



Good Afternoon!

I hope you all had a great week. This week, I would like to discuss your right to make a Qualified Written Request ("QWR") if you need information regarding your mortgage account.

Many residential mortgages these days are serviced by what are known as "mortgage servicers." The mortgage servicer may not actually own your loan, but may just be responsible for keeping the accounting on your loan, collecting payments, and maintaining the records for your mortgage account.

If you have a residential mortgage and would like to submit a request for information such as how your payments are being applied, escrow analysis documents, and so forth, you can submit a QWR pursuant to the Real Estate Settlement Procedures Act ("RESPA"). For purposes of RESPA, the person or entity responsible for collecting your payments will be deemed to be the servicer of the loan.

Servicers are required to post the mailing address for QWRs on their website, as long as the website otherwise contains the servicer's contact address. Before you mail a QWR to your servicer, check out their website to locate the address for QWRs. It is very important that you mail your QWR to the correct address or it could be deemed invalid.

The Consumer Financial Protection Bureau ("CFPB") has posted a sample QWR letter, which can be found [HERE](#).

You want to make sure that your QWR includes your name, address, account number, and you also want to be as specific as possible when you identify the information or documents that you are seeking from the servicer.

When the servicer receives your QWR, the servicer must provide you with a written response acknowledging receipt of your QWR within 5 days (excluding legal holidays and weekends).

The servicer must then provide their substantive response to you within 30 days of receipt of the QWR. The servicer may obtain a 15 day extension with written notice to you and an explanation as to why the servicer needs the extension of time.



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If the servicer fails to respond timely to your QWR, or fails to respond at all, you may have a claim for damages against your mortgage servicer.

QWRs can be a powerful tool to obtain the information you need regarding your mortgage account.

I hope this information is helpful for you and your family.

We are archiving all of our newsletters, so if any of you would like to review any of the previous newsletters, you can read them by clicking [HERE](#).

Thank you for reading and I hope you have a great Sunday.

Best,

Ryan Torrens, Consumer Litigation Attorney

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