

A.5: SAMPLE REQUEST FOR INFORMATION/NOTICE OF ERROR UNDER RESPA

Joe & Sally Consumer
[Address]

June 1, 2013

VIA CERTIFIED MAIL
USA Federal Bank, FSB
[Address]

Attn: Borrower Inquiry Department

Re: Loan # 99999999
Joe and Sally Consumer
[Address]

Dear Sir or Madam:

USA Federal Bank, FSB, is the servicer of our mortgage loan at the above address. We dispute the amount that you claim is owed according to the Monthly Billing Statement and request that you send us information about the fees, costs, and escrow accounting on our loan. Please treat this as a “request for information” and a “notice of error” pursuant to the Real Estate Settlement and Procedures Act (section 2605(e)).

Specifically, we are requesting the following information:

1. A payment history or schedule that can be easily read and understood listing the dates and amounts of all payments and transactions credited or debited to our account, including any escrow account and any suspense account, and showing how they have been applied or credited, or, if not applied, showing how they have been treated;
2. A breakdown of the amount of claimed arrears or delinquencies on our account, including an itemization of all fees and charges you claim are currently due;
3. An explanation of how the amount due of [amount] on the Monthly Billing Statement dated [date] was calculated and an explanation of why this amount was increased to [amount] in the most recent Statement [or foreclosure notice] dated [date];
4. The payment dates, purpose of payment, and recipient of any and all foreclosure fees and costs that have been charged to our account or have been advanced on our behalf since [date USA Federal Bank took over the servicing];
5. The payment dates, purpose of payment, and recipient of all escrow items charged to our account since [date USA Federal Bank took over the servicing];
6. A breakdown of the current escrow charge showing how it is calculated and the reasons for any increase within the last twenty-four months;
7. A copy of any annual escrow statements, and notices of a shortage, deficiency, or surplus, that were sent to us within the last three years;
8. The current balance in any suspense account as of [date] and the reason why such funds were deposited in the account; and
9. Any notes created by your personnel reflecting communications with us about our mortgage account.

Also, on March 1, 2013, we sent our March payment to First Dollar Mortgage Co., which had been servicing our mortgage before it was transferred to you. Our March payment was never credited to our account. Although we informed one of your customer service agents of the error, our April and May monthly statements still show that our March payment was not properly credited. Please correct this error.

Thank you for taking the time to acknowledge and answer this request as required by the Real Estate Settlement and Procedures Act (section 2605(e)).

Very truly yours,

Joe & Sally Consumer