

NOTICE TO HOMEOWNERS FACING FORECLOSURE

Owners of homestead properties facing foreclosure in Sarasota, Manatee, and Desoto Counties are eligible to participate in the **Twelfth Circuit Homestead Foreclosure Conciliation Program (HFCP)**. The features of the HFCP are:

1. This is a **voluntary and optional program** for homestead owners. To qualify, you must have filed for the Florida homestead exemption with the County Property Appraiser on the subject property on or before the date the foreclosure case was filed with the Clerk of Court. **This program is not available to renters or to non-homestead owners.**
2. Lenders who file suit in Sarasota, Manatee, or Desoto Counties seeking to foreclose liens on homestead property are required by local administrative order to contact you and to invite you to participate in at least one mandatory Conciliation Telephone Conference before the case can be concluded. The purpose of the Conciliation Telephone Conference is for you to have an open and frank discussion about the alleged default and to consider options to foreclosure. These may include such things as refinancing, partial forgiveness of debt, transferring title to qualified third parties, clarifying the amount required to reinstate or pay off the loan, deeds in lieu of foreclosure, protecting the property pending transfer of title, and establishing a mutually agreeable date for relinquishing possession. Communications between the parties and discussions during the conference or otherwise are NOT confidential and may be referred to in future court proceedings.
3. The Conciliation Telephone Conference will occur as soon as possible after you receive this Notice. Although your lender should attempt to contact you to schedule a mutually convenient date for the conference, to avoid miscommunication, if you wish to take advantage of the program you should promptly provide the attorney filing the complaint with a letter stating your current contact information. Include your email addresses and phone numbers. **Enclose a copy of this Notice with your letter.** However, this program is for the benefit of the homeowner and you may decline to participate at any time. If you choose not to respond to this notice or to the lender's invitation to participate in a Conciliation Telephone Conference, litigation will proceed in the normal course.
4. There are three ways to participate in the Conciliation Telephone Conference: By yourself, by hiring your own lawyer, or, if you qualify, by a volunteer attorney's assistance. Your lender may require you to sign legal papers confirming any understanding or agreement you may reach. Make sure you read and understand all documents before signing. If you do not have an attorney, it is recommended that you hire a member of The Florida Bar to review the documents before signing. If no agreement is reached, the case will proceed in due course to its conclusion. Communication between the parties, including the Conciliation Telephone Conference, may be recorded provided all participants are advised in advance that you are doing so.
5. You may qualify for a volunteer attorney to be present with you during the Conciliation Telephone Conference. Call **Legal Aid of Manasota, 941-366-0038**, to see if you are eligible for this *pro bono* (free) service. These attorneys are volunteering their time as a public service to assist in your discussions with the lender. You will not be charged for their time and advice. However, you must agree to appear in person on time for the conference, be willing to communicate with your attorney, and to participate in good faith in your discussions with lenders. The attorney may withdraw from assisting you at any time if you fail to comply with these requirements. Private communications between you and the *pro bono* attorney are confidential.

IMPORTANT: Notice of limited legal representation. The volunteer attorney assisting you in the Conciliation Telephone Conference may limit his or her services to discussions with the lender and assisting you in exploring realistic options to foreclosure. Unless specifically agreed to by the *pro bono* attorney in writing, he or she is NOT representing you for any other purpose in the case and will NOT be filing any papers or pleadings in your case. **YOU HAVE TWENTY (20) DAYS AFTER SERVICE OF THE SUMMONS AND COMPLAINT IN WHICH TO FILE YOUR OWN ANSWER OR RESPONSE IN THIS CASE.** Unless you hire an attorney, it is YOUR responsibility to file the proper papers to prevent a default from being entered and to fully represent your legal interests.