



LEGAL ALERT

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Foreclosure Mediation Program Encouraging Judicial Review of Mediations

By Cynthia L. Alexander

Nevada's Foreclosure Mediation Program recently began sending a form letter (the Letter) to homeowners shortly after participation in the Foreclosure Mediation Program. A copy of the Letter is included on the next page. The Letter advises homeowners that they have a right to contest the outcome of the mediation and the issuance of the mediation certificate (allowing foreclosure to proceed) by filing a Petition for Judicial Review. The Letter advises the homeowner to contact their court clerk and find additional information on the Foreclosure Mediation Program website.

This Letter is a new procedure of the Foreclosure Mediation Program. It creates significantly more homeowner awareness regarding the options available to the homeowner, after the mediation. Hence, the Foreclosure Mediation Program has taken upon itself to provide additional information and education to the homeowner, beyond the original scope of information regarding the option of mediation and preparation for that mediation. As a result of the Letter, the beneficiary faces increased risk of having to respond to a Petition for Judicial Review filed by the homeowner and a further delay of the foreclosure process.

Should you have any questions on the subject of this Legal Alert, you may contact the author or any attorney in the firm with whom you are regularly in contact at 702.784.5200.

Below is the text of the letter sent by Nevada's Foreclosure Mediation Program.

IMPORTANT NOTICE: As a result of the outcome from your recent mediation, and under NRS 107.086, the State of Nevada Foreclosure Mediation Program (FMP) may issue a certificate allowing the lender to foreclose within 30 days of the date of this letter for the property located at: [address redacted].

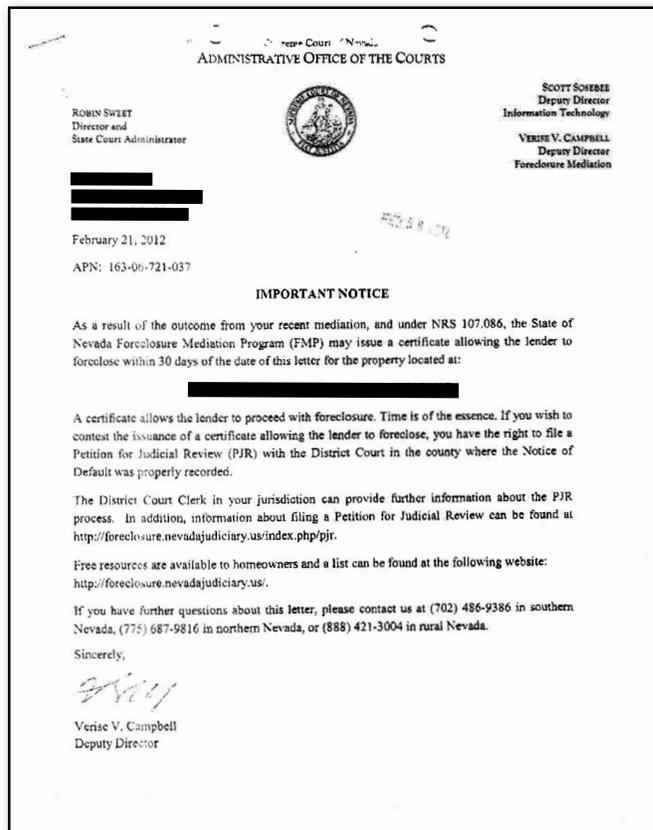
A certificate allows the lender to proceed with foreclosure. Time is of the essence. If you wish to contest the issuance of a certificate allowing the lender to foreclose, you have the right to file a Petition of Judicial Review (PJR) with the District Court in the county where the Notice of Default was properly recorded.

The District Court Clerk in your jurisdiction can provide further information about the PJR process. In addition, information about filing a Petition for Judicial Review can be found at <http://foreclosure.nevadajudiciary.us/index.php/pjr>.

Free resources are available to homeowners and a list can be found at the following website: <http://foreclosure.nevadajudiciary.us/>

If you have further questions about this letter, please contact us at (702) 486-9386 in southern Nevada, (775) 687-9816 in northern Nevada, or (888) 421-3004 in rural Nevada.

Sincerely,
Verise V. Campbell
Deputy Director



Letter from Nevada's Foreclosure Mediation Program