



Requesting your servicer correct errors

New federal mortgage servicing rules require servicers to correct errors related to the servicing of mortgage loans.

If you think your servicer has made an error, you can:

- Call your servicer. They may be able to help you over the phone. See your monthly mortgage statement or coupon book for the phone number.
- Write a letter. If your servicer was unable to resolve your issue over the phone, you may have additional protections if you write your servicer a letter.

Submitting a letter:

- Include your name, home address, and mortgage account number.
 - Use the name that is on your mortgage and include your spouse or other co-borrower if they are on the mortgage.
- Identify the error. Tell your servicer exactly what error you believe occurred. Tips:
 - Give important details: “I made my January payment on time. I paid \$1,500 on January 1 but was still charged a late fee.”
 - Be specific. Rather than writing “you did not apply my payment correctly,” explain how you believe the payment was incorrectly applied.
- Do not write your letter on your payment coupon or other payment form you get from your servicer.
- Send the letter to the proper address. A servicer may use a special address for borrowers sending requests to correct errors. This can be found on your monthly mortgage statement or coupon book or on the servicer’s website. You can also call your servicer and ask them for the proper address. Note that the proper address for error corrections may be different than the address to which you send your monthly payments. Be sure to use the proper address for error correction requests.

What to expect:

- If you follow these instructions, the servicer must acknowledge receipt of your request and either:
 - Correct the error and confirm that the error was corrected, or
 - Investigate and determine that no error occurred, and send you a notice explaining why.
- Generally, servicers are prohibited from charging you a fee for responding to error requests.
- Your servicer might ask you for more information about the error, but your servicer can’t refuse to investigate or determine that no error occurred because you didn’t provide the information.
- A servicer does not have to investigate your request for error resolution if:
 - The request is overly broad,

- You are sending in the same request repeatedly, or
- You are requesting help with a loan that was transferred to another servicer or paid off more than a year ago.

Timelines:

- The servicer must acknowledge your letter within five business days of receiving it.
- If you are writing to say your servicer improperly started or scheduled a foreclosure:
 - The servicer must respond to your letter before the foreclosure sale or within 30 business days, whichever is earlier, if you write more than seven days before the sale.
 - The servicer should make a good-faith effort to respond to your letter, if you write seven days or less before the sale.
- If you are writing to say the servicer gave you an inaccurate payoff balance, the servicer must respond within seven business days.
- For all other errors, the service must respond within 30 business days.
- In some cases the servicer may come back to you in writing and ask for additional information or request an additional 15 business days to investigate and respond to your request.

If you are not satisfied with the result:

- The CFPB accepts complaints about mortgages, so if you have a problem, you can submit a complaint to the CFPB. We will forward your complaint to the company and work to get you a response from them. Contact us at (855) 411-CFPB (2372) or www.consumerfinance.gov/complaint.
- If you need help to understand your foreclosure prevention options, you can find a HUD-approved housing counselor at www.consumerfinance.gov/mortgagehelp or by calling 888-995-HOPE (4673).

Sample error resolution letter

Date:

To:

*[Your mortgage servicer
Your mortgage servicer's address]*

From:

*[Your full name
Your street address
Your city, state, and ZIP Code]*

Re: Error Resolution Notice under 12 C.F.R. §1024.35

Mortgage Loan Number: *[Your loan number]*

I am writing to request correction of the error described below in regard to the mortgage on my property at *[Your home address]*.

*[INSTRUCTIONS: Provide a full description of the error. You may adapt the sample language for some common servicing errors, provided below, or write your own description. **Delete the sample language for errors that don't apply.** Please note that this is not a complete list of all possible errors, such as errors regarding your servicer's failure to provide accurate information about loss mitigation options, foreclosure, or transfers of the servicing of your loans; your servicer's foreclosure activity against you that may violate the rules; or any other error relating to the servicing of your loan. Your servicer may have obligations to respond to your letter even if it is not as detailed as the model below, but including these details will increase the chances that your servicer will be able to investigate your issue and respond quickly.]*

Payment Errors:

- Your company rejected the full payment I made on *[Date]* in the amount of *[X dollars]*. *[If this was not equal to your regularly scheduled payment, explain why.]*
- Your company did not properly credit the payment that I made on *[Date]* in the amount of *[X dollars]*. This payment should have been credited to:
 - *[Tell the servicer how the payment should have been credited to principal, interest, escrow, or other charges .]*
- Your company failed to credit the payment I made on *[Date]* as of the date of receipt.

Escrow Errors:

- I have been notified by *[Source of information, e.g., taxing authority, homeowner's insurance company]* that your company failed to pay the following expenses from my escrow account:
 - Property taxes: *[Include amount and date due. Include evidence, if available.]*
 - Insurance premiums: *[Include type of insurance, name of insurance company, account number, amount, and date due. Include evidence, if available.]*
 - Other charges: *[Be specific.]*

- I believe that I am entitled to a refund of excess funds in my escrow account and I have not received them. *[Include evidence or describe why you believe you are entitled to excess escrow funds.]*

Fee Errors:

- Your company incorrectly imposed a *[Describe type of fee – late fee or other]* on *[Date]* in the amount of *[X dollars]*. *[Describe or include evidence that you have been charged this fee.]*

Payoff Errors:

- Your company failed to provide an accurate mortgage payoff balance that I requested on *[Date]*.

If you need to contact me, I can be reached at *[Include the best contact information, which may be your home address, work or mobile phone, or email address.]*

Sincerely,

*[Your name
Co-borrower's name]*