, and household purpose. We license all businesses making loans in Indiana except those that make only first lien mortgage loans. First lien mortgages, either purchase money or refinanced, are not regulated in Indiana except in regard to disclosures and certain debtor remedies.

## What do we do?

We are mandated under the IUCCC to further consumer understanding of the terms of credit transactions and to foster competition among suppliers of consumer credit so that consumers may obtain credit at reasonable cost; to protect consumer buyers, lessees, and borrowers against unfair practices by some suppliers of consumer credit, having due regard for the interest of legitimate and scrupulous creditors; and to permit and encourage the development of fair and economically sound consumer credit practices.

The department has extensive information available on our Web Site for Consumer Credit Information and Brochures at [www.dfi.state.in.us/conscredit/end.htm](http://www.dfi.state.in.us/conscredit/end.htm). Our Study Units and Mini-Lessons are available in Word files, Adobe, and PowerPoint Slide Presentations. We have over 125 Brochures which we send out to consumers as requested and at expositions we attend.

## How can we help?

We have a Web Site at [www.dfi.state.in.us/conscredit/complaint%20info.htm](http://www.dfi.state.in.us/conscredit/complaint%20info.htm) for complaint information. We address consumer concerns over the telephone and by mail. The majority of mortgage fraud cases would be considered violations of deceptive sales practices and referred to the Indiana Attorney General.

## How do you contact us?

Please direct inquiries to our department Web Site at [www.dfi.state.in.us/](http://www.dfi.state.in.us/) The primary contact is Mark Tarpey (800)382-4880 or locally (317)232-3955, [mtarpey@dfi.state.in.us](mailto:mtarpey@dfi.state.in.us). You may also mail or fax correspondence to the Indiana Department of Financial Institutions at 402 West Washington Street, Room W-066, Indianapolis, IN 46204-2759 (317-232-7655 fax).

## **Indiana Legal Services, Inc.**

### **Who are we?**

**Indiana Legal Services, [Inc. is](#) a non-profit corporation funded by the federal Legal Services Corporation and others to provide free legal services to low-income and elderly clients in all 92 Indiana counties. We have offices throughout the state.**

### **What do we do?**

**We are a law firm. We can review mortgage documents, negotiate payment plans/revision of terms, and represent clients in legal proceedings, such as foreclosure actions and bankruptcies. We can also affirmatively represent a victim of mortgage fraud. There is no charge for our services.**

### **How can we help?**

**Once accepted, a mortgage case will be investigated, documents will be gathered and reviewed, and an assigned attorney will conduct a detailed interview with the client. Based on the client's goals, the attorney will counsel the client on legal options and determine what legal services will be provided. Local offices determine which cases are accepted. Each application for assistance is reviewed by an attorney. Acceptance of a particular case will depend on the resources available to handle the case, the type of help needed, and the likelihood of a positive outcome based on the client's goals. When direct representation is not available, legal advice will usually be offered.**

### **How do you contact us?**

**Applicants for legal assistance may contact us in the Indianapolis area by calling (317) 632-5764 on Mondays, Wednesdays, and Fridays from 9:00 a.m. to 11:00 a.m. They also may walk-in on Tuesdays and Thursdays from 1:00 p.m. until 3:00 p.m. at 151 North Delaware, Suite 1800, Indianapolis, Indiana 46204 ("The Gold Building"). Applicants who are over 60 years of age may call or walk-in at (317)631-9424 daily from 9:00 a.m. until 5:00 p.m. Applicants are interviewed by telephone or in-person to determine eligibility for services. People under 60 must meet financial qualifications (household income at or below 125% of the poverty guidelines). People over 60 are not subject to income eligibility. We have offices in Anderson, Bloomington, Columbus, East Chicago, Evansville, Fort Wayne, Gary, Hammond, Indianapolis, Lafayette, New Albany, Richmond, South Bend, and Terre Haute. Check our website at [www.lsoi.org](http://www.lsoi.org) for specific office location and information.**

## Organization for a New Eastside "O.N.E."

We are we?

O.N.E. is a grass roots community organizing project dedicated to educating and empowering residents on the near eastside of Indianapolis.

What do we do?

While O.N.E. supports pre-purchase education as an important option to combat predatory lending, our work has focused on educating residents already involved in a bad loan. The O.N.E. campaign has taken a new turn by investigating all sub-prime lending on the near eastside. Preliminary research indicates minorities; the elderly and the working poor are the primary targets of these companies. Foreclosure rates are also up approximately 45% as a result of sub-prime lending. We are also investigating the correlation between abandoned homes and predatory loans and the impact on local taxpayers.

How can we help?

**Example: The Organization for a New Eastside launched its Predatory Lending Campaign in July 2000 by highlighting the case of Peter and Vicki Noer (Nore). The Noer's were a working family raising three disabled children. Thinking they could afford a home of their own, they responded to a newspaper ad by walking into the offices of Bobby Joe Sargent and his Racers Mortgage Company. Living in Wayne Township, the Noer's had some idea of local property values and they thought real estate agents were professionals that could be trusted. What they wound up with was a home at North Beville Ave. The price? \$65,000.00 It was not until 2 months later, when the water lines to the home came bursting through the ground like an oil strike from the Beverly Hillbilly's, did the Noer's realize that the house had been previously abandoned for several years and was purchased by a company called Troy Investments from the Marion County Property Tax Sale in August of 1999 for about \$2,500.00.**

The Organization for a New Eastside (O.N.E.) took the Noer case public and began negotiations with The Associates, the nations leading sub-prime lender. As part of a nationwide coalition of grass roots organizations opposed to predatory lending, O.N.E. continued negations with Citi Group, after that company purchased the Associates in January 2001. With the help of local radio station WIBC, Citi Bank agreed to release the loan on the Noer family home.

How do you contact us?

Ken Moran (317)917-8922, [weareone4all@aol.com](mailto:weareone4all@aol.com)

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## **Who am I?**

**I am an individual agent who is deeply concerned about consumer rights and all aspects of housing matters being fair. Predatory lending is not "fair" financing. It creates financial hardship and exists when the professionals (mortgage broker, appraiser, and others) use their knowledge to take advantage of the consumer.**

## **What do I do?**

**Several things related to real estate sales. If a person is seriously behind or already facing foreclosure, I provide information on possible options, including:**

- 1. Restructuring loan, where feasible**
- 2. Deed-in-lien- of foreclosure**
- 3. Listing of home requiring short sale (if no other option is available)**

**Short sales require a whole different approach to selling a house but can save your credit.**

## **How can I help?**

**Much of the time what I do is help the consumer really understand the paperwork they have signed and what is their actual situation. Once they understand what has happened, we can discuss WHAT to do.**

## **How do you contact me?**

**Title: Realtor-Mildred Wilkins**  
**Address: Century 21 Realty Group 1**  
3801 E. 82nd Street  
Indianapolis, IN 46240

**Phone: Office: 317-595-2100**  
24 Hour: 317-216-3928  
**Cell: 317-507-5105**

Fax: 317-595 -6200  
**Email: [mildred b w@msn.com](mailto:mildred b w@msn.com)**