



*Whitney Bank offers and provides financial products and services through its locations in Louisiana and Texas as "Whitney Bank" and as "Hancock Bank" in Mississippi, Alabama and Florida.*

## Information on Avoiding Foreclosure

### Mortgage Programs and Loss Mitigation Options Are Available to Help

There are a variety of programs available to help you resolve your delinquency and keep your home. You may be eligible to modify your mortgage to make your payments and terms more manageable, for instance, lowering your monthly payment to make it more affordable. Or, if you have missed a few payments, you may qualify for a temporary solution to help you get your finances back on track. Depending on your circumstances, staying in your home may not be possible. However, a Short Sale or Deed-in-Lieu of foreclosure may be a better choice than foreclosure – see the table below for more information:

OPTION	OVERVIEW	BENEFIT
<b>Reinstatement</b>	Pay the total amount you are delinquent in a lump sum payment and by a specific date.	Allows you to avoid foreclosure by bringing your mortgage current if you can show you have funds that will become available at a specific date in the future.
<b>Repayment Plan</b>	Pay back your past-due payments together with your regular payments over an extended period of time.	Allows you time to catch up on late payments without having to come up with a lump sum.
<b>Modification</b>	Receive modified terms of your mortgage to make it more affordable or manageable.	Permanently modifies your mortgage so that your payments or terms are more manageable as a permanent solution to a long-term or permanent hardship.
<b>Short Sale</b>	Sell your home and pay off a portion of your mortgage balance when you owe more on the home than it is worth. This alternative may or may not result in a reduction or forgiveness of the remaining loan balance.	Allows you to transition out of your home without going through foreclosure. The lender may accept the sales proceeds in full or only partial satisfaction of the loan balance.
<b>Deed-in-Lieu of Foreclosure</b>	Transfer the ownership of your property to us. This alternative may or may not result in a reduction or forgiveness of the remaining loan balance.	Allows you to transition out of your home without going through foreclosure. This is useful when there are no other liens on your property. The lender may accept the Deed-in-Lieu in full or only partial satisfaction of the loan balance.

### We Want to Help

Take action and gain peace of mind and control of your situation. Complete and return the Borrower Response Package to start the process of getting the help you need now.

### Armed Forces

If you are a member of the Armed Forces service on active duty, or a dependent of a member of the Armed Services serving on active duty, please see the final page of this package for additional information.

### Counseling Available

A list of HUD approved housing counseling agencies is available by going to the following website: [www.hud.gov/offices/hsg/sfh/hcc/fc/](http://www.hud.gov/offices/hsg/sfh/hcc/fc/). The available agencies are listed by state and can provide you with either in person counseling or counseling by phone.



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## Frequently Asked Questions

### For Your Information Only- Do Not Return with Your Borrower Response Package

#### 1. Why Did I Receive This Package?

You received this package because we have not received one or more of your full monthly mortgage payments and want to help you keep your home if at all possible. We are sending this information to you now so that we can work with you to quickly resolve any temporary or long-term financial challenge you face in making all of your late mortgage payments.

#### 2. Will It Cost Money to Get Help?

There should never be a fee from your servicer or qualified counselor to obtain assistance or information about foreclosure prevention options. However, foreclosure prevention has become a target for scam artists. Be wary of companies or individuals offering to help you for a fee, and never send a mortgage payment to any company other than the one listed on your monthly mortgage statement or one designated to receive your payments under a state assistance program.

#### 3. What Happens Once I Have Sent the Borrower Response Package to You?

We will contact you within three business days of our receipt of your Borrower Response Package to confirm that we have received your package and will notify you of incompleteness in the event there is any missing information or documentation that you must still submit. We cannot guarantee that you will qualify for or receive any (or a particular type of) assistance even if a representative has suggested that you apply for a particular type of assistance.

Within 30 days of receipt of a complete Borrower Response Package, we will let you know which foreclosure alternatives or loss mitigations options, if any, are available to you and will inform you of your next steps to complete the process offer. **Please submit your Borrower Response Package as soon as possible.**

#### 4. What Happens to My Mortgage While You Are Evaluating My Borrower Response Package?

You remain obligated to make all mortgage payments as they come due, even while we are evaluating the types of assistance or loss mitigation options that may be available.

#### 5. Will the Foreclosure Process Begin If I Do Not Respond to this Letter?

If you have missed three monthly payments or there is reason to believe the property is vacant or abandoned, we may refer your mortgage to foreclosure regardless of whether you are being considered for foreclosure alternatives or loss mitigation options available.

#### 6. What Happens if I Have Waited Too Long and My Property Has Been Referred to an Attorney for Foreclosure? Should I Still Contact You?

Yes. You may or may not be eligible for foreclosure alternatives or loss mitigations options depending on where we are in the foreclosure process.

#### 7. Will My Credit Score Be Affected by My Late Payments or Being in Default?

The delinquency status of your loan will be reported to credit reporting agencies as well as your entry into a Repayment Plan in accordance with the requirements of the Fair Credit Reporting Act and the Consumer Data Industry Association requirements.



## FREQUENTLY ASKED QUESTIONS continued

### **8. Will My Credit Score Be Affected if I Accept a Foreclosure Prevention Option?**

While the affect on your credit will depend on your individual credit history, credit scoring companies generally would consider certain options such as entering into a plan with reduced payments as increasing your credit risk. As a result, entering into a plan for example with reduced payments or completing a short sale or deed in lieu of foreclosure may adversely affect your credit score, particularly if you otherwise have a good credit score.

### **9. Is Foreclosure Prevention Counseling Available?**

Yes, HUD-approved counselors are available to provide you with the information and assistance you may need to avoid foreclosure. You can use the search tool at <http://www.hud.gov/offices/hsg/sfh/hcc/fc/> to find a counselor near you.

### **10. I Have Seen Ads and Flyers From Companies Offering to Help Me Avoid Foreclosure for a Fee. Are These Companies on the Level?**

Foreclosure prevention has become a target for scam artists. We suggest using the HUD Web site referenced in question 9 to locate a counselor near you. Also, please refer to the attached document called "Beware of Foreclosure Rescue Scams" for more information.



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## BEWARE OF FORECLOSURE RESCUE SCAMS- TIPS & WARNING SIGNS

### For Your Information Only- Do Not Return with Your Borrower Response Package

Scam artists are taking millions of dollars from distressed homeowners by promising immediate relief from foreclosure, or demanding cash for counseling services when HUD-approved counseling agencies provide the same services for FREE. If you receive an offer, information or advice that sounds too good to be true, it probably is. Don't let them take advantage of you, your situation, your house or your money. **Remember, help is FREE.**

#### How to Spot a Scam – beware of a company or person who:

- Asks for a fee in advance to work with your lender to modify, refinance or reinstate your mortgage.
- Guarantees they can stop a foreclosure or get your loan modified.
- Advises you to stop paying your mortgage company and pay them instead.
- Pressures you to sign over the deed to your home or sign any paperwork that you haven't had a chance to read, and you don't fully understand.
- Claims to offer "government-approved" or "official government" loan modifications.
- Asks you to release personal financial information online or over the phone and you have not been working with this person and/or do not know them.

#### How to Report a Scam – do one of the following:

- Go to [www.preventloanscams.org](http://www.preventloanscams.org) and fill out the Loan Modification Scam Prevention Network's (LMSPN) complaint form online and get more information on how to fight back. Note: you can also fill out this form and send to the fax number/e-mail/address (your choice!) on the back of the form.
- Call 1(888)995-HOPE (4673) and tell the counselor about your situation and that you believe you got scammed or know of a scam.



**Service-members Civil U.S. Department of Housing  
Relief Act and Urban Development  
Notice Disclosure Office of Housing**

**Legal Rights and Protections under the SCRA**

Service-members on “active duty” or “active service,” or a dependent of such a service-member may be entitled to certain legal protections and debt relief pursuant to the Service-members Civil Relief Act (50 USC App. §§ 501-596) (SCRA).

**Who May Be Entitled to Legal Protections Under the SCRA?**

- Active duty members of the Army, Navy, Air Force, Marine Corps, Coast Guard, and active service National Guard;
- Active service members of the commissioned corps of the National Oceanic and Atmospheric Administration;
- Active service members of the commissioned corps of the Public Health Service;
- United States citizens serving with the armed forces of a nation with which the United States is allied in the prosecution of a war or military action; and
- Their spouses.

**What Legal Protections Are Service-members entitled to Under the SCRA?**

- The SCRA states that a debt incurred by a service-member or service-member and spouse jointly, prior to entering military service shall not bear interest at a rate above 6 percent during the period of military service, and to a one year period following the end of the service member's military service.
- The SCRA states that in a legal action to enforce a debt against real estate that is filed during, or within 12 months after the service-member's military service, a court may stop the proceedings for a period of time, or adjust the debt. In addition, the sale, foreclosure, or seizure of real estate shall not be valid if it occurs during, or within 12 months after the service-member's military service unless the creditor has obtained a court order approving the sale, foreclosure, or seizure of the real estate.
- The SCRA contains many other protections besides those applicable to home loans.

**How Does A Service-member or Dependent Request Relief under the SCRA?**

- In order to request relief under the SCRA, a service-member or spouse, or both, must provide a written request to the lender, together with a copy of service-member's military orders. Hancock Bank/Whitney Bank Attn: Loss Mitigation-PF 2<sup>nd</sup> Floor OHP, P. O. Box 4019, Gulfport, MS 39502-4019

**How Does a Service-member or Dependent Obtain Information about the SCRA?**

- The U. S. Department of Defense's information resource is “Military OneSource”. Website: <http://www.militaryonesource.com> or Toll-free telephone number for Military OneSource.\*
- Service-members and dependents with questions about the SCRA should contact their unit's Judge Advocate, or their installation's Legal Assistance Officer. A military legal assistance office locator for all branches of the Armed Forces is available at <http://legalassistance.law.af.mil/content/locator.php>.
- From the United States: 1-800-342-9647
- From outside the United States (with applicable access code): 1-800-342-9647