



July 19, 2009

Foreclosure creates human drama

news-press.com

ENRIQUE VARGAS

Enrique Vargas works at an auto dealership in Fort Myers hit hard by the recession.

His income suffered, and he has been trying since December to save his Cape Coral home from foreclosure.

Now it appears that he will avoid foreclosure but lose his home through a short sale. The lender will write off about \$145,000 of the original \$245,000 mortgage.

In the meantime Vargas, married with a daughter in her first year of college, has wasted thousands trying to stay in his dream home.

"It's been like talking to deaf ears," he said. "I don't think they are sincere, that there's an honest interest from banks, or probably from the government, too."

His conclusion is that it would have been better to admit the difficulties earlier, and to dispose of the house instead of unrealistically trying to hang on to it.

"Do not think about a short sale twice. Do it. Do not try to negotiate anything, because there is no interest ... to really keep people in their homes."

"If I could do all this again six months ago I would have put this house up for short sale and saved me some money."

The native of Puerto Rico is bitter over a process that seems to have punished him for having the traditional values Americans are supposed to respect.

"Here you have somebody trying to do the right thing, and I am getting screwed."

LINDA TRIVISONNO

Linda Trivisonno had persistence and a mortgage analyst's help, and her story looks like it will have a happy ending.

When her husband died last year, she realized she was not going to be able to maintain the \$1,300 monthly payments on her Fort Myers home. "There was no way," she says.

She began a frustrating quest for somebody at her bank who would talk about modifying the loan.

Even after finally being steered to a woman who seemed ready to help, she never heard back.

"I called dozens and dozens of times."

Finally, faced with imminent foreclosure, Trivisonno was able to get the lender to consider a modification proposal worked up for her by Lane Houk, a Fort Myers mortgage analyst.

The employee at Cypress Cove retirement center at HealthPark advised the bank that she would hire an attorney to contest foreclosure (at a cost of \$3,000 — “all I had”), but urged them “to take pity on me.”

“You have to have hope and you have to fight for what you want,” she says.

Now it appears her payments will be reduced to about \$600 a month, which she can handle.

She believes professional help is essential in dealing with lenders in a foreclosure situation.

“Absolutely. You can’t deal with it. Whoever you get to help you, they know the ins and outs, and what you can and can’t do.”

DEANA MAREK

Deana Marek can’t make her house payments, and may well lose her home in Lehigh Acres.

That hurts, but she seems equally distressed by the idea that important people like mortgage lenders could let people down so badly.

She says she and her husband, John, were adamant with their lender: They wanted a fixed-rate mortgage, which is what the document said. No adjustable rates ballooning up on them in the future.

When they asked about that ARM (adjustable rate mortgage) mentioned in the fine print, they say they were assured that it was a contingency matter that would not affect them.

“We trusted, and we didn’t know better.”

In fact, they had bought an adjustable rate mortgage that the couple could not handle when the payments shot up to \$2,400 a month.

The lender is trying to foreclose. The couple is consulting attorneys, and still trying to work things out, but hope is fading.

Marek feels cheated, and has a hard time understanding how “someone can be given the gift of power, and do something like that, not only to people like me, but to the whole country.”

Faith and family sustain the couple. “As long as one of us has a roof, we all do,” says Deana. “It didn’t kill us and we will start over, but it has shaken our faith to the core.

“If we had it to do over again, we would learn more about truth in lending.”
