

STATE OF VERMONT

SUPERIOR COURT
Windsor Unit

CIVIL DIVISION
Docket No. 12-1-13 Wrcv

ABC BANK
v.

XYZ DEFENDANT

CERTIFICATE OF EXEMPTION FROM FORECLOSURE MEDIATION

Undersigned counsel hereby certifies, based on reliable information provided by Plaintiff, that this foreclosure action is exempt from the requirements of foreclosure mediation under 12 V.S.A. §§ 4631-4637 because either:

The loan at issue is a commercial loan, or

The property **is not** a dwelling house of four units or less that is occupied by the owner as a principal residence (explanation of basis for statement attached), or

The property **is** a dwelling house of four units or less occupied by the owner as a principal residence, but it is exempt from mediation requirements because:

- _____ The loan is not subject to
 - HAMP (federal Home Affordable Modification Program)
 - any loss mitigation program for loans owned or guaranteed by Government entities (Fannie Mae, Freddie Mac, U.S. Federal Housing Admin, U.S Dep't of Veterans' Affairs)
 - any loss mitigation program for loans guaranteed by the U.S. Dep't of Agriculture-Rural Development that are not owned by an instrumentality of the U.S. or the State of Vermont
 - the National Mortgage Settlement Agreement
 - any settlement agreement with a government agency, or
 - any state or federal law or regulation affecting loss mitigation;

AND

_____ Before this case was filed, _____, a representative of the plaintiff bank or creditor seeking foreclosure, met with the following homeowner(s) _____ in person in Vermont on _____, 20__ to discuss applicable loss mitigation options (explanation of options attached), or made reasonable attempts to have such a meeting (explanation of attempts attached).

Certified on _____, 20__.

Plaintiff's counsel

Homeowner: If you disagree with any statements above, you may file an objection in a separate document at the time you file your answer, describing what you believe is inaccurate. Send a copy of the document to the Court and Plaintiff's lawyer.