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THE MIAMI-DADE COURT REQUIRES BANKS TO WORK WITH HOMEOWNERS TO NEGOTIATE MORTGAGE MODIFICATIONS THROUGH MEDIATION

By: David A. Donet, Esq.

The 11th Circuit Court of Florida, located in Miami-Dade County, has issued an Order as of May 1, 2009, requiring banks to offer a mediation conference with homeowners in foreclosure of their primary residence to try to negotiate the modification of the mortgage before the bank is allowed to proceed in the case.

This Order provides Miami-Dade county homeowners with an exceptional advantage, as it requires that the mediation take place at the beginning of the case and saves homeowners many weeks of delay in the modification process with the bank.

The Court has appointed the Collins Center for Public Policy to administer the program. According to the Collins Center, this is a complex program but absolutely necessary and positive to solve the foreclosure crisis in this county, since bringing the bank and the homeowners before a trained neutral mediator is an essential first step.



This Order requires that the homeowners, the bank's lawyers and the bank's representative with authority to modify the mortgage, appear before the mediator and try to settle the case by modifying the mortgage.

For the homeowners, this is a unique opportunity to try to save their residence since it gives the homeowner an chance to sit down face-to-face with a representative of their bank who has the authority to modify the mortgage, instead of having to endure an endless number of telephone calls to the bank.

If you are facing the foreclosure of your principal residence (your homestead), don't make the mistake of ignoring this opportunity. Call us for a free consultation and we will explain this new process and your rights.

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LA CORTE DE MIAMI-DADE FUERZA A LOS BANCOS A NEGOCIAR LA MODIFICACIÓN DE LAS HIPOTECAS A TRAVÉS DE MEDIADORES OFICIALES

Por:
Lic. David A. Donet

El Tribunal del Onceno Circuito de la Florida, que radica en Miami-Dade County, ha emitido una Orden que requiere que los bancos comparezcan ante un mediador oficial y traten de negociar la modificación de la hipoteca con los propietarios en aquellos casos que involucren la residencia principal (homestead) de los propietarios.

Esta Orden les provee una ventaja excepcional a los propietarios de Miami-Dade, ya que requiere que esta mediación tenga lugar al principio del caso y les ahorra muchas semanas de espera en el proceso de modificación con el banco.

La Corte ha designado al Collins Center for Public Policy para administrar el programa. Según el Collins Center, este es un programa complejo pero absolutamente necesario y positivo para solucionar la crisis de la ejecución hipotecaria en este condado, ya que el traer al banco y a los propietarios ante un mediador neutral entrenado, es un paso esencial para este propósito.



Dicha Orden exige que los propietarios, los abogados del banco y un(a) representante del banco con autoridad para modificar la hipoteca, comparezcan ante el mediador y traten de resolver el caso modificando la hipoteca. Para los propietarios, esta es una oportunidad única de tratar de salvar su residencia ya que les permite sentarse frente a frente con una persona del banco con autoridad para modificar la hipoteca.

Si usted esta enfrentando la ejecución hipotecaria de su residencia, no cometa el error de rehusar esta oportunidad, ni tampoco cometa el error de ir solo(a) ante el mediador. Llámenos para una consulta gratis, donde le explicaremos el proceso y sus derechos.

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ABOGADOS

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