

## **DR Horton/DHI Mortgage Property Tax Investigation and Litigation**

### **Frequently Asked Questions**

#### **1. What is the *Robinson v. DR Horton* case about?**

The lawsuit is about several families, and other families like them, who bought their homes from D.R. Horton, and who obtained mortgages from DHI Mortgage. The lawsuit claims that the Defendants – D.R. Horton and DHI Mortgage – misrepresented how much people like them would have to pay on their mortgage loans each month.

The plaintiffs in the case are members of several different families with one similar story. They made the decision to buy D.R. Horton homes after D.R. Horton and DHI Mortgage led them to believe that the monthly mortgage payment would be one price. And long after they moved in, they learned that they owed thousands of dollars more in property taxes, and that their monthly mortgage payment would be hundreds of dollars more each month.

They allege that D.R. Horton and DHI Mortgage do this to other people like them all over the country.

The lawsuit is not about defects or problems with the homes or any other issue. You can read the complaint [here](#).

#### **2. What do I need to do to join the lawsuit?**

You do not need to do anything to be a part of this lawsuit. If you meet the class definition (explained in question 5), you will automatically be a part of the lawsuit if the court certifies the class action.

The class definition might change during the lawsuit, and you should not rely on this lawsuit to protect your rights unless you receive confirmation that you are a member of the class.

Records from D.R. Horton and DHI Mortgage will be used in determining who is in the class definition.

#### **3. I need help right now. What do I do?**

This lawsuit will likely take several years to resolve and success is not guaranteed. In addition, the lawyers on this case can't provide individual advice or representation to members of the possible class.

If you need immediate help, including because you can't stay current on your mortgage payments, are facing foreclosure, or are experiencing other time-sensitive problems, you can find a lawyer through the [National Association of Consumer Advocates](#), by contacting your local bar association, or by reaching out to your local legal aid office.

#### **4. What is a class action?**

A class action is a lawsuit where a group of people with the same problem sue a company together, instead of each person suing on their own.

A class action can be filed by just one person, called a “named plaintiff,” or a “class representative.” The named plaintiff and their lawyers spend time gathering evidence from the defendants and witnesses to present to the court. The court then decides based on the evidence if a case can be a class action.

If the court agrees, it “certifies” the case as a class action and everyone involved (the “class”) gets a notice of their rights. They can decide at that time if they want to participate or not (“opt-out.”)

#### **5. Who is in the class in this case? How do I know if I might be included in this lawsuit?**

The lawsuit was filed on behalf of the following group of people:

All individuals in the United States who, during the Class Period,

(1) purchased a D.R. Horton home;

(2) with a loan originated by DHI Mortgage in which DHI Mortgage established an escrow account that included property taxes; and

(3) where a document created in the loan origination process set forth a figure for property taxes that was higher than the amount of taxes included in the analysis to calculate the Estimated Total Monthly Payment as reflected on the final Closing Disclosure, within the applicable statute of limitations.

The plaintiffs and their lawyers will gather evidence to use to ask the court to certify the class. It is early in the litigation, and it is possible the class definition may change. You can contact the legal team [here](#).

#### **6. I bought my house from D.R. Horton but I pay my mortgage to another company and that company told me I owed more in property taxes. Am I in the Class?**

DHI Mortgage typically transfers mortgages to new servicers right after closing, so it is common for people to learn about the property tax problems from their new loan servicer.

You can review your mortgage loan documents and closing paperwork to see if DHI Mortgage was the original loan originator.

If you obtained your loan from DHI Mortgage, but now pay your mortgage to a new company, you are likely in Class if you meet the other criteria in Question 5.

**7. How long does a class action lawsuit take and where can I find updates?**

Class action lawsuits commonly take several years to resolve. You may check the status of the lawsuit online, by searching the case name on <https://pacer.uscourts.gov/> and reading the most recent notices and filings closely. You can also find more information about the case on [NCLC's website](#). If you would like to receive updates by email, please complete [this form](#).

**8. I heard about a different lawsuit called *Santiago v. D.R. Horton* that was about the same thing. What happened to that case and does it impact me?**

The *Santiago* case was voluntarily dismissed, which means it is no longer going forward. The same issues are addressed in the *Robinson* case. Everyone who was in the class in that case is now in the class in the *Robinson* case. The *Robinson* case covers more people, including people who do not have loans guaranteed by the Federal Housing Administration (FHA).

**9. Who are the lawyers in this case? How can I contact them?**

The lawyer and firms on this case are:

<b>NATIONAL CONSUMER LAW CENTER</b> Jennifer Wagner Shennan Kavanagh 7 Winthrop Sq., 4th Floor Boston, MA 02144	<b>VARNELL &amp; WARWICK, P.A.</b> Jeffrey L. Newsome, II Brian W. Warwick Janet R. Varnell 400 N. Ashley Dr., Suite 1900 Tampa, FL 33602	<b>CLARKSON LAW FIRM, P.C.</b> Kristen G. Simpicio Roke Iko 1050 Connecticut Avenue NW, Suite 500 Washington, DC 20036	<b>LEGAL AID CENTER OF SOUTHERN NEVADA</b> Elizabeth Mikesell Peter Aldous 725 E. Charleson Blvd. Las Vegas, NV 89104
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If you would like to contact the legal team, please contact us [here](#). The information you share at this link will be reviewed and shared with the entire legal team. You do not need to separately contact the individual lawyers and firms in this case; doing so may cause delays in our response times.

**IMPORTANT:** While we will review every inquiry received, we cannot provide individual representation or time-sensitive legal advice. Please see Question 3 above for more information on what to do if you need time-sensitive assistance or advice.