

ARE YOU IN DANGER OF:

LOSING YOUR HOME TO FORECLOSURE?

LOSING YOUR MOBILE HOME TO REPOSESSION?

YOU ARE PROTECTED UNDER THE LAW AGAINST . . .



- Harassing phone calls
- Unfair mortgage terms
- Credit discrimination
- Strong-arm tactics by bill collectors
- Attempts to scare you into making payments you cannot afford
- Being forced into an unaffordable reinstatement of your loan
- Other loan workouts or modification agreements that do not follow the law



South Carolina
Legal Services

Consumer Cases Accepted:

Bankruptcy
Breach of Contract/Warranty
Car Title Loans
Collections & Repossessions
Credit Access
Federal Income Tax
Loans & Installment Purchases
Pay Day Loans
Public And Private Utilities
Unfair Sales Practices

Other Legal Representation

Consumer & Bankruptcy
Education
Employment
Family
Federal Income Tax
Housing
Migrant Farm Workers
Probate
Public Benefits

This brochure was prepared by the South Carolina Legal Services Consumer Law Unit. The information is for public education only and should not be taken as legal advice. If you need legal advice on a specific problem you should consult an attorney. South Carolina Legal Services may be able to represent you if you have limited income.



South Carolina
Legal Services

FORECLOSURE A ROADMAP



Our Mission

South Carolina Legal Services is a statewide law firm that provides civil legal services to protect the rights and represent the interests of low-income South Carolinians.

For Free Services

1(888) 346-5592
(9:00 am-6:00 pm M-Th)
contactus@sclegal.org
www.sclegal.org / www.lawhelp.org/sc



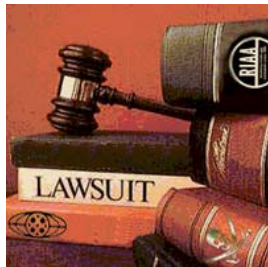
SOUTH CAROLINA LEGAL SERVICES CAN HELP CHART YOUR ROADMAP OUT OF FORECLOSURE BY:

QUESTIONING...

- If your mortgage was prepared properly and according to your agreement
- If the mortgage company that sued you is entitled to do so
- If the mortgage company complied with federal law and the South Carolina Consumer Protection Code

SEEKING PROOF...

- That you are responsible for the debt
- Of your correct payment history
- That the cost and any other charges are reasonable and proper
- That the mortgage company's attorney is entitled to the fee charged



YOU HAVE RIGHTS WHEN YOU HAVE BEEN SUED. IT IS IMPORTANT THAT YOU ANSWER THE LAWSUIT AND DO NOT IGNORE IT.

What does a lawsuit look like?

It **DOES NOT** look like the letters you receive from debt collectors that say:

“we are referring your account for foreclosure”

OR

“you are in foreclosure”

OR

“we have no choice but to file foreclosure”

OR

Similar words about foreclosure

It **DOES** have the mortgage company's name as “Plaintiff” vs. your name as “Defendant”

It **DOES** have an official Clerk of Court stamp showing the date and time the lawsuit was filed and a case number for the foreclosure file at the county courthouse

It **DOES** have to be handed to you or someone in your home personally or you must sign a green certified mail card for it.

If you don't accept the papers you can be served by publication in the local newspaper

It **DOES** have more than two sheets of paper. It contains a SUMMONS, a COMPLAINT, a VERIFICATION, and other exhibits. Also, in a foreclosure, it has a NOTICE OF PENDENCY OF ACTION or LIS PENDENS

What must I do if I am served with a lawsuit?

- Write down the exact date that you or someone in your home were handed the lawsuit or signed the green card
- Get a lawyer
- File a response
- Go to any hearings scheduled by the Court
- Dress nicely for Court
- Be respectful of the judge at all times

Do I have to move out of my home?

- You do not have to move out of your home just because you are behind on your payment.
- The law requires that you be allowed to go before a judge before you can be required to move out of a home that you own.



You have 30 days to file a written answer at the courthouse. Don't let that 30 days go by without talking to a lawyer. Call us to see if you qualify for a FREE lawyer.