

SEP 26 2018

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FORECLOSURE MEDIATOR'S  
REPORT  
JD-CV-89 Rev. 7-13  
C.G.S. § 49-31n; P.A. 13-136

STATE OF CONNECTICUT  
SUPERIOR COURT  
www.jud.ct.gov

CHIEF CLERK'S OFFICE

Name of Case U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE, FOR RE V. ENCARNACION, JOSUE D.		Docket Number NNHCV186077112S	Return Date 1/30/2018
Judicial District New Haven	Name of Mediator Howard Kane		Date Mediation Held 8/10/2018

- Did the parties engage in conduct consistent with the objectives of the mediation program?  
 Plaintiff  Yes  No If no, explain:  
 Defendant  Yes  No If no, explain:  
 Did the parties possess the ability to mediate?  
 Plaintiff  Yes  No If no, explain:  
 Defendant  Yes  No If no, explain:
- Did the mortgagor submit a complete financial package to the mortgagee?  Yes  No  
 If no, explain:
- What foreclosure alternative has the mortgagor requested?  
 Loan modification  Repayment  Reinstatement  
 Short Sale  Deed-in-Lieu  Modification of sale date/law day
- Has the mortgagor been previously evaluated for a similar request?  Yes  No  
 If yes, prior to mediation  In mediation   
 If yes, has there been a change in circumstances since that evaluation?  Yes  No  
 If yes, explain:
- Has the mortgagee responded to the mortgagor's request?  Yes  No  Not Applicable  
 Description of the response:  Approval  Denial  
Explain: Mortgagee represented that mortgagors were denied a modification because the loan has already received the maximum number of modifications allowed. Mortgagee represented that the loan can only be modified once every five years and the last modification was on or about 2/1/14. As a result, mortgagors are not eligible for another modification until on or about 1/1/19.  
 Is the mediator aware of any material reason to disagree with that response?  Yes  No  
 If yes, explain:
- Has the mortgagor responded to the mortgagee's offer on a reasonably timely basis?  Yes  No  Not Applicable  
 Explain:
- Has the mortgagee requested additional information from the mortgagor?  Yes  No  
 If yes, what are the stated reasons for the request and by what date must the information be submitted so that all financials will remain current?
- Has the mortgagor supplied, on a reasonably timely basis, additional information reasonably requested by the mortgagee?  Yes  No  
 Not Applicable  
 If no, reason:
- Is information provided by the mortgagor still current for the mortgagee's review?  Yes  No  
 If no, list the out-of date information and the reason it is no longer current: N/A
- Has the mortgagee provided a reasonable explanation of a denial for the foreclosure alternative requested?  Yes  No  
 Not Applicable  
 Is the mediator aware of any material reasons to disagree with the denial?  Yes  No  
 If yes, explain:

11. Has the mortgagee complied with the statutory time frames for responding to requests for decisions?  Yes  No

If no, explain:

12. Did the parties satisfy the expectations set forth in the previous report?

Plaintiff  Yes  No  Not Applicable

Defendant(s)  Yes  No  Not Applicable

If no, explain:

Is a subsequent mediation session expected to occur?  Yes  No  Don't Know

Describe the expectations for each party both prior to and for the next mediation session, if applicable:

Mortgagors represented that they will apply for EMAP.

13. Will the parties benefit from further mediation?  Yes  No

Additional comments:

This report was delivered to each party to the mediation on:

9/26/18  
(Date)

A.K.  
Mediator's Signature

9/26/18  
(Date)