

Residential Mortgage Litigation

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Defending Against Claims Arising from Loan Servicing, Foreclosures, MERS, and Loan Modification Practices, Implementing Effective Loss Mitigation Strategies, and Complying with New and Emerging Regulations

American Conference Institute's 15th National Conference on Consumer Finance Class Actions & Litigation
New York Marriott Downtown
New York, NY

McGlinchey Stafford litigator Michael Ferachi presents "Residential Mortgage Litigation: Defending Against Claims Arising from Loan Servicing, Foreclosures, MERS, and Loan Modification Practices, Implementing Effective Loss Mitigation Strategies, and Complying with New and Emerging Regulations," at the American Conference Institute's 15th National Conference on Consumer Finance Class Actions & Litigation.

This presentation will address the following topics:

- Updates on recent actions and case law
- Fallout from the mortgage servicing settlement
- National qualification and screening standards for all loan originators
- Assessing the CFPB's new and emerging mortgage-related rulemaking and its impact on the industry
- Best practices and lessons learned from prior foreclosure documentation errors
- Auditing completed foreclosures and conducting foreclosure look-backs
- Attorney fees and related foreclosure filings
- Defending against claims arising from loan servicing
- New and emerging claims relating to standing
- GSE transfer tax litigation
- MERS litigation developments
- Recording fee class actions
- Handling borrower counterclaims in contested foreclosures
- Overcoming commonly raised defenses including TILA, SCRA, fraud, and rescission claims

- Preventing bankruptcy from becoming a tool used by borrowers to stall foreclosures
- New developments relating to loss mitigation
- Litigation challenges relating to mortgage origination
- Loan modifications and foreclosure
- Defending against counterclaims arising from loan modifications and HAMP
- Assessing the Wigod decision
- Responding to challenges to foreclosures in non-judicial foreclosure states

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Michael D. Ferachi