



March 18, 2019

Arizona Department of Financial Institutions
Elizabeth Thompson
100 N. 15th Avenue, #261
Phoenix, AZ 85007

Customer Name: Susie M. Barnes
Account Number: 0016066243
File Number: 4022064(2019)
CFPB Number: 190310-3898362
Property Address: 7025 W. Hearn Rd.
Peoria, AZ 85381

Dear Ms. Thompson,

Select Portfolio Servicing, Inc. (SPS), the mortgage servicer on the above referenced account, received your inquiry on March 8, 2019, which included a complaint filed with your office by James Barnes. We also received an inquiry on March 10, 2019, which was forwarded to us by the Consumer Financial Protection Bureau (CFPB) and inquiries on March 8, 2019, and March 10, 2019, from Mr. Barnes. In the inquiries, Mr. Barnes raised questions regarding:

- Discrimination
- Origination
- Settlement
- Noteholder
- Servicing Rights
- Loss Mitigation

We have completed a full review of your inquiries and the account. Our response is below. A copy of this letter will be sent to Mr. Barnes, Ms. Barnes, and the CFPB.

Discrimination

In the inquiries, Mr. Barnes made lending discrimination allegations regarding several parties' activities. SPS does not use race, religion, or other protected bases in our servicing practices, and we deny allegations of servicing discrimination

Origination

In the inquiries, Mr. Barnes question several issues relating to the origination of the loan. While SPS services this account on behalf of the Noteholder, we did not take part in its origination and we are unable to respond to the issues raised relating to the origination of the loan.

Settlement

In the inquiries, Mr. Barnes references the JP Morgan Chase and the U.S. Department of Justice Settlement (DOJ). If the account had been eligible for review for this program, Mr. Barnes would have been notified and the account would have been reviewed. The DOJ settlement program has expired.

REBUTTAL – Starting in July 2015, more than one year before Joseph A. Smith, Jr. Monitor of Chase RMBS Settlement Distribution's final report on the distribution of the \$13-Billion Chase RMBS Settlement and Consumer Relief/Restitution¹ was completed; we sent multiple requests to at least

¹ JPMorgan will pay out the remaining \$4 billion in the form of relief to aid consumers harmed by the unlawful conduct of JPMorgan, Bear Stearns and Washington Mutual. That relief will take various forms, including principal forgiveness, loan modification, targeted originations and efforts to reduce blight.

six (6) different named employees² of the SPS Ombudsman's Office (including the then manager of the Ombudsman's Department); and two (2) named employees³ of the SPS Customer Advocate's Office) requesting that SPS as the Servicer of loan number 00160243 2, ask the noteholder of our mortgage: JPMorgan Chase Bank, National Association, why our home mortgage loan and all the home mortgage loans outsourced to SPS during the infamous "Chase/SPS Eleventh Hour Outsourcing Maneuver were not included in the \$4-billion Consumer distribution, We filed three complaints with CFPB regarding this matter; one (1) against SPS, and two (2) against JPMCB. As expected⁴, SPS claimed no responsibilities for the criminal action that occurred; BUT did not initiate any investigative efforts to either verify or invalidate our claims. Additionally, James Barnes sent SPS copies of two different letter from JPMCB, that stated that one of the eligibility requirements for the \$4-billion Consumer Relief/Restitution was that the mortgagor had to have applied for mortgage assistance prior to the November 19, 2013 settlement announcement. Although the letters sent to SPS included that actual mortgage assistance request sent to JPMCB on October 10, 2013, and re-sent on October 21, 2013; SPS has never acknowledged the receipt of the "proof" that Susie Barnes met the qualification stipulated by JPMCB. (Both of JPMCB letters delineating the eligibility requirements for consumer relief/restitution was also sent to the CFPB.

(We anticipated that SPS would claim that we had not requested their assistance on this matter, so doing the past two years, we have "FORMALLY-REQUESTED" that all Email messages sent to them, along with its attachment, be appended to mortgage loan number: 0016066243.)

In the inquiries, Mr. Barnes requested clarification regarding the Noteholder's identity. Deutsche Bank National Trust Company, as Trustee, on behalf of the holders of the J.P. Morgan Mortgage Acquisition Trust 2007-CH1 Asset Backed Pass-Through Certificates, Series 2007-CH1 is the Noteholder of the account, and SPS is the mortgage servicer. REBUTTAL – We agreed that SPS is the Servicer of our loan but In all of our dozens of Email messages, letters and Express Mail letters to and from JPMorgan Chase Bank, N. A. (JPMCB), the registered Noteholder of our mortgage loan 0016066242/0017944786, (including two formal RESPA Qualified Written Request (QWR) Letters) Deutsche National Trust Company has never been mentioned. Deutsche Bank National Trust Company has only been mentioned by SPS, but their clandestine ownership of our mortgage loan has never been explained to my wife or me. As of this date, we do not know what authority they have to file foreclosure notices with the Maricopa County Records Office regarding our property. As the mortgage servicer, SPS is authorized to collect all payments and administer the terms of the Note and security agreement. Questions or disputes regarding the account and any request for mortgage assistance should be directed to SPS in order to ensure a timely response and resolution.

Servicing Rights

In the inquiries, Mr. Barnes questioned SPS's authority to service the account. Please understand that servicing rights and duties are established by contract between the Noteholder and the servicer. REBUTTAL – We have frequently questioned the relationship between our Noteholder: JPMCB, and our Servicer; SPS; both have treated our mortgage loan as a "hot potato", SPS taking no responsibility for the criminal practices which occurred during the origination of this loan, and JPMCB continual referred us to SPS when we ask any questions regarding the origination and outsourcing of the loans. The Chase RMBS Lawsuit Settlement documents show that the Chase/SPS business relationship started much earlier than the October 2013 "Chase/SPS Eleventh-Hour Outsourcing Maneuver", and SPS was an equal "co-conspirator" in illegal scheme to hide tens of thousands of Chase-Originated "Toxic Mortgages" from DOJ Investigators, and that the aforementioned-named SPS employees: John Doyle, and Jacklyn Jimenez. willfully "stonewalled, lied and otherwise deceive James and Susie Barnes regarding the their efforts to obtain their rightful share of the \$4-billion Consumer Relief Settlement. SPS is responsible for enforcing the Deed of Trust and Note on behalf of the Noteholder.

² Alison Luma-Manager, Melissa J. Thomas, Shannan Beckstead, Rubin Dunn, John Doyle, and Jacklyn Jimenez.

³ David Hartzell and Lorna Paden

⁴ Chase Settlement

We have received and responded to these same or similar disputes from you. We feel these issues raised have been addressed and resolved through our previous communications. On November 29, 2016, SPS responded to your concerns. A copy of that response is enclosed.

Discrimination

In your inquiry, you made general discrimination allegations. SPS does not use race, religion, or other protected classes in our servicing practices, and we deny allegations of servicing discrimination.

Loss Mitigation

SPS has received and responded to these same or similar disputes from Mr. Barnes. We feel these issues raised have been addressed and resolved through our previous communications. On March 1, 2019, SPS responded to Mr. Barnes concerns. A copy of that Response Letter is enclosed.

To reiterate, SPS initiated an Assistance Review Application on July 19, 2017. A Required Information Notice dated July 20, 2017, was sent indicating the required information and documentation needed to begin our review. Additional Required Information Notices were sent with the most recent sent on February 23, 2018, which is enclosed for your review. We still require the following information:

- Request for Mortgage Assistance Form (RMA) - We require a completely filled out form with intent, including a hardship explanation and all the appropriate boxes checked with a signature and the date not more than 90 days from the date of the review.

SPS is confident that the servicing of the loan by SPS has been compliant with all applicable state and federal regulations. REBUTTAL – We believe that SPS knowingly collaborated with JPMorgan Chase Bank, N. A. to conceal the existence of the Chase Non-Prime Lending Divisions, and the 200k-plus non-conforming subprime and Alt-A home mortgage loans that were originated between 2004 and 2008; we further believe that this was a federal conspiracy crime⁵ that could result in federal charges against both SPS and JPMorgan Chase Bank, N. A.

As of the date of this letter, the account is due for December 1, 2016, or 28 payments past due. There is a foreclosure sale scheduled to occur May 7, 2019. REBUTTALS – The writer of this letter addressed to the CFPB and Arizona Department of Financial Institutions (AZDFI), as well as Susie M. Barnes and James H. Barnes, clearly violated my wife's privacy rights by including this unnecessary and unrelated information to CFPB and AZDFI, in an attempt to cast dispersion on the moral and ethical character of both Susie and James Barnes. The writer also violated ECOA laws by sending this public document without mentioning that James Barnes is not a borrower on this loan; as SPS has been aware of since October 16, 2013. It is the view of James and Susie Barnes that this letter and all other documents related to the illegal foreclosure of mortgage loan number 0016066243 is attempted to portray Susie and James Barnes as just a couple of "N-word" scammers attempting to "beat the system".

In truth, for the more than forty years before Susie Barnes was scammed, defrauded, and otherwise disenfranchised, by employees of a clandestine subprime lending boiler-room operated by two of the most respected National Banks in the World. In 2005 at age 64, Susie Barnes realized that the only way to "save her home" was for her to return to work on a full-time basis, and she did so, on two bad knees, and she continued to work until 2012 when both of her knees had to be replaced. Her mortgage payments were current, and her mortgage was in good-standing when it was outsourced/jettisoned by Chase during the "2013 Chase/SPS Eleventh-Hour Outsourcing Maneuver". This illegal, clandestine maneuver deprived her of any opportunity to continue the effort that she and her husband started in 2010⁶, to work directly with the originator of her "Toxic Mortgage" to obtain either a principal-reduction, or a principal forgiveness resolution to her claims of: Predatory Lending,

⁵ "The Justice Department, along with federal and state partners, today announced a \$13 billion settlement with JPMorgan - the largest settlement with a single entity in American history - to resolve federal and state civil claims arising out of the packaging, marketing, sale and issuance of residential mortgage-backed securities (RMBS) by JPMorgan, Bear Stearns and Washington Mutual prior to Jan. 1, 2009. As part of the settlement, JPMorgan acknowledged it made serious misrepresentations to the public - including the investing public - about numerous RMBS transactions. The resolution also requires JPMorgan to provide much-needed relief to underwater homeowners and potential homebuyers, including those in distressed areas of the country. The settlement does not absolve JPMorgan or its employees from facing any possible criminal charges."

⁶ In August 2010, James Barnes requested the 2009 HMDA Public Disclosure CD from Chase, and after it was analyzed, submitted a discrimination complaint against JPMorgan Chase Bank, N. A. with Rodney K. Reuscher Head of the Chase Legal and Compliance Department, and Robert Meusel, Vice President of the HMDA Compliance Department. On February 28, 2011, Mr. Reuscher mysteriously sent a letter to Mr. and Mrs. Barnes granting them a loan modification that had previously been denied by another Chase department; but his letter also stated that "Chase is unable to respond to the results of the HMDA analysis you have shared".

Mortgage Loan Fraud, and Racial Discrimination/Racial Profiling practices.

Susie and James Barnes were model American Citizens with Impeccable character. It is important to note that the writer of this inflammatory letter never mentioned any aspects of the "Chase/SPS Eleventh-Hour Outsourcing Maneuver" which was done to Conceal the existence of tens-of-thousands of Chase-Originated "Toxic Mortgages" from Department of Justice (DOJ) Investigators. This writer also found it necessary to include more than seventy pages of unrelated information from the file of mortgage loan number 0016066243 BUT did not include a single Email message or any of the hundreds of document sent by James and Susie Barnes in an effort to get a fair and objective adjudication of their claims.

It also neglected to mentioned that on December 26, 2016 James H. Barnes .

SPS has reviewed and responded to your inquiry as discussed above. We have provided all documentation relied upon in reaching our determination. If a document was not provided, it is because it is privileged or proprietary.

If you have further questions or concerns, please contact our Ombudsman Department at 866-662-0035, option 3. Our Ombudsman Department will assist in resolving your requests, and is available to discuss the options available for which you may be eligible. Representatives are available Monday through Friday between the hours of 10:00 a.m. and 7:00 p.m., Eastern Time. To access account information, schedule payments, and review loss mitigation status on the SPS website www.spservicing.com.

Sincerely,

Lorna Paden
Customer Advocate

cc: James H. Barnes
Susie M. Barnes
CFPB

Enclosure(s)

Esta carta contiene informaci6n importante concerniente a sus derechos. Por favor, traduzca esta carta. Nuestros representantes bilingues estan a su disposici6n para contestar cualquier pregunta. Llamennos al numero 800-831-0118 y seleccione/marque la opci6n 2

Oregon - Residential mortgage loan servicers are regulated by the Oregon Division of Financial Regulation. To file a complaint, call (866) 814-9710 or visit <http://dfr.oregon.gov>

**Minnesota-This collection agency is licensed by the Minnesota Department of Commerce
New York City- Collection Agency License #1170514**

This is in response to your request for information