



## **MORTGAGE MODIFICATION MEDIATION PROGRAM**

### **January 1, 2015 - March 31, 2016**

This report provides an overview of the United States Bankruptcy Court, District of Nevada's Mortgage Modification Mediation (MMM) Program that was implemented pursuant to an administrative order on January 1, 2015. The program incorporated into the U.S. Bankruptcy Court Local Rules effective January 1, 2016 and expanded to include all chapter 13 cases filed in Nevada. For the first year of the program, chapter 13 cases filed in the unofficial southern division were authorized to participate.

The program was designed to function as a forum for individual chapter 13 bankrupt debtor(s) to explore mortgage modification options with their lenders for real property in which the debtor(s) have an interest or are obligated on the promissory note or mortgage. The goal of the MMM program is to facilitate communication and exchange of information in a confidential setting and encourage the parties to finalize a feasible and beneficial agreement under the supervision of the United States Bankruptcy Court for the District of Nevada.

Individuals who have filed for bankruptcy protection and currently have a case pending under chapter 13 are eligible to participate in the MMM program with respect to real property. The mediation program allows the debtor(s) or debtor(s) attorney to file a motion and proposed order of referral to mediation. The lender, the lenders attorney, and any co-borrower or the third-party obligator are required to participate in the mediation process once an order is signed referring the debtor(s) to the program. To expedite the exchange of relevant information between the debtor and lender, the MMM Program mandates the use of a secure online portal and an online document preparation program that facilitates the preparation of the debtor's loan modification package. Default Mitigation Management, LLC, developed the document preparation software and is the approved vendor for the mediation program. The court may approve the use of other vendors in the future.

All written communication between the parties regarding the mediation is sent exclusively through the MMM Portal, unless otherwise ordered. The Chapter 13 trustees have access to the portal but cannot read the contents of documents, correspondence or other confidential information. The United States Bankruptcy Court, District of Nevada's website has training materials, forms, mediator qualifications, links to the MMM Portal Vendor and information on the document preparation software.

#### **Chapter 13 cases with signed orders referring to the MMM Program**

<b>Settlement reached</b>	<b>Settlement not reached</b>	<b>Case converted or dismissed</b>	<b>Pending</b>	<b>Total</b>
117	48	13	127	305

**The Court has a 71% success rate in reaching a settlement in the MMM Program. It takes an average of 165 days from the time the order for referral is signed until the final report is filed by the mediator in CM/ECF.**