



[← All complaints \(.\)](#)

221002-9497836

CLOSED

✓ Submitted

STATUS

Submitted to the CFPB on 10/2/2022

PRODUCT

Mortgage

ISSUE

Trouble during payment process

We received your complaint. Thank you.

We will review your complaint. Depending on what we find, we will typically:

- Send your complaint to the company for a response; or
- Send your complaint to another state or federal agency, or help you get in touch with your state or local consumer protection office; or
- Let you know if we need more information to continue our work.

YOUR COMPLAINT

In 2004, I was sixty-six and my wife was sixty-three before my wife and I originated a conventional mortgage loan with Chase Manhattan Bank USA, N. A. we had already owned our home for twenty-four years and expected to reside in it until one or both of us passed away- At the time we had both a primary and a second mortgage loan on our home was looking for a low-interest mortgage loan to replace our second mortgage. we received an unsolicited fax on our fax machine from "The Industry's Leading Mortgage Lender in Low-Interest Mortgage loans. We foolishly followed the advice of the Chase Lending Specialist to whom we spoke and decided to follow his advice and refinance both the first and the second mortgage with a new First-Lien Mortgage. We realized before we closed the loan that we had made a life-changing mistake but after delaying the closing for several days, we went through the closing process. Exactly one year later we received a call from the Chase Lending Specialist

he stated that he could save us at least \$400/month by getting a new 30-year mortgage loan and we decided we had no alternative but to accept his proposal. from May 2005 until October 2009,, we made all scheduled mortgage payments and in July of 2009 we received a call from a Chase attorney "requesting" that we sign a copy of the Deed of trust we received at our loan closing., We initially ignored this request because we had a signed copy of the Deed of Trust that we received at the closing of our mortgage loan. However, later that month, we received an overnight Express Mail Letter demanding that we sign a new Deed of Trust Document immediately because Maricopa County Required a "wet signature" from both my wife and me. Although we had made all scheduled loan payments from May 2005 until 2009, we were told by an employee of our Servicer Chase Home Finance, LLC (CHF), that our loan was flagged as an "Imminent Foreclosure Loan." but we were never able to confirm this status. However, on October 19, 2013, five days after we had submitted Mortgage Assistance after my wife was no longer able to work because of a second knee replacement operation, we receive a "Good-Bye Letter" from Chase stating that "Servicing" of our mortgage had been outsourced to a Salt Lake City, Utah-based Debt Collector Named Select Portfolio Servicing, Inc. I immediately called our current Servicers CHF and was told that this was purely an administrative action and that approximately 800 other loans were being outsourced. I was also assured that this was strictly a servicing outsourcing action and Chase would continue to own our mortgage loan. (The fact was also stated on the Chase Goodbye Letter. It was several months later that I found that in addition to the servicing rights being outsourced to a debt collector, our loan had been sold by Chase Bank USA, N. A. to a German-based Corporation named Deutsche Bank National Trust Company. I immediately submitted a RESPA QWR Letter to the Chase Vice President of the Compliance and Legal Department but never received a response. On January 30, 2017, I submitted a second RESPA QWR Letter to both Chase and Select Portfolio Servicing, Inc. and neither of these institutions responded to this second QWR.

OUR EFFORTS TO CURE OUR MORTGAGE PROBLEMS AND KEEP OUR HOME

INCLUDE THE FOLLOWING EFFORTS.

1. Susie M. Barnes and James H. Barnes were callously forced from Chapter 13 Bankruptcy to stop James H. Barnes from any further information gathering activities: Click the hyperlink below to view the Chapter 13 Notice of dismissal dated August 12, 2021, after Susie M. Barnes and James H. Barnes had fulfilled their Chapter 13 Bankruptcy monthly payments for more than one year and were prepared to continue making these monthly Mortgage Payments plus Bankruptcy Trustee Fees of approximately \$600/month.
2. On September 24, 2021, it became clear that Select Portfolio Servicing, Inc. was going to be successful in its attempt to "Force" Susie M. Barnes and James H. Barnes out of their Chapter 13 Bankruptcy Protection, James H. Barnes and Susie M. Barnes attempted to "Move On With Their Lives" by submitting a mortgage assistance request to SPS and the registered noteholder: Deutsche Bank National Trust Company. In this Mortgage Assistance Request Letter, Susie M. Barnes and James H. Barnes agreed to drop all complaints related to the 2005 Mortgage Loan origination and the 2013 Eleventh-hour Outsourcing Maneuver involving both Select Portfolio Servicing, Inc. and Deutsche Bank National Trust Company. They also agreed to pay the monthly mortgage payments of approximately \$1,800/month Starting on November 1, 2021. They also requested that SPS defer the lump sum payment of roughly \$70,000 and either place it at the back-end of the mortgage or increase the remaining monthly payments so that it would be paid off during the remainder of the mortgage payments.
3. The attachment entitled SPS Loan Modification Payment Schedule for June 1, 2022, shows that this Loan Modification Proposal was accepted on January 5, 2022, and the first scheduled payment on this Modified Mortgage was June 1, 2022.
4. In the interval between February and June, Susie M. Barnes attempted to pay the scheduled monthly mortgage payment of approximately

\$1,894/month. Initially, by personal checks, which were refused, and then by Cashier Checks drawn on their Bank of America Checking Account and sent to SPS via Certified Mail. (SPS Destroyed the Cashier's Checks, and Susie M. Barnes and James H. Barnes have been able to get credit for one of the lost Cashier's Checks. We are hopeful that SPS will honor its commitment of January and we make the stipulated monthly payment starting on June 1, 2022. (We will make the four payments form June 2022 through October 2022 by Cashier's Check within ten days and will gladly put this painful ordeal behind us. James H. Barnes.

ATTACHMENTS

[March-3-2014 RESPA QUALIFIED WRITTEN REQUEST TO JPMMORGAN CHASE BANK NA.pdf \(226.9 KB\)](#)

[October-16-2013 Good-Bye and Good Riddance with Contact Information of Chase Associate who Verified Terms in Letter.pdf \(329.5 KB\)](#)

[January-30-2017 RESPA Qualified Written Request Letter \(QWR\) Sent to JPMorgan Chase Bank NA and Select Portfolio Servicing Inc.pdf \(1 MB\)](#)

Hide full complaint 

What product or service is your complaint about?

PRODUCT OR SERVICE

Mortgage

TYPE

Conventional home mortgage

What type of problem are you having?

ISSUE

Trouble during payment process

CONCERNED ABOUT FORECLOSURE?

Yes

IS THERE A DATE OF FORECLOSURE?

Yes (2022-10-25)

HAVE YOU ALREADY TRIED TO FIX THIS PROBLEM WITH THE COMPANY?

Yes

MISSED PAYMENTS?

Yes

PAID COMPANY TO AVOID FORECLOSURE?

No

What happened?

In 2004, I was sixty-six and my wife was sixty-three before my wife and I originated a conventional mortgage loan with Chase Manhattan Bank USA, N. A. we had already owned our home for twenty-four years and expected to reside in it until one or both of us passed away- At the time we had both a primary and a second mortgage loan on our home was looking for a low-interest mortgage loan to replace our second mortgage. we received an unsolicited fax on our fax machine from "The Industry's Leading Mortgage Lender in Low-Interest Mortgage loans. We foolishly followed the advice of the Chase Lending Specialist to whom we spoke and decided to follow his advice and refinance both the first and the second mortgage with a new First-Lien Mortgage. We realized before we closed the loan that we had made a life-changing mistake but after delaying the closing for several days, we went through the closing process. Exactly one year later we received a call from the Chase Lending Specialist he stated that he could save us at least \$400/month by getting a new 30-year mortgage loan and we decided we had no alternative but to accept his proposal. from May 2005 until October 2009,, we made all scheduled mortgage payments and in July of 2009 we received a call from a Chase attorney "requesting" that we sign a copy of the Deed of trust we received at our loan closing., We initially ignored this request because we had a signed copy of the Deed of Trust that we received at the closing of our mortgage loan. However, later that month, we received an overnight Express Mail Letter demanding that we sign a new Deed of Trust Document immediately because Maricopa County Required a "wet signature" from both my wife and me. Although we had made all scheduled loan payments from May 2005 until 2009, we were told by an employee of our Servicer Chase Home Finance, LLC (CHF), that our loan was flagged as an "Imminent Foreclosure Loan." but we were never able to confirm this status. However, on October 19, 2013, five days after we had submitted Mortgage Assistance after my wife was no longer able to work because of a second knee replacement operation, we receive a "Good-Bye Letter" from Chase stating that "Servicing" of our mortgage had been outsourced to a Salt Lake City, Utah-based Debt Collector Named Select Portfolio Servicing, Inc. I immediately called our current Servicers CHF and was told that this was purely an administrative action and that approximately 800 other loans were being outsourced. I was also assured that this was strictly a servicing outsourcing action and Chase would continue to own our mortgage loan. (The fact was also stated on the Chase Goodbye Letter. It was several months later that I found that in addition to the servicing rights being outsourced to a debt collector, our loan had been sold by Chase Bank USA, N. A. to a German-based Corporation named Deutsche Bank National Trust Company. I immediately submitted a RESPA QWR Letter to the

Chase Vice President of the Compliance and Legal Department but never received a response. On January 30, 2017, I submitted a second RESPA QWR Letter to both Chase and Select Portfolio Servicing, Inc. and neither of these institutions responded to this second QWR. OUR EFFORTS TO CURE OUR MORTGAGE PROBLEMS AND KEEP OUR HOME INCLUDE THE FOLLOWING EFFORTS. 1. Susie M. Barnes and James H. Barnes were callously forced from Chapter 13 Bankruptcy to stop James H. Barnes from any further information gathering activities: Click the hyperlink below to view the Chapter 13 Notice of dismissal dated August 12, 2021, after Susie M. Barnes and James H. Barnes had fulfilled their Chapter 13 Bankruptcy monthly payments for more than one year and were prepared to continue making these monthly Mortgage Payments plus Bankruptcy Trustee Fees of approximately \$600/month. 2. On September 24, 2021, it became clear that Select Portfolio Servicing, Inc. was going to be successful in its attempt to "Force" Susie M. Barnes and James H. Barnes out of their Chapter 13 Bankruptcy Protection, James H. Barnes and Susie M. Barnes attempted to "Move On With Their Lives" by submitting a mortgage assistance request to SPS and the registered noteholder: Deutsche Bank National Trust Company. In this Mortgage Assistance Request Letter, Susie M. Barnes and James H. Barnes agreed to drop all complaints related to the 2005 Mortgage Loan origination and the 2013 Eleventh-hour Outsourcing Maneuver involving both Select Portfolio Servicing, Inc. and Deutsche Bank National Trust Company. They also agreed to pay the monthly mortgage payments of approximately \$1,800/month Starting on November 1, 2021. They also requested that SPS defer the lump sum payment of roughly \$70,000 and either place it at the back-end of the mortgage or increase the remaining monthly payments so that it would be paid off during the remainder of the mortgage payments. 3. The attachment entitled SPS Loan Modification Payment Schedule for June 1, 2022, shows that this Loan Modification Proposal was accepted on January 5, 2022, and the first scheduled payment on this Modified Mortgage was June 1, 2022. 4. In the interval between February and June, Susie M. Barnes attempted to pay the scheduled monthly mortgage payment of approximately \$1,894/month. Initially, by personal checks, which were refused, and then by Cashier Checks drawn on their Bank of America Checking Account and sent to SPS via Certified Mail. (SPS Destroyed the Cashier's Checks, and Susie M. Barnes and James H. Barnes have been able to get credit for one of the lost Cashier's Checks. We are hopeful that SPS will honor its commitment of January and we make the stipulated monthly payment starting on June 1, 2022. (We will make the four payments form June 2022 through October 2022 by Cashier's Check within ten days and will gladly put this painful ordeal behind us. James H. Barnes.

☐ **I want the CFPB to publish this description on consumerfinance.gov so that others can learn from my experience.**

The CFPB will take steps to remove my personal information from this description but someone may still be able to identify me. Learn how it works. I consent to publishing this description after the CFPB has taken these steps.

What would be a fair resolution to this issue?

We are hopeful that Select Portfolio Servicing, Inc, Deutsche Bank National Trust Company will honor its commitment of January and we make the stipulated monthly payment starting on June 1, 2022. (We will make the four payments from June 2022 through October 2022 by Cashier's Check within ten days and will gladly put this painful ordeal behind us. We will then make all future mortgage payments on the first of each month starting in November 22, 2022.

3 attachments

View uploaded documents by clicking on the file name. Documents that pass virus scanning are typically available within 2 minutes of upload.

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What company is this complaint about?

COMPANY INFORMATION

Deutsche Bank National Trust Company

ACCOUNT NUMBER

0016066243

OTHER INFORMATION ABOUT THIS COMPANY

Deutsche Bank Trust Company

1761 EAST ST. ANDREW PLACE

SANTA ANA 92705

(714)-247-6320

ADDITIONAL COMPANY

Deutsche Bank National Trust Company

ACCOUNT NUMBER

0016066243

OTHER INFORMATION ABOUT THIS COMPANY

Deutsche Bank Trust Company

1761 EAST ST. ANDREW PLACE

SANTA ANA 92705

(714)-247-6320

COMPLAINT ALSO SUBMITTED TO THIS COMPANY?

true

ATTEMPTED TO FIX WITH THIS COMPANY?

Yes

What people are involved?

YOUR CONTACT INFORMATION

James H Barnes

jhbarnes@jhbarnes.com

6024784778

7025 W HEARN RD

PEORIA, Arizona 85381

United States

YOUR DEMOGRAPHIC INFORMATION**Age**

83

Service details

Branch: United States Army

Status: Veteran

Rank: E5 - E7

Household size including total number of adults and children

2

✓ Sent to company

STATUS

Sent to company on 10/18/2022

We've sent your complaint to the company, and we will let you know when they respond.

Their response should include the steps they took, or will take, to address your complaint.

Companies generally respond in 15 days. In some cases, the company will let you know their response is in progress and provide a final response in 60 days.

i Marked as duplicate

STATUS

Marked as a duplicate complaint on 10/19/2022

This complaint appears to be a duplicate of a complaint we've already received. We've included a reference to this complaint on that record.

Privacy Act Statement

OMB #3170-0011

Note on user experience

Have a question? ¿Preguntas?

(855) 411-2372

TTY/TTD: (855) 729-2372

8 a.m. to 8 p.m. ET, Monday through Friday

(except federal holidays). (<https://www.opm.gov/policy-data-oversight/pay-leave/federal-holidays/#url=Overview>)

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