
From: henry.sauceda@roadrunner.com
Sent: Tuesday, August 28, 2012 7:44 PM
To: Capers, Terry
Subject: Loan Numbers 3010070575, 3010850257, 3010075145, 3010075129- Durham, NC for Parcel #11335, 113336, 113340, 1133322 and 113334

Importance: High

Please accept this emailed version of a hardship letter as what has taken place and why we are asking for a waiver on the civic penalties only, as we navigate the Deed in lieu of Foreclosure on the above five duplexes in Durham, NC.

For two years now we have been attempting to get approval for a short sale on our duplex in Durham NC. We recently were advised that Chase has declined the four duplexes on short selling with a cash buyer due to City of Durham not willing to negotiate on the liens nor civic penalties so inevitably we have been turned down for the short sale. We were hoping to get new owners that could invest into these properties to turn them around.

Our attorney from the short sales process directed his paralegal to request that Durham NI Services remove their liens. City of Durham NI Services has advised they can not negotiate with anyone and that we must bring it up to the City Council. This is why we are approaching the City Council in the hopes that we will be granted a one time exception to waive the civil penalties.

Our SafAssist representative Karen Ross, did confirm that the City of Durham liens with respect to the Deed in Lieu process would not hinder Chase from granting a Deed in Lieu. Chase has advised us that they have taken full possession of the duplex with the above loan numbers so the City of Durham can work on getting releases of the liens so Chase can sell the property.

We understand and expect the City of Durham to continue to pursue us for the liens. We are willing to go on a payment plan for the liens but politely ask for you the City Council to waive the penalties and assessments under the civil penalties that are not tax dollars so we can allow those properties to get the attention they need from Chase.

Here is our hardship portion of this letter which covers all history of the initial purchase:

Chase and we as investors, purchased the above-mentioned properties in 2006, based on confirmation from a Chase loan officer that it was an income producing property with great deal of upside and a recommendation of family members that were planning to move there. We were lead to believe that it would be a good investment as the properties were so close to Duke University, and could easily be rented to college students. Unfortunately, the family members backed out and we discovered that the area was not favorable to the Duke University students. In reality, the neighborhood is very impoverished.

Rick Soles Property Management was the only Property management company that would manage these properties. Since we have owned these properties, only 2 units have been rented. Mr. Soles refuses to rent to anyone that cannot speak English, and people that speak English do not want to rent in that neighborhood. It is a heavily Spanish speaking area. We have gone to Durham several times to fix these properties, which continued to be broken into and vandalized. We filed police reports, but nothing came of it. Rick Soles charges us for repairs which we cannot confirm have been done. I (Henry Saucedo) is currently in poor health with recent hospitalizations, and we can no longer make that trip. He takes four medications and has had spinal meningitis and endocarditis that have made him no longer able to work on those labor intensive construction. We have tried to hire local contractors but struggled and failed with that option.

The City of Durham has continually charged us for Weedy Lot Clean up and repairs that also cannot be confirmed if they were done. We had local religious group that sought us out that works closely with the Durham Inspectors from Victory Outreach Church come and clean the area while sending us pictures that they had cleaned the area. Then a month later

we were sent a bill from The City of Durham, charging us for more weedy lot clean up and administrative fees. Now we have liens and civil penalties totaling more \$28,000. They have refused to remove them or reduce in any way shape or form.

We have written several letters & emails to Paul Mason at the City of Durham to work with us. However, we are still getting additional charges every month. The City has also broken into some of the units as their communication to us was regarding the inside of the properties.

Since Healthcare reform, our professional practice as Health Insurance brokers is in great jeopardy. Insurance companies have greatly decreased our commissions. Our clients are requiring more service from us to navigate the new Healthcare Reform. Essentially, we are required to do a lot more work for a lot less money. Should Obama be elected for a second term, our profession will be completely eliminated in 2014. In March, my husband's consulting position ended and he is looking for work again. Our family business has failed and we are actively looking for an exit strategy that does not cost us more money.

Last year we also took on the burden of paying my mother's Chase Mortgage Loan #1758890419, as her medical bills were greater than what she was getting from Social Security and she could no longer afford to make her mortgage payments. Besides our primary residence, which is in modification, we have another Chase mortgage #3060428442. We are currently paying seven Chase mortgages and only receive rent from three of them at a reduced rate, just to keep them occupied. In order to continue paying for our primary residence and the Utah & Florida homes, we must deed in lieu of foreclosure these Durham, NC duplexes.

We cannot possibly continue to afford to make the mortgage payments, property management fees, the extremely high taxes as these were assessed at \$80,000 per duplex, and the payments for the liens to the City of Durham. Not a one of them can be considered to be worth more than \$18,750 each duplex. There are far more in that area that are worth less and have sold for those prices.

We have two small children and we are desperately trying to keep our primary residence and my mother's house as well. Please note we have a modification on our primary residence and want to retain our primary residence so we are forced to sacrifice holding on any longer. It is our opinion that if since the short sale file has closed we are forced to request a Deed In Lieu of Foreclose.

We were disappointed that Chase did not make enough effort as the initial loan counselor did when securing the 7% mortgage which we see as predatory in practice.

Please with hope from our prayers to god that you will grant us a one time waiver so we can move forward with the deeds in lieu of foreclosure.