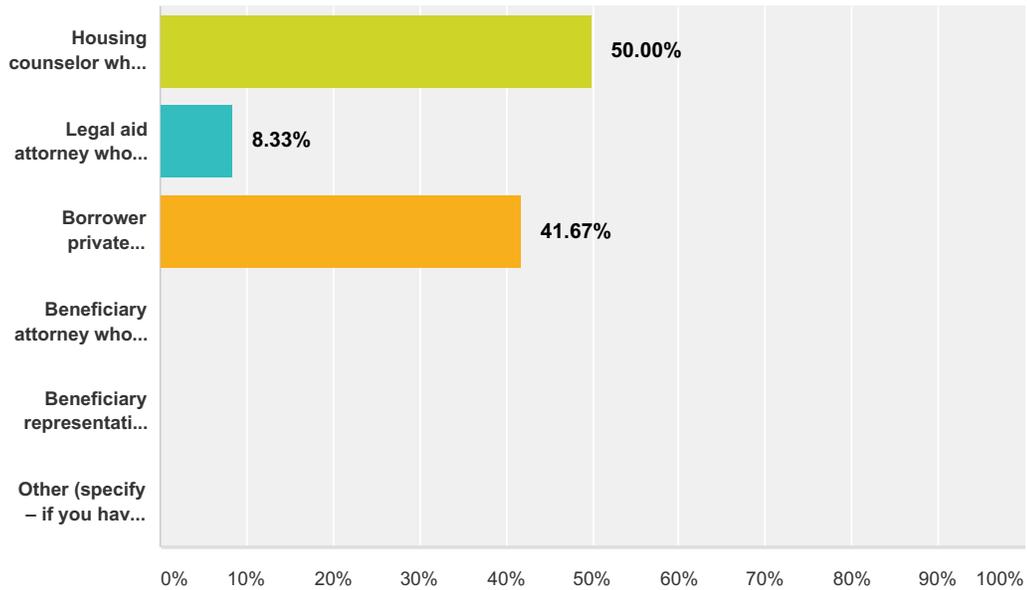


### Q1 What is your role in the FFA mediations?

Answered: 24 Skipped: 0



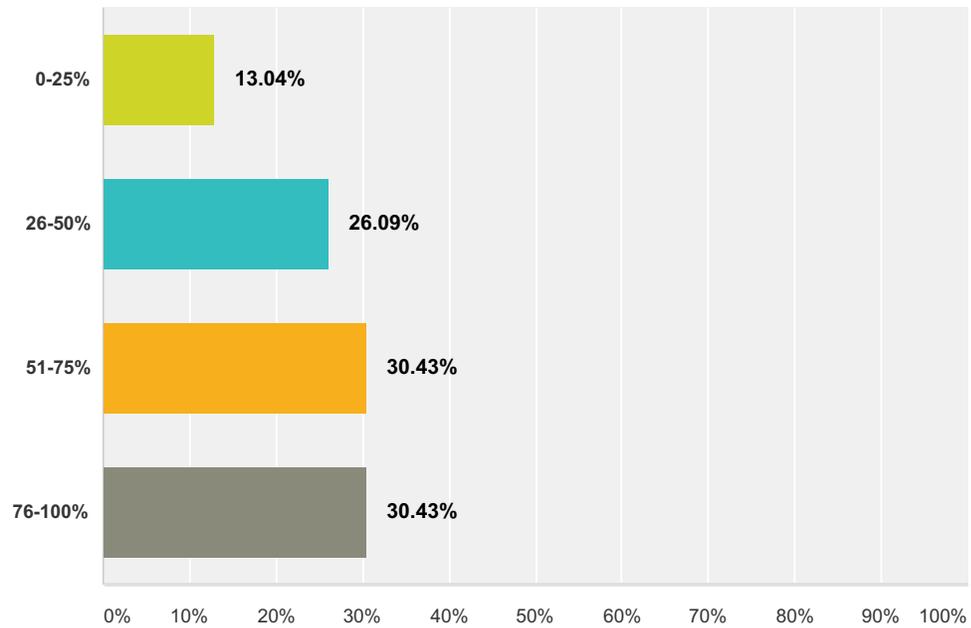
Answer Choices	Responses
Housing counselor who participated in FFA mediations (1)	50.00% 12
Legal aid attorney who participated in FFA mediations (2)	8.33% 2
Borrower private attorneys who participated in FFA mediations (3)	41.67% 10
Beneficiary attorney who participated in FFA mediations (4)	0.00% 0
Beneficiary representative who participated in FFA mediations (typically on the phone during the session) (5)	0.00% 0
Other (specify – if you have NOT participated in FFA mediations representing either the borrower or the beneficiary, please do not complete this survey) (6)	0.00% 0
<b>Total</b>	<b>24</b>

Basic Statistics				
Minimum	Maximum	Median	Mean	Standard Deviation
1.00	3.00	1.50	1.92	0.95

#	Other (specify – if you have NOT participated in FFA mediations representing either the borrower or the beneficiary, please do not complete this survey)	Date
	There are no responses.	

### Q2 How often did the mediations you participated in end with an agreement being reached (before, during, or after session)?

Answered: 23 Skipped: 1

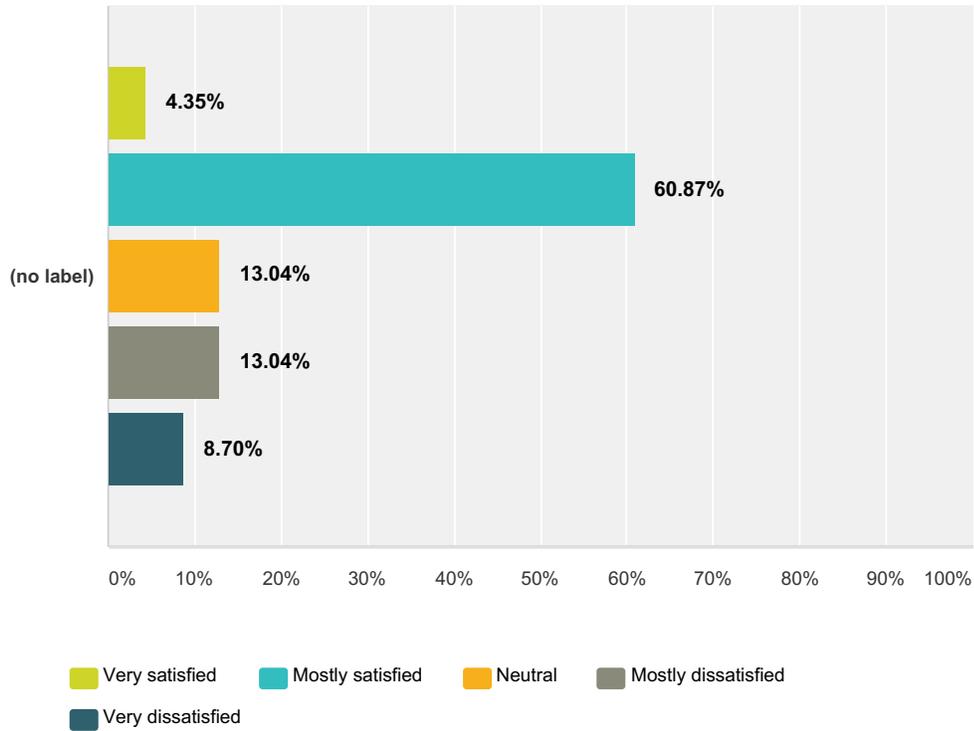


Answer Choices	Responses
0-25% (1)	13.04% 3
26-50% (2)	26.09% 6
51-75% (3)	30.43% 7
76-100% (4)	30.43% 7
<b>Total</b>	<b>23</b>

Basic Statistics				
Minimum	Maximum	Median	Mean	Standard Deviation
1.00	4.00	3.00	2.78	1.02

### Q3 How satisfied are you with the overall foreclosure mediation program?

Answered: 23 Skipped: 1



	Very satisfied (1)	Mostly satisfied (2)	Neutral (3)	Mostly dissatisfied (4)	Very dissatisfied (5)	Total	Weighted Average
(no label)	4.35% 1	60.87% 14	13.04% 3	13.04% 3	8.70% 2	23	2.61

Basic Statistics					
Minimum	Maximum	Median	Mean	Standard Deviation	
1.00	5.00	2.00	2.61	1.05	

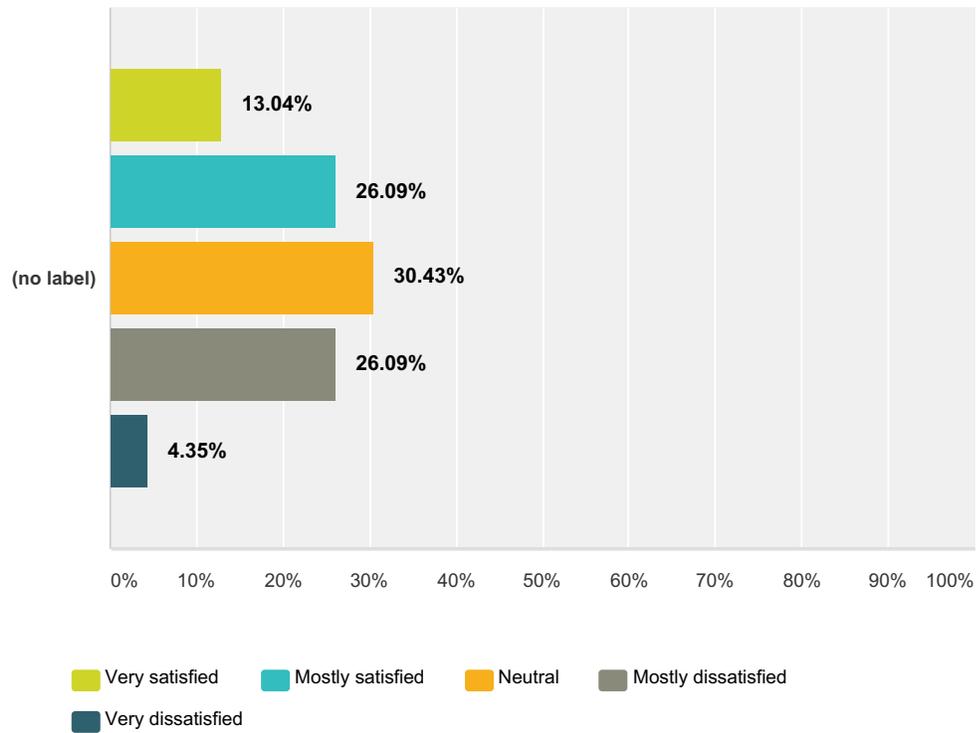
#	Comments	Date
1	I have been really impressed with the DRC, and some great attorneys acting as mediators and some attorneys that I wish were not mediators.	10/5/2015 10:18 AM
2	Some mediations go very smoothly however the majority of them get drug on too long. Not the mediators fault. It is due to delays in getting the beneficiary to review and decision docs.	10/1/2015 9:29 AM
3	I would be Very Satisfied if there were any enforcement provisions, other than just a finding of bad faith; or if the mediators actually held beneficiaries in bad faith when clearly they have violated the rules/laws/regulations.	9/30/2015 2:43 PM
4	Servicers/beneficiaries have too much control over the process	9/30/2015 11:49 AM
5	The beneficiaries don't take it seriously. To them, this is a process where all they have to do is show up and say in person that they will refuse to work with a borrower. It's not mediating in good faith, it's take it or leave it negotiating.	9/30/2015 10:24 AM
6	Needs to be revamped to include all beneficiary's. No exemptions.	9/29/2015 3:50 PM

## Borrower & Beneficiary Representatives Satisfaction with the FFA

7	<p>I have zero faith in this program. All it does is make money for the attorneys and a little bit of cash for these DRC's and barely-there mediators. My favorite part of every mediation is when we all pretend that the "decision making authority" is present on the phone call. Every case should be cited in bad faith because there is NEVER EVER EVER a true decision making authority on the phone. The attorneys representing the beneficiaries lie about paperwork requests. We've caught them in the act many times and have presented proof of such to the mediators but who cares because the mediators don't!!! The fee systems implemented by the DRC's are also a load of bull too.</p>	9/29/2015 3:03 PM
8	<p>WA state had the guts and forethought to put the FFA in place, much more than what most other states were open to do. It is, however, a flawed program with mediators that are unsure of their role and unwilling to close cases in "bad faith".</p>	9/29/2015 2:22 PM
9	<p>I believe the foreclosure mediators could do more and that they have more power than they seem to realize. A successful mediation often depends on the abilities of the mediator which is unfortunate. Also many of them give misinformation about the availability of bankruptcy to cure the arrearage if a mediation fails and I find that troubling. Lastly, many mediations fail due to liens on the property that again could be resolved in bankruptcy and mediators are not giving that as alternative information.</p>	9/29/2015 1:47 PM

### Q4 How satisfied are you with the mediators' overall performance?

Answered: 23 Skipped: 1



	Very satisfied (1)	Mostly satisfied (2)	Neutral (3)	Mostly dissatisfied (4)	Very dissatisfied (5)	Total	Weighted Average
(no label)	13.04% 3	26.09% 6	30.43% 7	26.09% 6	4.35% 1	23	2.83

Basic Statistics					
Minimum	Maximum	Median	Mean	Standard Deviation	
1.00	5.00	3.00	2.83	1.09	

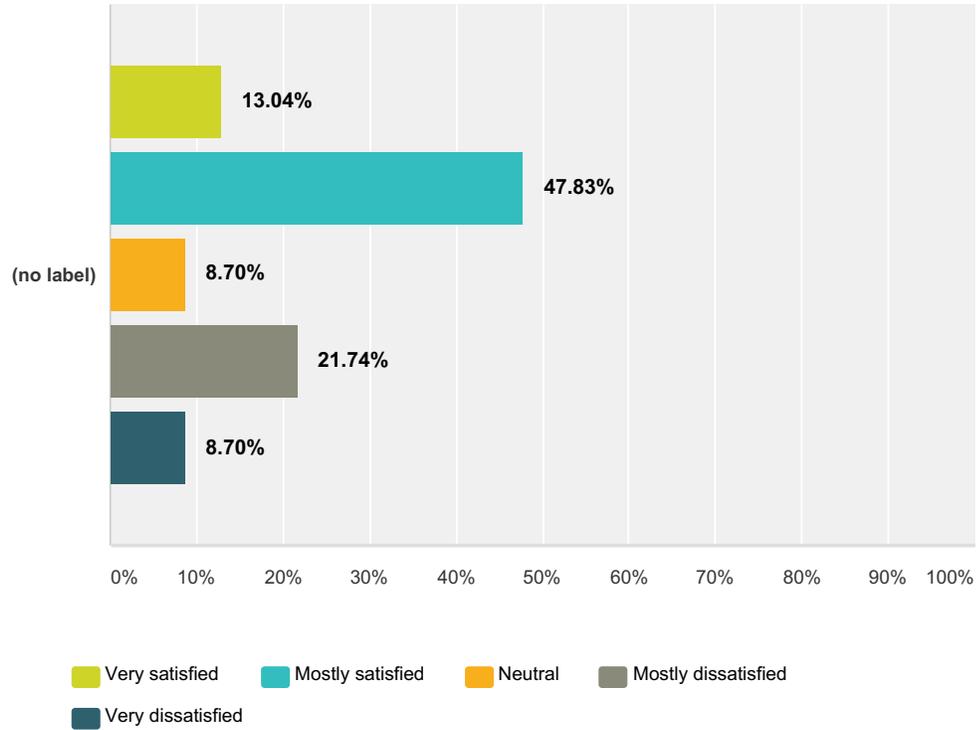
#	Comments	Date
1	There is one mediator in my area who does not do a very good job, but the rest are fine.	9/30/2015 2:43 PM
2	Mediators have no influence over the beneficiaries	9/30/2015 11:49 AM
3	the fee structure is not consistent and there is no timely communication from the mediator	9/30/2015 11:30 AM
4	Mediators are too scared to issue bad faith certifications. If a bank isn't ready after 2 scheduled sessions and my client has had to pay me for each of those, that is hardly "good faith" negotiating.	9/30/2015 10:24 AM
5	it is about 50% excellent and 50% worthless	9/30/2015 7:46 AM
6	The DRC's are not effective nor do they hold the proper level of accountability.	9/29/2015 3:50 PM
7	The most disappointing thing for me to witness is a homeowner be pushed farther and farther and farther from home retention because a mediator refuses to put the lender's feet to the fire on timelines. I also have the misfortune of dealing with mediators that refuse to certify a case in bad faith despite multiple examples of such. I have represented at least 100 cases over the past few years and HALF of them should have appropriately merited a bad faith cert by part of the lender but the mediators insist on keeping the cases open long enough to re-write their own ending.	9/29/2015 3:03 PM
8	The difference in how Mediators handle FFA mediation is a wide range.	9/29/2015 2:27 PM

## Borrower & Beneficiary Representatives Satisfaction with the FFA

9	Good mediators, poorly trained mediators, mostly buying time for our clients to save money and prepare for the inevitable.	9/29/2015 2:22 PM
10	I picked neutral because it was in the middle. Some of the mediators are GREAT! Those who take the time to require adherence to the statute and who are rational in their approach are excellent and help the process. The others, who refuse to require adherence to the statute and act like this is a family law type mediation make the mediation useless.	9/29/2015 2:04 PM
11	The mediators have no information about investor guidelines or banking regulations. I have had two mediators who didn't even know that there were different investors backing mortgages. The lender's attorneys often only know loan mod laws and even then, usually only have lender-specific information. The mediators often ask such basic questions that they detract from the session itself because they're so far behind knowledge-wise. There seems to be no training on behalf of the Department of Commerce to get the mediators up to speed on any laws.	9/29/2015 1:51 PM

### Q5 How satisfied are you with the mediators' knowledge and application of the FFA statute?

Answered: 23 Skipped: 1



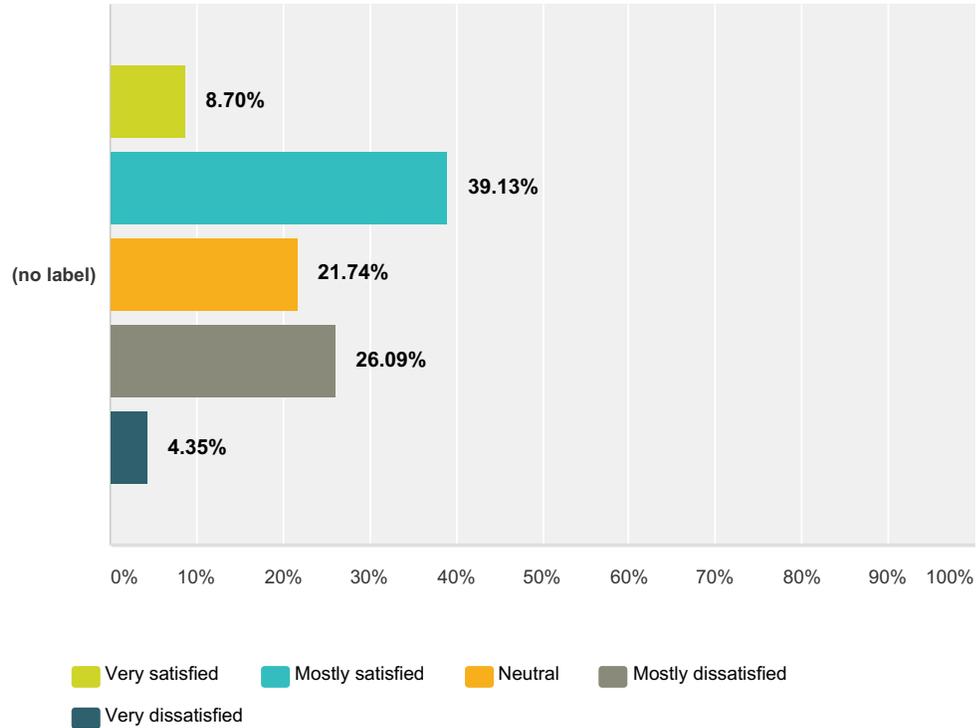
	Very satisfied (1)	Mostly satisfied (2)	Neutral (3)	Mostly dissatisfied (4)	Very dissatisfied (5)	Total	Weighted Average
(no label)	13.04%	47.83%	8.70%	21.74%	8.70%	23	2.65
	3	11	2	5	2		

Basic Statistics					
Minimum	Maximum	Median	Mean	Standard Deviation	
1.00	5.00	2.00	2.65	1.20	

#	Comments	Date
1	same as question 4 they seem to be either educated or not	9/30/2015 7:46 AM
2	Many mediators do not understand or even have a clue about the guidance's or require NPV's.	9/29/2015 3:50 PM
3	Very few mediators know the FFA and/or are willing to hold parties to it	9/29/2015 2:22 PM
4	Some mediators don't even think its their job to do an NPV.. very frustrating.	9/29/2015 1:47 PM

### Q6 How satisfied are you with the mediators' knowledge and application of Commerce's published Program Guidelines?

Answered: 23 Skipped: 1



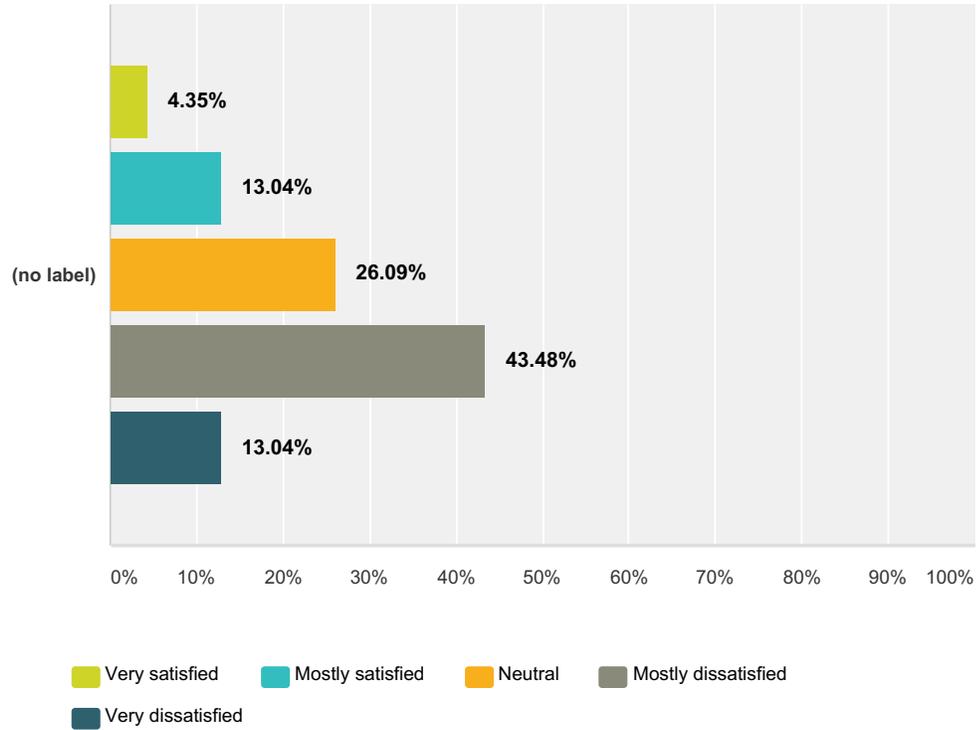
	Very satisfied (1)	Mostly satisfied (2)	Neutral (3)	Mostly dissatisfied (4)	Very dissatisfied (5)	Total	Weighted Average
(no label)	8.70% 2	39.13% 9	21.74% 5	26.09% 6	4.35% 1	23	2.78

Basic Statistics					
Minimum	Maximum	Median	Mean	Standard Deviation	
1.00	5.00	3.00	2.78	1.06	

#	Comments	Date
1	This has been the biggest aggravation in educating the mediator on changes in the guidelines.	10/5/2015 10:18 AM
2	again same answer	9/30/2015 7:46 AM
3	commerce has also been weak in enforcement and implementation- when asked for assistance, we receive "not our department" answers, just kick the problem to a different organization.	9/29/2015 2:22 PM
4	This also depends upon the mediators and the good ones get it right. The bad mediators get it wrong almost all of the time, but I am also dissatisfied with the Guidelines because they do not adhere to the requirements of the statute.	9/29/2015 2:04 PM
5	Some know and some don't. If they are not lawyers its usually worse.	9/29/2015 1:47 PM

### Q7 How satisfied are you with the mediators' knowledge of federal guidelines and regulations?

Answered: 23 Skipped: 1



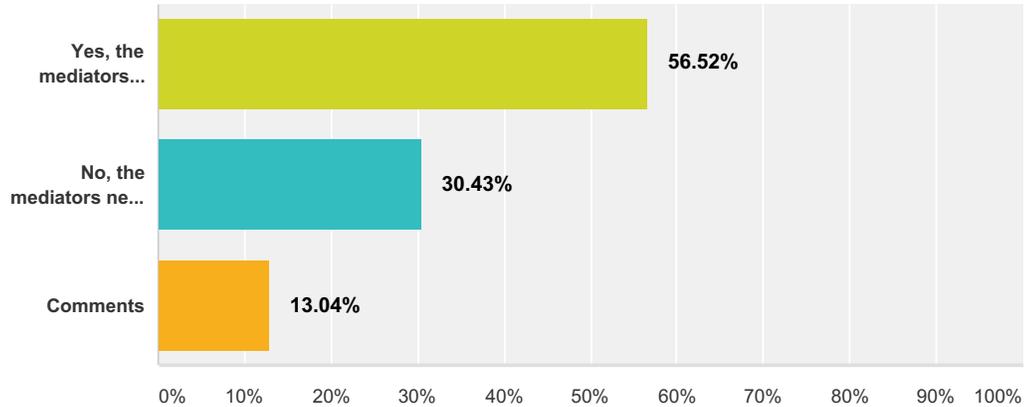
	Very satisfied (1)	Mostly satisfied (2)	Neutral (3)	Mostly dissatisfied (4)	Very dissatisfied (5)	Total	Weighted Average
(no label)	4.35%	13.04%	26.09%	43.48%	13.04%	23	3.48
	1	3	6	10	3		

Basic Statistics					
Minimum	Maximum	Median	Mean	Standard Deviation	
1.00	5.00	4.00	3.48	1.02	

#	Comments	Date
1	This is always something that has to be brought up on borrower side.	10/5/2015 10:18 AM
2	Generally speaking they are unaware of the requirements of 12 CFR 1024.41	9/30/2015 2:43 PM
3	Not impressed with mediators- except for perhaps ONE mediator in particular.	9/29/2015 2:22 PM
4	Again, the bad mediators are overall a very big problem because they don't know the statutes and don't care about them either.	9/29/2015 2:04 PM
5	I have stepped in to multiple mediations that were previously run by HUD counselors where no party ever even asked who the investor on the loan was. They were blind mediating without knowing the guidelines. The mediators never asked.	9/29/2015 1:51 PM
6	I rarely even see them turn to the guidelines since most of them think its the lender's prerogative whether to give the mediation or not and some think its a waste to issue a bad faith ruling. I find this baffling.	9/29/2015 1:47 PM

### Q8 Do you believe the mediators need to know the federal guidelines and regulations?

Answered: 23 Skipped: 1



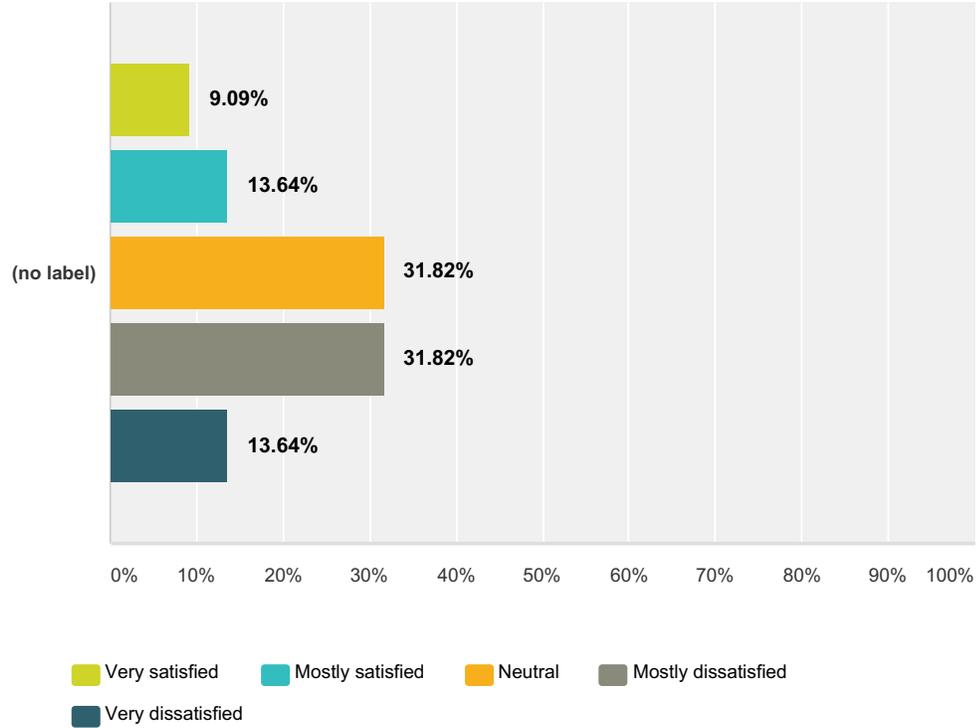
Answer Choices	Responses
Yes, the mediators should know all of the current federal guidelines (1)	56.52% 13
No, the mediators need to know how to access the current federal guidelines (for example, if a dispute arises) but they don't need to know each guideline (2)	30.43% 7
Comments (3)	13.04% 3
<b>Total</b>	<b>23</b>

Basic Statistics				
Minimum	Maximum	Median	Mean	Standard Deviation
1.00	3.00	1.00	1.57	0.71

#	Comments	Date
1	the housing counselors know so much more than the mediators that I am not sure what their role is	9/30/2015 11:30 AM
2	Mediators need to know, mediators need to understand that this is not a divorce, it is a situation where one side has not made good on their word.	9/29/2015 2:22 PM
3	Without knowing the law, they are just sitting there. They can't help the conversation.	9/29/2015 1:51 PM

### Q9 How satisfied are you with the mediators' knowledge of the NPV inputs and test?

Answered: 22 Skipped: 2



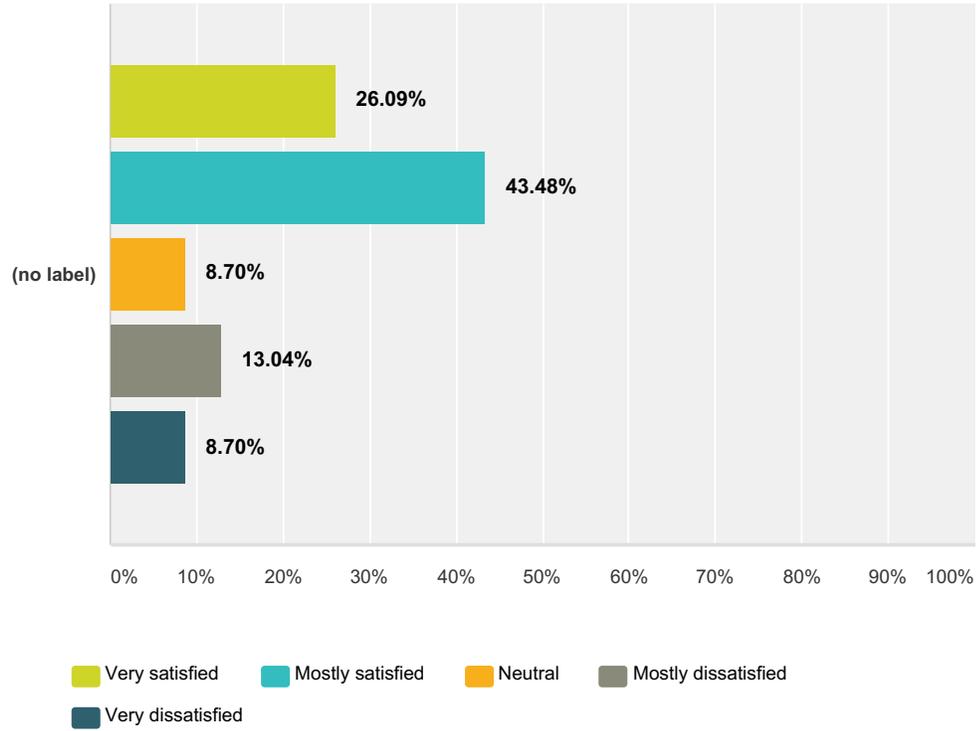
	Very satisfied (1)	Mostly satisfied (2)	Neutral (3)	Mostly dissatisfied (4)	Very dissatisfied (5)	Total	Weighted Average
(no label)	9.09%	13.64%	31.82%	31.82%	13.64%	22	3.27
	2	3	7	7	3		

Basic Statistics					
Minimum	Maximum	Median	Mean	Standard Deviation	
1.00	5.00	3.00	3.27	1.14	

#	Comments	Date
1	It has been my experience that the NPV is hardly discussed during the mediation process.	10/1/2015 9:29 AM
2	mediators are unwilling to challenge inputs.	9/30/2015 2:43 PM
3	Mediators don't seem to care that half of the NPV inputs are "???" or missing inputs. I have yet to have a mediator who can understand what the NPV says, so the bank is free to make up whatever it wants to in order to justify its decision to foreclose and not work with the borrower.	9/30/2015 10:24 AM
4	in my experience the NPV is rarely a deciding factor so it is not as important as knowing the FFA and Federal guidelines	9/30/2015 7:46 AM
5	NPV is normally a non-starter, used to be a determining factor, not anymore. Mediator must	9/29/2015 2:22 PM
6	I think they should have neutral information about the NPV inputs and/or demand to know why a lender chooses the NPV inputs that deviate from that. Much of the NPV is arbitrary and the mediations should be about documenting why choices are made for those inputs - especially when they hurt the borrowers.	9/29/2015 1:47 PM

**Q10 How satisfied are you with the timelines of the mediations you participated in (from referral, to mediator assignment, to document exchange, to session(s), to certification)?**

Answered: 23 Skipped: 1



	Very satisfied (1)	Mostly satisfied (2)	Neutral (3)	Mostly dissatisfied (4)	Very dissatisfied (5)	Total	Weighted Average
(no label)	26.09% 6	43.48% 10	8.70% 2	13.04% 3	8.70% 2	23	2.35

Basic Statistics					
<b>Minimum</b> 1.00	<b>Maximum</b> 5.00	<b>Median</b> 2.00	<b>Mean</b> 2.35	<b>Standard Deviation</b> 1.24	

#	Comments	Date
1	The seventy day window seems a little tight for most full packets and full review.	10/5/2015 10:18 AM
2	The problem with the timelines is adherence. Borrowers have a difficult time meeting the demands of documents required. Beneficiaries take a long time to review docs and often they require extra documents and by time they are received and processed it is discovered that initial forms expire and the process has to start over.	10/1/2015 9:29 AM
3	With the exception of one mediator.	9/30/2015 2:43 PM
4	Mediators let the process drag on for years, ensuring the client will lose the home in the long run.	9/29/2015 2:22 PM

## Borrower & Beneficiary Representatives Satisfaction with the FFA

5	<p>Continuances are necessary most of the time so as not to avoid a session that is largely useless. While I want beneficiaries to be more timely in their evaluations, the mediators won't do anything about the delays most of the time so I agree to continuances because I want my clients to be properly reviewed. I think Commerce's pressure on mediators to get the sessions done is improper and causes unnecessary problems. Let the mediators and the parties work it out and decide what needs to be done without Commerce applying pressure. Strict adherences to timelines for no reason other than adhering helps no one.</p>	9/29/2015 2:04 PM
6	<p>Getting mediators assigned and mediations scheduled goes well each time.</p>	9/29/2015 1:51 PM

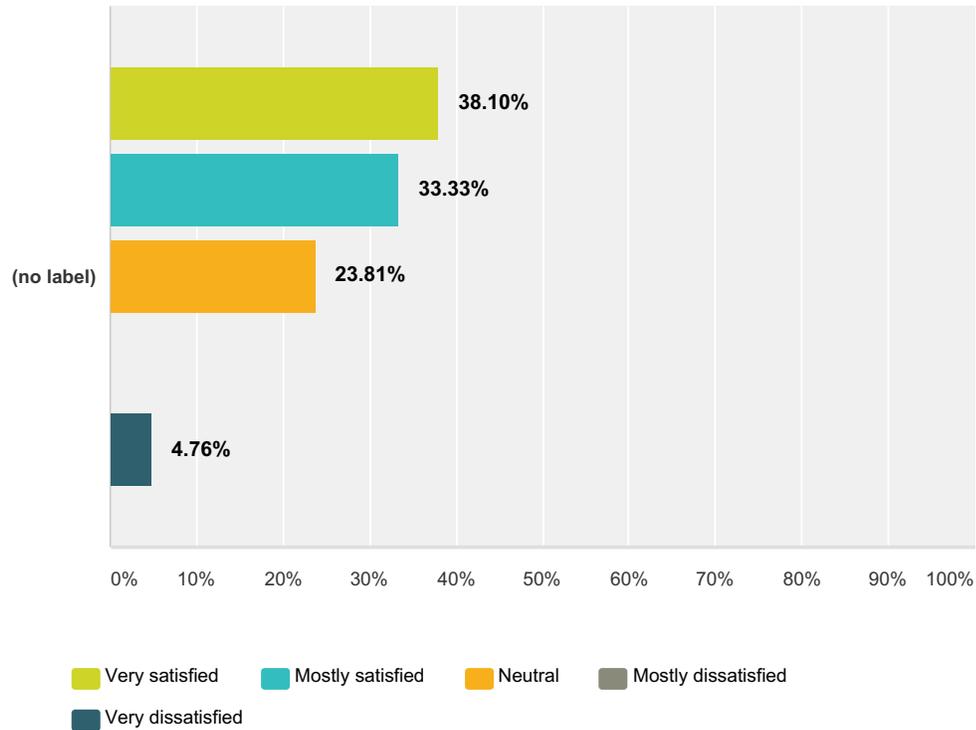
**Q11 If you are not satisfied with the timelines of your current/past mediations, please provide suggestions for improvement.**

Answered: 5 Skipped: 19

#	Responses	Date
1	I would suggest beneficiary disclosure of when it has a full packet and that if it is missing anything that it be required to notify mediator and counsel at least 45 days before mediation.	10/5/2015 10:18 AM
2	Sometimes I want to delay the mediation as long as possible but at other times we want the 70 day rule to be enforced.	9/30/2015 2:43 PM
3	adhere to FFA guidelines would be a good start	9/30/2015 11:30 AM
4	timelines, when not met- close case "in bad faith"	9/29/2015 2:22 PM
5	1. Emphasize in mediator training that the requirements of the statute regarding proof of ownership matters. Saying "that sounds like a litigation matters" is completely inappropriate. 2. Commerce needs to promulgate rules that actually adhere to the statutory requirements. 3. Commerce needs to stop pressuring mediators to close out sessions. It's an unnecessary and intrusive involvement that just causes problems.	9/29/2015 2:04 PM

### Q12 How satisfied are you with the clarity, completeness, and timeliness of the scheduling notices you receive from the mediators?

Answered: 21 Skipped: 3



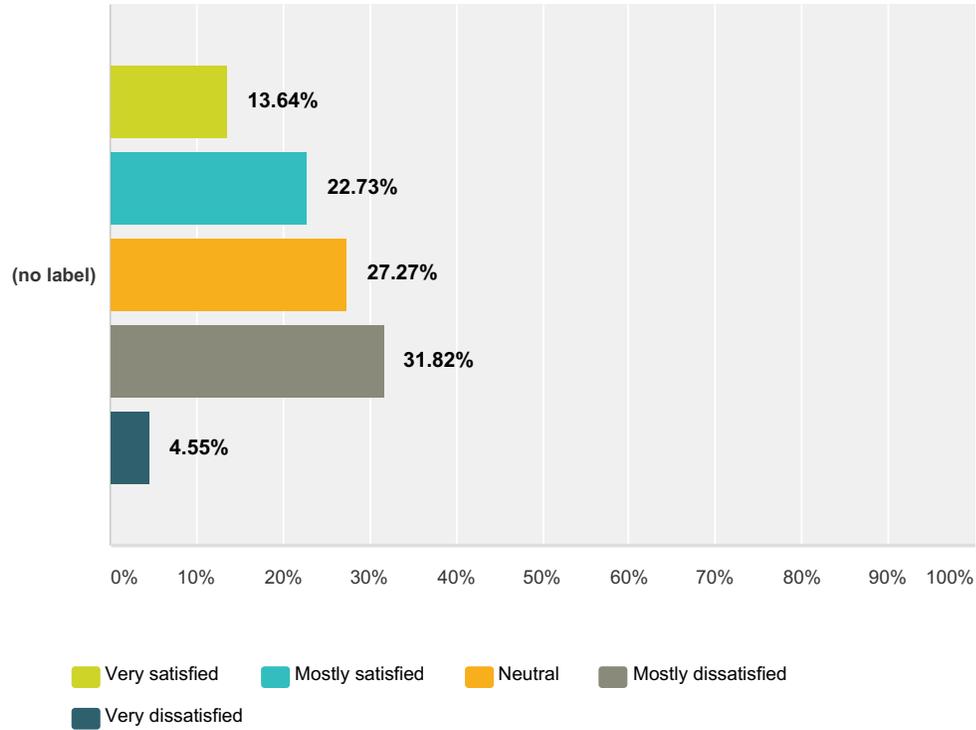
	Very satisfied (1)	Mostly satisfied (2)	Neutral (3)	Mostly dissatisfied (4)	Very dissatisfied (5)	Total	Weighted Average
(no label)	38.10% 8	33.33% 7	23.81% 5	0.00% 0	4.76% 1	21	2.00

Basic Statistics					
Minimum	Maximum	Median	Mean	Standard Deviation	
1.00	5.00	2.00	2.00	1.02	

#	Comments	Date
1	from the DRC's they are fine, independent mediators generally don't seem to have a professional or formal format for scheduling notices or invoices	9/30/2015 7:59 AM
2	This too varies, depending on Mediator!	9/29/2015 2:30 PM
3	receive very little from mediators directly.	9/29/2015 2:27 PM

### Q13 How satisfied are you with the mediators' re-scheduling fees and practices?

Answered: 22 Skipped: 2



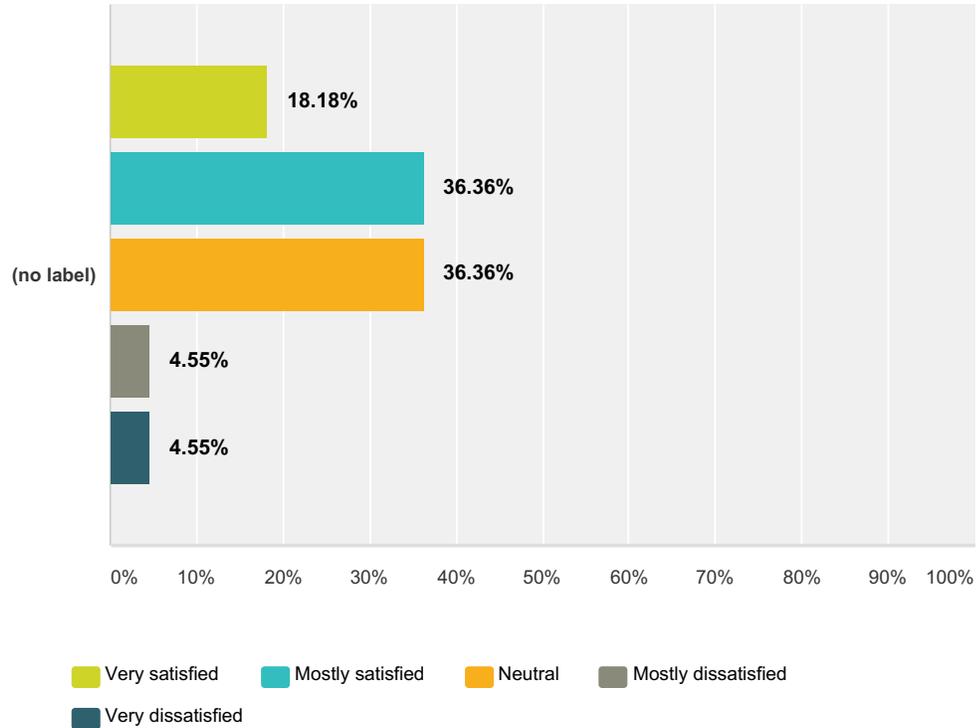
	Very satisfied (1)	Mostly satisfied (2)	Neutral (3)	Mostly dissatisfied (4)	Very dissatisfied (5)	Total	Weighted Average
(no label)	13.64%	22.73%	27.27%	31.82%	4.55%	22	2.91
	3	5	6	7	1		

Basic Statistics					
Minimum	Maximum	Median	Mean	Standard Deviation	
1.00	5.00	3.00	2.91	1.12	

#	Comments	Date
1	The should be universal among ALL mediators. They each have their own fee's and rules for when to charge a full new amount vs. a rescheduling amount.	10/1/2015 10:57 AM
2	It is not consistent from one mediator to the next. I find it offensive when there is a 20 minute session at which the beneficiary asks for an update and before a second session will be scheduled the mediator demands another \$400. To me it seems the first \$400 ought to get the client at least 2 or 3 hours of mediation time even if that occurs over more than one session.	9/30/2015 2:49 PM
3	not consistent	9/30/2015 11:31 AM
4	Most stick with Commerce's fee schedule, but others are higher or lower.	9/29/2015 2:30 PM
5	Their fee structure is idiotic- not mediators- mediation organizations.	9/29/2015 2:27 PM

### Q14 How satisfied are you with the mediators' decisions whether to allow session re-scheduling?

Answered: 22 Skipped: 2



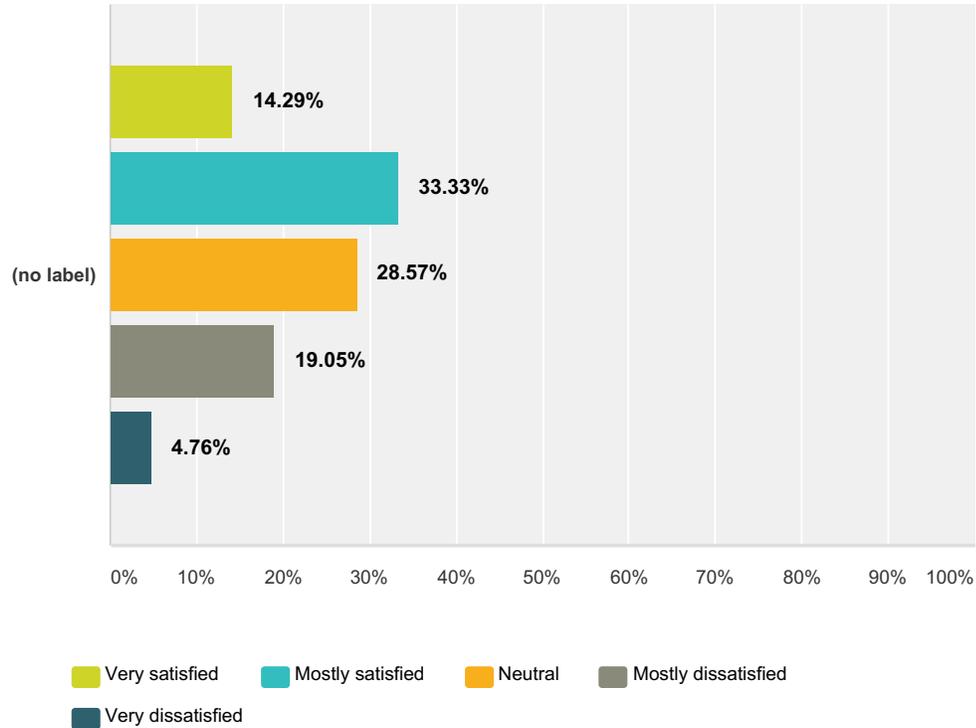
	Very satisfied (1)	Mostly satisfied (2)	Neutral (3)	Mostly dissatisfied (4)	Very dissatisfied (5)	Total	Weighted Average
(no label)	18.18% 4	36.36% 8	36.36% 8	4.55% 1	4.55% 1	22	2.41

Basic Statistics					
Minimum	Maximum	Median	Mean	Standard Deviation	
1.00	5.00	2.00	2.41	0.98	

#	Comments	Date
1	Mediators will almost always reschedule the first session. They should have the discretion to reschedule a second session even if all parties do not agree.	9/30/2015 2:49 PM
2	not consistent	9/30/2015 11:31 AM
3	I just wish the mediators would exercise their discretion more to schedule another session rather than just blindly follow what the bank wants to do.	9/30/2015 10:26 AM
4	ok	9/29/2015 2:27 PM
5	Once pressured, even the most difficult mediators will agree to continue, but when the parties agree it needs to be done, it is inexcusable for the mediator to be the cause of the problem.	9/29/2015 2:06 PM

### Q15 How satisfied are you with the mediators' participation in the document exchange process?

Answered: 21 Skipped: 3



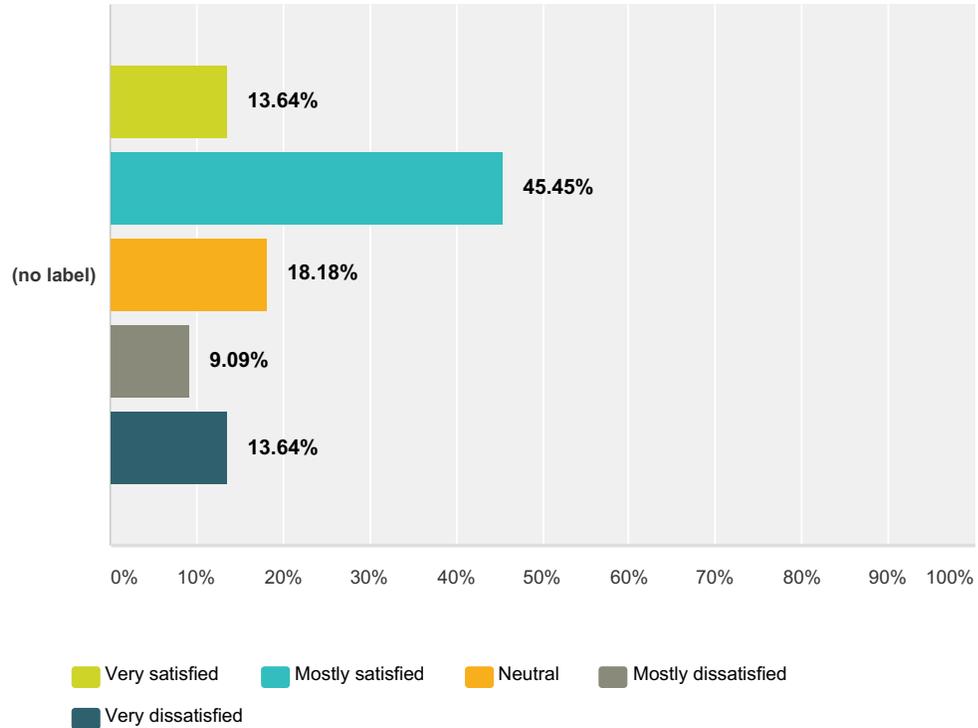
	Very satisfied (1)	Mostly satisfied (2)	Neutral (3)	Mostly dissatisfied (4)	Very dissatisfied (5)	Total	Weighted Average
(no label)	14.29%	33.33%	28.57%	19.05%	4.76%	21	2.67
	3	7	6	4	1		

Basic Statistics					
Minimum	Maximum	Median	Mean	Standard Deviation	
1.00	5.00	3.00	2.67	1.08	

#	Comments	Date
1	Some mediators are very involved and proactive in assuring that flow keeps going. There are others who don't respond except to schedule the session. There should be more communication.	10/1/2015 10:57 AM
2	Mediators aren't actively participating in document exchange or requirement of documents. They seem to just follow the beneficiaries lead. It would be good to have the mediator placing more emphasis to borrowers to support the housing counselors efforts to get docs from the borrowers.	10/1/2015 9:32 AM
3	The lenders just don't act in good faith in exchanging the documents. The mediators don't get involved in this much.	9/30/2015 9:43 AM
4	nonexistent- mediation organizations get involved when it is time to pay them-	9/29/2015 2:27 PM

### Q16 How satisfied are you with the mediators' flexibility in holding both parties equally accountable to the FFA timeline?

Answered: 22 Skipped: 2



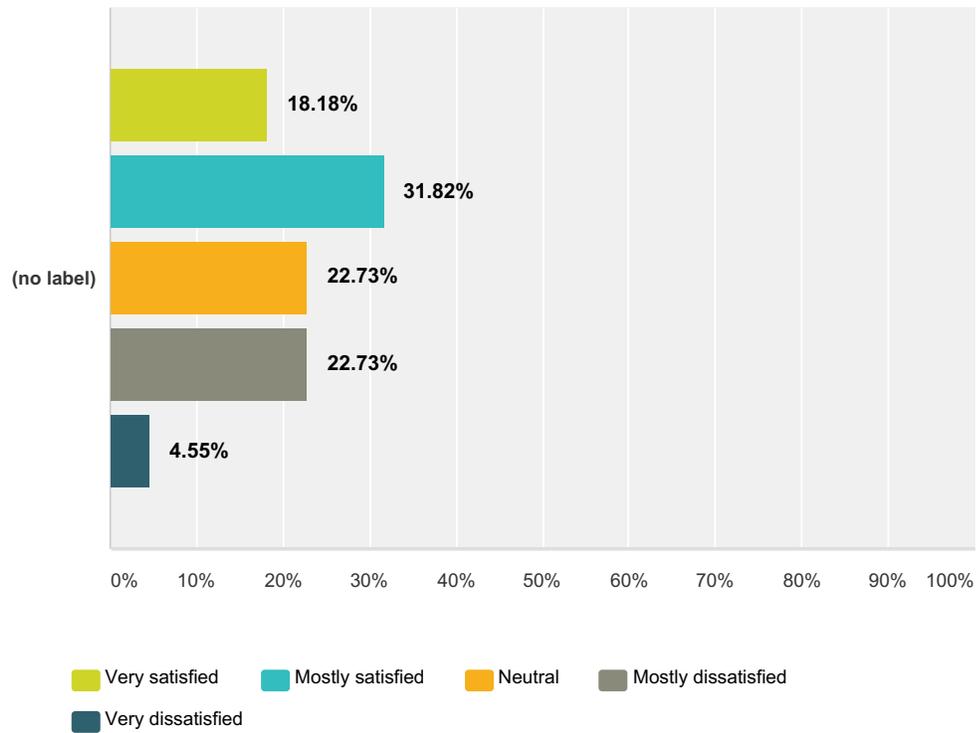
	Very satisfied (1)	Mostly satisfied (2)	Neutral (3)	Mostly dissatisfied (4)	Very dissatisfied (5)	Total	Weighted Average
(no label)	13.64%	45.45%	18.18%	9.09%	13.64%	22	2.64
	3	10	4	2	3		

Basic Statistics					
Minimum	Maximum	Median	Mean	Standard Deviation	
1.00	5.00	2.00	2.64	1.23	

#	Comments	Date
1	Timelines are not generally met due to the beneficiaries not reviewing documents in a timely manner.	10/1/2015 9:32 AM
2	enough said	9/29/2015 2:27 PM

### Q17 How satisfied are you with the way the mediators conduct the actual sessions?

Answered: 22 Skipped: 2



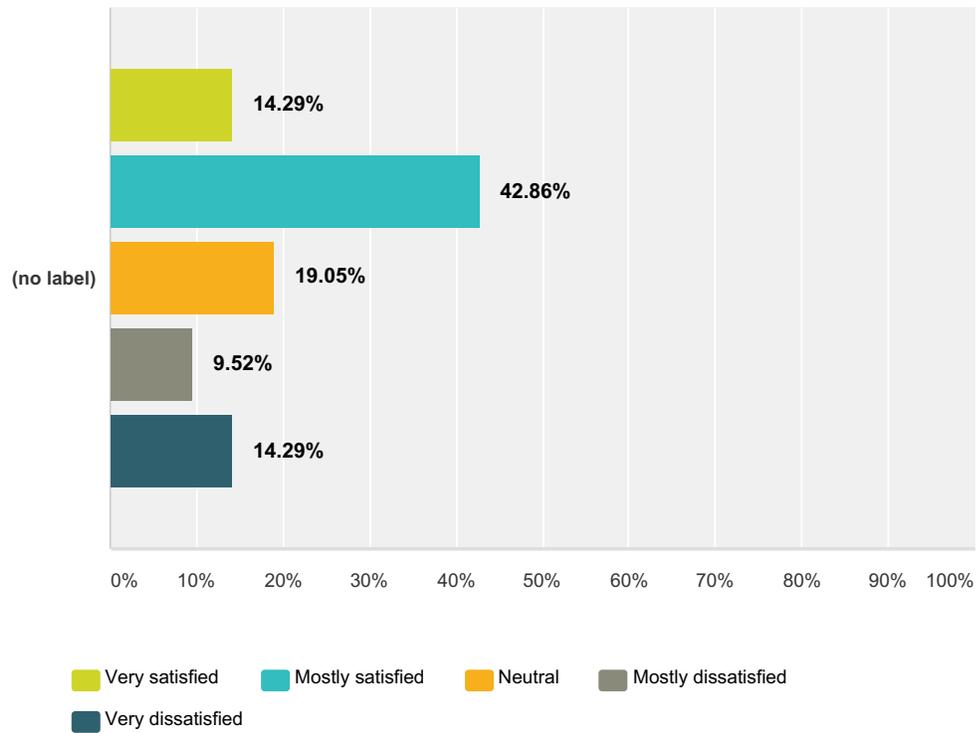
	Very satisfied (1)	Mostly satisfied (2)	Neutral (3)	Mostly dissatisfied (4)	Very dissatisfied (5)	Total	Weighted Average
(no label)	18.18% 4	31.82% 7	22.73% 5	22.73% 5	4.55% 1	22	2.64

Basic Statistics						
Minimum	Maximum	Median	Mean	Standard Deviation		
1.00	5.00	2.50	2.64	1.15		

#	Comments	Date
1	Most of the time they do nothing but sit and listen. I would appreciate it if they could be more aggressive.	9/30/2015 2:49 PM
2	Again, beneficiaries have too much control	9/30/2015 11:51 AM
3	This varies greatly between mediators. Some participate with little input and others direct the sessions well.	9/29/2015 2:30 PM
4	ditto	9/29/2015 2:27 PM
5	The good mediators are great but the bad ones are just awful and can be rude and condescending to participants.	9/29/2015 2:06 PM
6	They conduct the sessions fine in that they provide a space and refreshments for the parties, but they don't contribute meaningfully in any way. Opposing counsels and I often have conversations after about how much time was wasted listening to the mediator say things that don't matter at the beginning. The parties don't need 15+ minutes of conduct expectations and asking if everyone has water. We need trained mediators who know the law or at least the very basics.	9/29/2015 1:54 PM

### Q18 How satisfied are you with the way mediators certify their cases?

Answered: 21 Skipped: 3



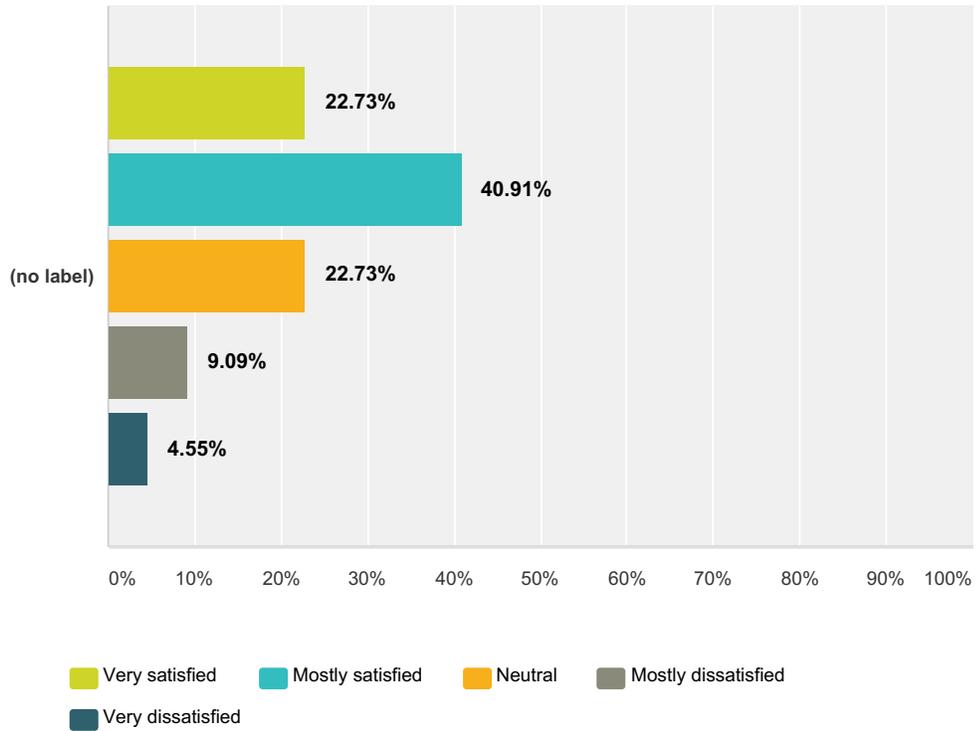
	Very satisfied (1)	Mostly satisfied (2)	Neutral (3)	Mostly dissatisfied (4)	Very dissatisfied (5)	Total	Weighted Average
(no label)	14.29% 3	42.86% 9	19.05% 4	9.52% 2	14.29% 3	21	2.67

Basic Statistics					
Minimum	Maximum	Median	Mean	Standard Deviation	
1.00	5.00	2.00	2.67	1.25	

#	Comments	Date
1	Sometimes it takes 2 or 3 months but most of the time I am happy for the delay.	9/30/2015 2:49 PM
2	not timely	9/30/2015 11:31 AM
3	Mediators seem to be terrified to certify in bad faith. If a bank is telling a homeowner that they are going to get foreclosed on and they refuse to review them for any possible alternative, that's bad faith. It's one thing if the foreclosure alternatives are exhausted, but too often beneficiaries will just claim there's nothing they can do without ever explaining what they actually did.	9/30/2015 10:26 AM
4	more of the same	9/29/2015 2:27 PM

### Q19 How satisfied are you with the mediators' impartiality?

Answered: 22 Skipped: 2



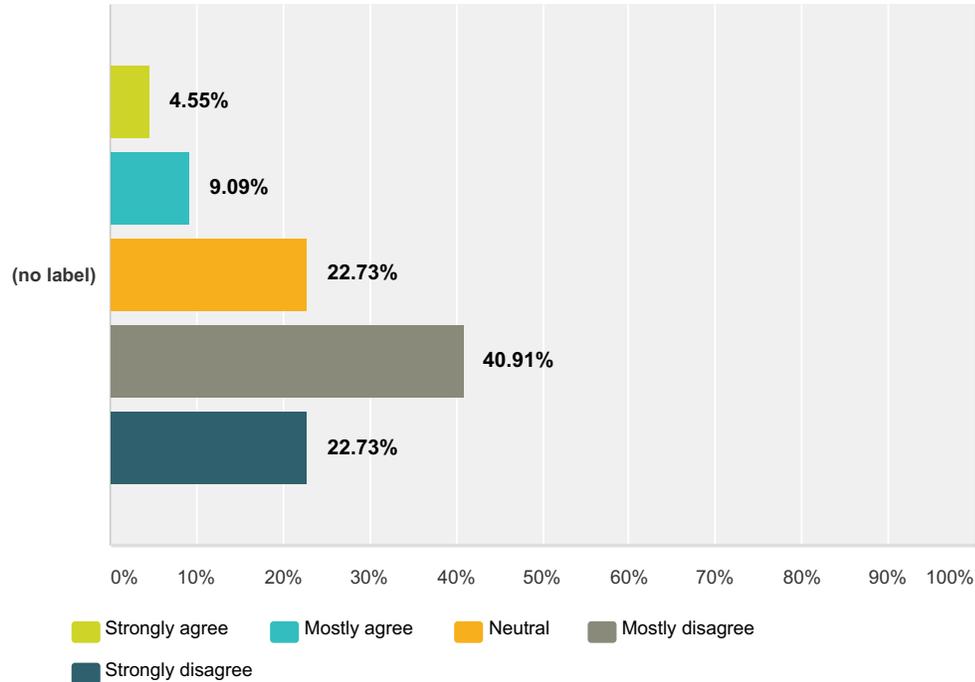
	Very satisfied (1)	Mostly satisfied (2)	Neutral (3)	Mostly dissatisfied (4)	Very dissatisfied (5)	Total	Weighted Average
(no label)	22.73% 5	40.91% 9	22.73% 5	9.09% 2	4.55% 1	22	2.32

Basic Statistics					
Minimum	Maximum	Median	Mean	Standard Deviation	
1.00	5.00	2.00	2.32	1.06	

#	Comments	Date
1	They are not impartial. They favor the home owner, but I am OK with that.	9/30/2015 2:49 PM
2	That is part of the problem- why does mediation exist? Because one side was not doing their part, fulfilling what they were asked to do through the federal government and the HAMP/other programs.	9/29/2015 2:27 PM

## Q20 Mediators should relax document and other deadlines and let the process go at its natural pace.

Answered: 22 Skipped: 2



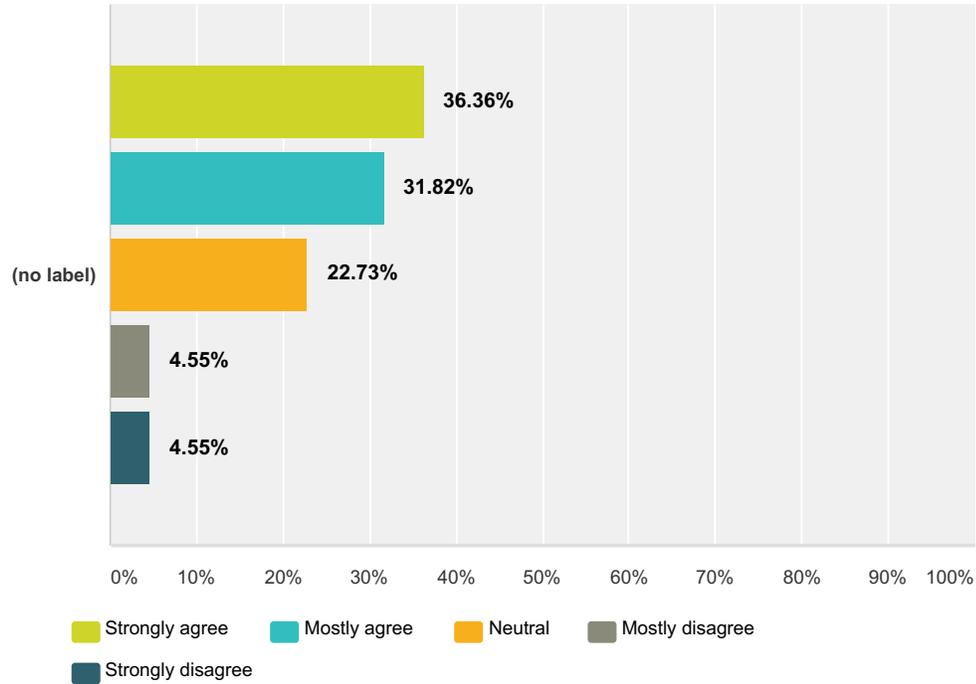
	Strongly agree (1)	Mostly agree (2)	Neutral (3)	Mostly disagree (4)	Strongly disagree (5)	Total	Weighted Average
(no label)	4.55% 1	9.09% 2	22.73% 5	40.91% 9	22.73% 5	22	3.68

Basic Statistics					
Minimum	Maximum	Median	Mean	Standard Deviation	
1.00	5.00	4.00	3.68	1.06	

#	Comments	Date
1	I think this is a hard part for the borrower side. Even though I set deadlines with my clients, they sometimes do not get busy unless there is a threat of losing the mediation. I think the mediators handle this really well and it backs up what borrower counsel are urging their clients to do. If you relax this, then it will become unmanageable.	10/5/2015 10:26 AM
2	Relaxing deadlines hurts the homeowner's chances at home retention.	10/2/2015 1:58 PM
3	Mediator need to strictly enforce the rules for document exchanges.	9/30/2015 2:59 PM
4	Only if there are legitimate extenuating circumstances!	9/29/2015 2:36 PM
5	So long as the actions of the parties are reasonable in light of the particular circumstances and the parties agree to relaxed deadlines, it serves no purpose to have the mediators be the cause of problems.	9/29/2015 2:14 PM
6	I think the mediators do a good job of being sensitive to borrower's needs.	9/29/2015 1:58 PM

**Q21 Mediators should contact both parties prior to session to ensure that they are ready for a productive session.**

Answered: 22 Skipped: 2



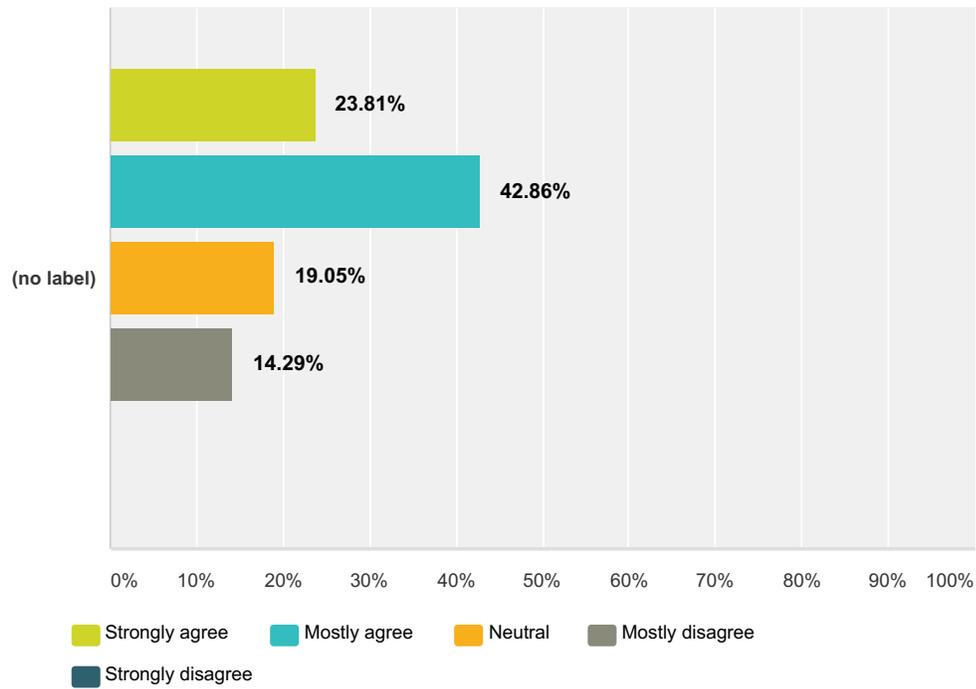
	Strongly agree (1)	Mostly agree (2)	Neutral (3)	Mostly disagree (4)	Strongly disagree (5)	Total	Weighted Average
(no label)	36.36% 8	31.82% 7	22.73% 5	4.55% 1	4.55% 1	22	2.09

Basic Statistics					
Minimum	Maximum	Median	Mean	Standard Deviation	
1.00	5.00	2.00	2.09	1.08	

#	Comments	Date
1	DRC does this already.	10/5/2015 10:26 AM
2	Some mediators send an email 1 to 2 weeks prior to the session as a "check-in."	10/1/2015 11:04 AM
3	This would avoid the 20 minute session but as a non-profit housing counseling agency I can bill for a 20 minute session the same amount as for a two hour session.	9/30/2015 2:59 PM
4	useless	9/29/2015 2:30 PM
5	However, mediators should NOT be contacting represented borrowers directly.	9/29/2015 2:14 PM

### Q22 Mediators should set and enforce deadlines for documents exchange.

Answered: 21 Skipped: 3



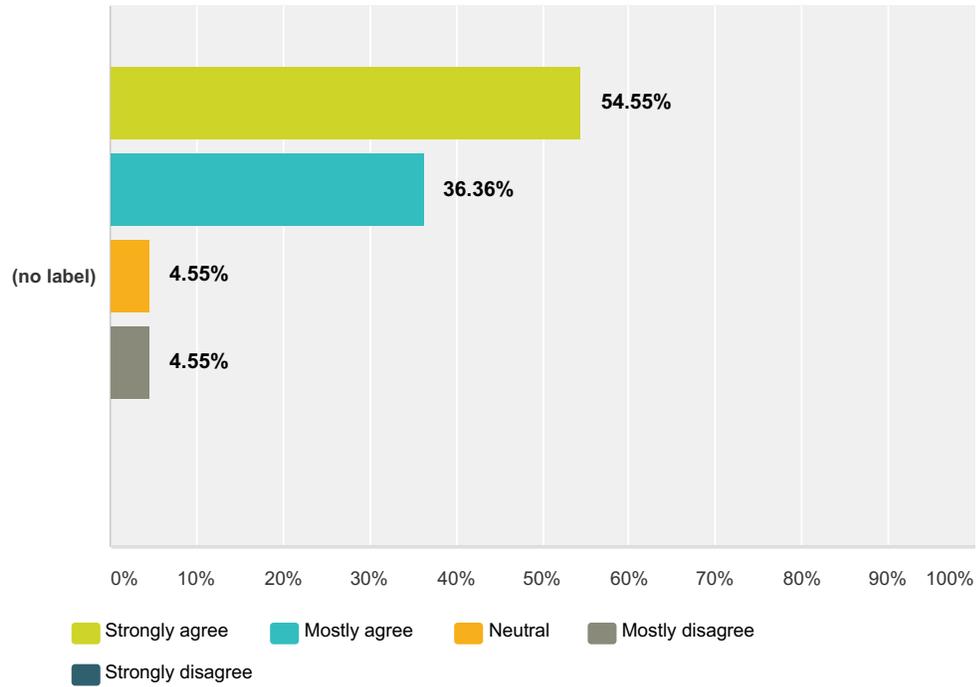
	Strongly agree (1)	Mostly agree (2)	Neutral (3)	Mostly disagree (4)	Strongly disagree (5)	Total	Weighted Average
(no label)	23.81%	42.86%	19.05%	14.29%	0.00%	21	2.24
	5	9	4	3	0		

Basic Statistics					
Minimum	Maximum	Median	Mean	Standard Deviation	
1.00	4.00	2.00	2.24	0.97	

#	Comments	Date
1	I think there should be some leeway, but I definitely think the threat should be there.	10/5/2015 10:26 AM
2	emphasis here is on enforce the deadlines.	10/1/2015 9:34 AM
3	Most of the time it would be the homeowners who are penalized; however they should be required to comply, although I do not know what the enforcement procedure would look like.	9/30/2015 2:59 PM
4	of course	9/29/2015 2:30 PM
5	Unless there is egregious bad faith, both parties are usually doing the best they can.	9/29/2015 1:58 PM

### Q23 Mediators should clarify consequences if deadlines are missed.

Answered: 22 Skipped: 2



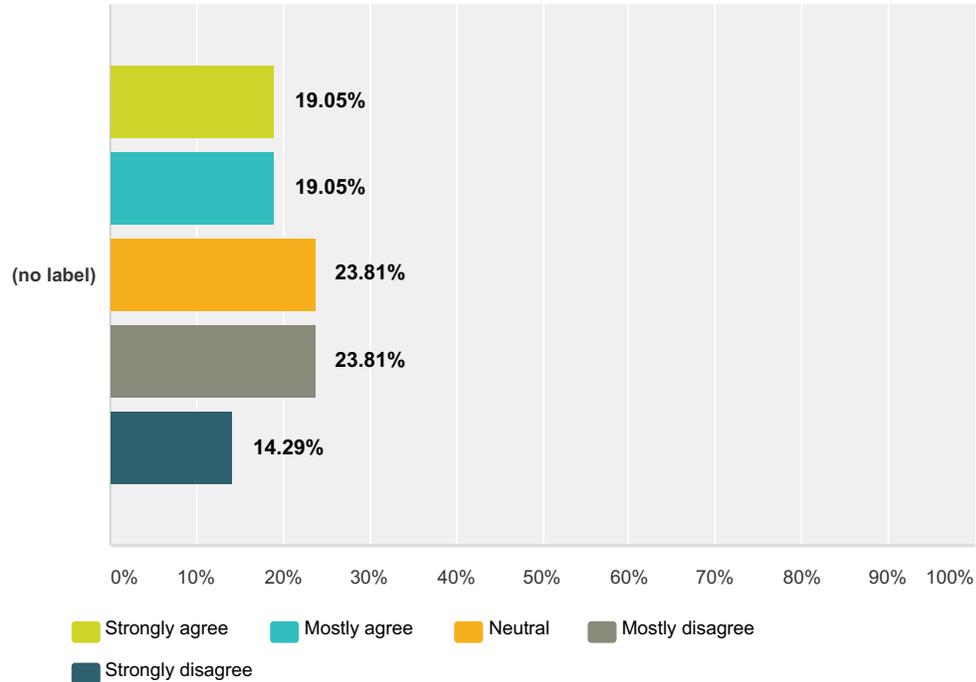
	Strongly agree (1)	Mostly agree (2)	Neutral (3)	Mostly disagree (4)	Strongly disagree (5)	Total	Weighted Average
(no label)	54.55% 12	36.36% 8	4.55% 1	4.55% 1	0.00% 0	22	1.59

Basic Statistics					
Minimum	Maximum	Median	Mean	Standard Deviation	
1.00	4.00	1.00	1.59	0.78	

#	Comments	Date
1	to both beneficiary and borrower	10/1/2015 9:34 AM
2	Clarity is always nice	9/30/2015 2:59 PM
3	Ditto	9/29/2015 2:30 PM
4	Once agreement is reached on a deadline, there should be a consequence.	9/29/2015 2:14 PM

### Q24 Mediators should allow incomplete document exchanges and hold the session to keep the process moving forward.

Answered: 21 Skipped: 3



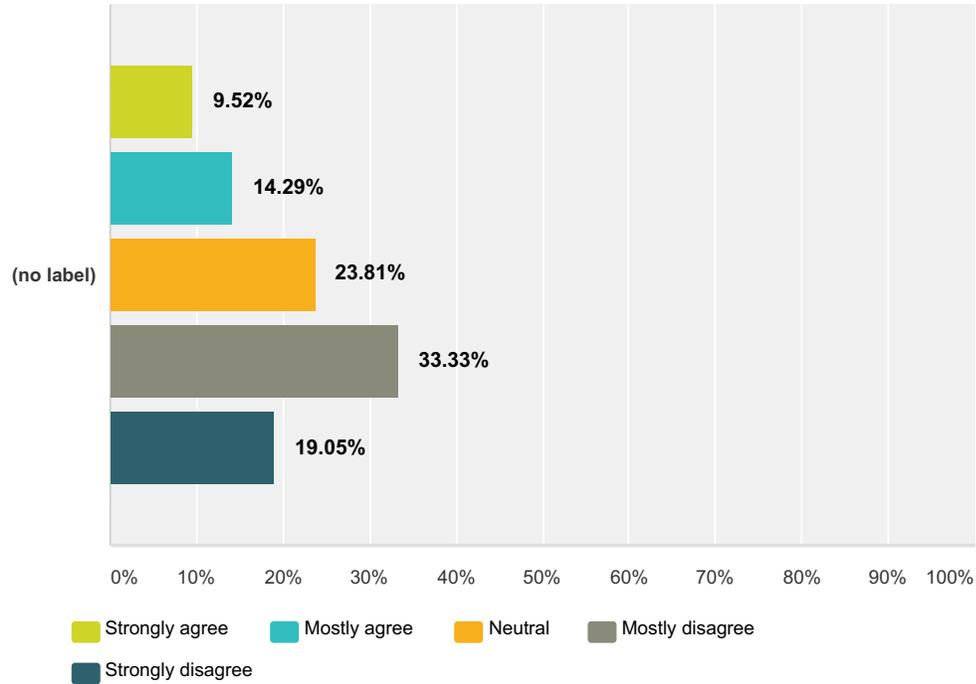
	Strongly agree (1)	Mostly agree (2)	Neutral (3)	Mostly disagree (4)	Strongly disagree (5)	Total	Weighted Average
(no label)	19.05% 4	19.05% 4	23.81% 5	23.81% 5	14.29% 3	21	2.95

Basic Statistics					
Minimum	Maximum	Median	Mean	Standard Deviation	
1.00	5.00	3.00	2.95	1.33	

#	Comments	Date
1	Sometimes.	9/30/2015 2:59 PM
2	Just hold the session	9/29/2015 2:30 PM
3	If the document exchange is incomplete and the parties agree to move the session, then it should be moved. Again, there should be some reasonableness to the process.	9/29/2015 2:14 PM
4	Lenders can't issue decisions without everything they need. Meeting without a full package is a waste of time.	9/29/2015 1:58 PM

### Q25 Mediators should only facilitate the discussion, not intervene and change its course.

Answered: 21 Skipped: 3



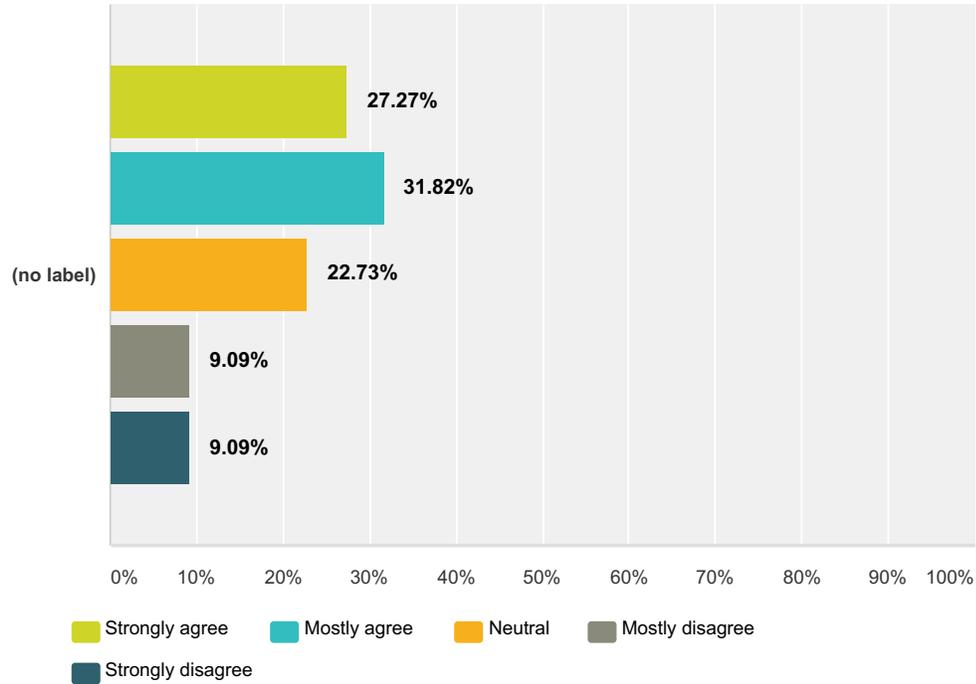
	Strongly agree (1)	Mostly agree (2)	Neutral (3)	Mostly disagree (4)	Strongly disagree (5)	Total	Weighted Average
(no label)	9.52% 2	14.29% 3	23.81% 5	33.33% 7	19.05% 4	21	3.38

Basic Statistics					
Minimum	Maximum	Median	Mean	Standard Deviation	
1.00	5.00	4.00	3.38	1.21	

#	Comments	Date
1	I think the mediators know how good mediations go and the borrower, especially if not represented, should have some assistance in making sure the bases are covered even if borrower is unaware procedurally or substantively about its rights.	10/5/2015 10:26 AM
2	Mediators need to actively be participating during the entire session.	10/1/2015 11:04 AM
3	I often wish someone could intervene, but mostly what is offered as a modification is set by rules and procedures.	9/30/2015 2:59 PM
4	Sometimes, intervening is necessary!	9/29/2015 2:36 PM
5	This is not your normal mediation	9/29/2015 2:30 PM
6	The mediators have to make a judgment call about participation in good faith and that means intervening in the process to let everyone know when a "bad faith" finding may be triggered.	9/29/2015 2:14 PM
7	Mediators should take a more active role in being able to hold lenders actually accountable for bad faith.	9/29/2015 1:58 PM

**Q26 Mediators should certify “lack of good faith” for any party that doesn’t comply with document deadlines.**

Answered: 22 Skipped: 2



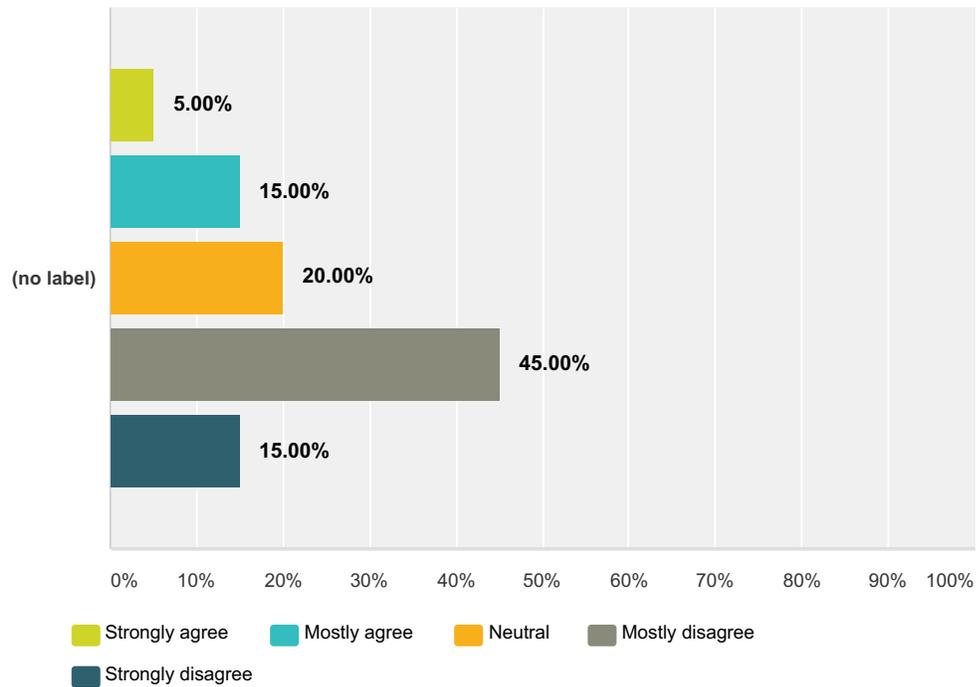
	Strongly agree (1)	Mostly agree (2)	Neutral (3)	Mostly disagree (4)	Strongly disagree (5)	Total	Weighted Average
(no label)	27.27% 6	31.82% 7	22.73% 5	9.09% 2	9.09% 2	22	2.41

Basic Statistics					
Minimum	Maximum	Median	Mean	Standard Deviation	
1.00	5.00	2.00	2.41	1.23	

#	Comments	Date
1	I personally only think this should apply to lender side.	10/5/2015 10:26 AM
2	In Spokane all the mediator are afraid to certify a beneficiary for lack of good faith. I have seen some very intransigent behavior from beneficiaries and their counsel and I have requested a finding of bad faith a dozen or more times but never has that been granted.	9/30/2015 2:59 PM
3	It depends upon the circumstances. It shouldn't be a bright line for either side.	9/29/2015 2:14 PM
4	Sometimes borrowers file with every intention of participating and something unforeseen happens.	9/29/2015 1:58 PM

### Q27 Mediators should avoid re-schedules of a first session.

Answered: 20 Skipped: 4



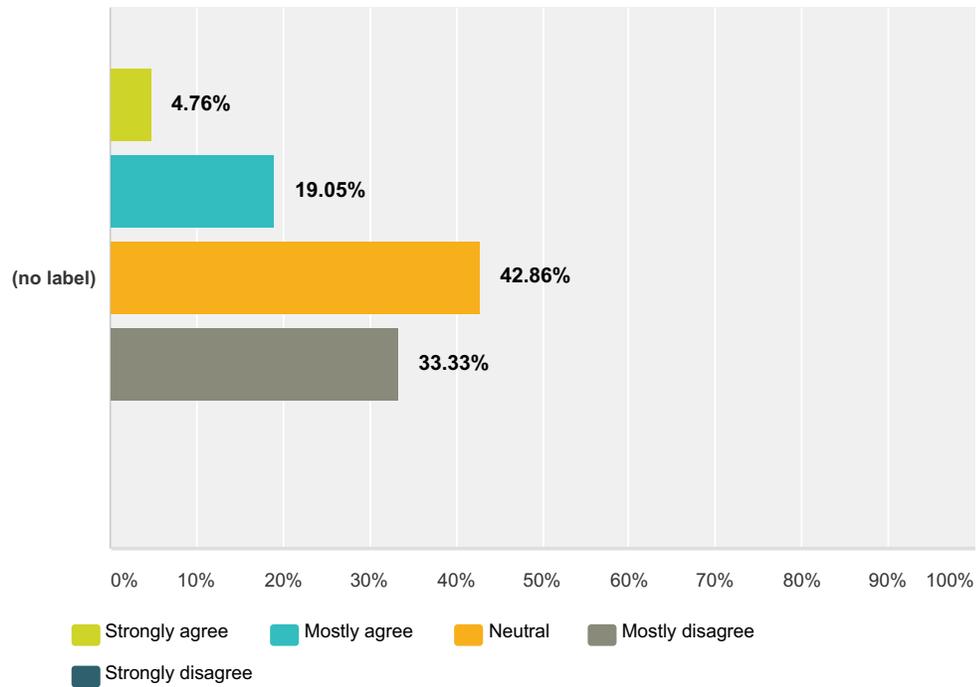
	Strongly agree (1)	Mostly agree (2)	Neutral (3)	Mostly disagree (4)	Strongly disagree (5)	Total	Weighted Average
(no label)	5.00% 1	15.00% 3	20.00% 4	45.00% 9	15.00% 3	20	3.50

Basic Statistics					
Minimum	Maximum	Median	Mean	Standard Deviation	
1.00	5.00	4.00	3.50	1.07	

#	Comments	Date
1	If a full packet hasn't been obtained, or more likely, beneficiary hasn't been able to do a review with a full packet, re-schedule should be liberal.	10/5/2015 10:26 AM
2	Scheduling the first mediation is 100% useless and ALWAYS gets re-scheduled. I've seen the first session get postponed up to four times and the DRC gets to collect all those luscious fees!!	10/2/2015 1:58 PM
3	First session should be continued anytime it would facilitate the process	9/30/2015 2:59 PM
4	Most of the time the Servicer does not have a completed review/decision by the time the first session is set.	9/29/2015 2:36 PM
5	depends	9/29/2015 2:30 PM
6	Again, if the parties agree it should be continued, then there is no purpose to requiring a session that will be a waste of time, incurring costs for both sides in attorneys fees.	9/29/2015 2:14 PM

### Q28 Mediators should do more teleconferences with the parties, before and after session(s).

Answered: 21 Skipped: 3



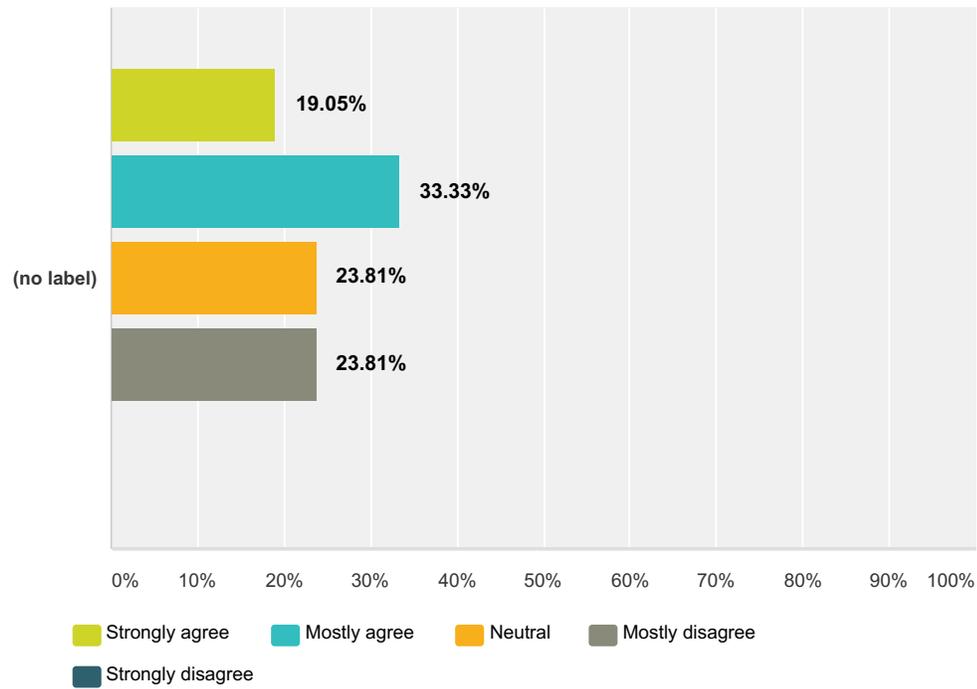
	Strongly agree (1)	Mostly agree (2)	Neutral (3)	Mostly disagree (4)	Strongly disagree (5)	Total	Weighted Average
(no label)	4.76% 1	19.05% 4	42.86% 9	33.33% 7	0.00% 0	21	3.05

Basic Statistics					
Minimum	Maximum	Median	Mean	Standard Deviation	
1.00	4.00	3.00	3.05	0.84	

#	Comments	Date
1	Check-in's are good prior to the session to clear any questions that would not require an in-person meeting.	10/1/2015 11:04 AM
2	To determine if a matter is ready to be mediated.	9/30/2015 2:59 PM
3	unnecessary	9/29/2015 2:30 PM

### Q29 Mediators should evaluate the nature of loan modification offers.

Answered: 21 Skipped: 3



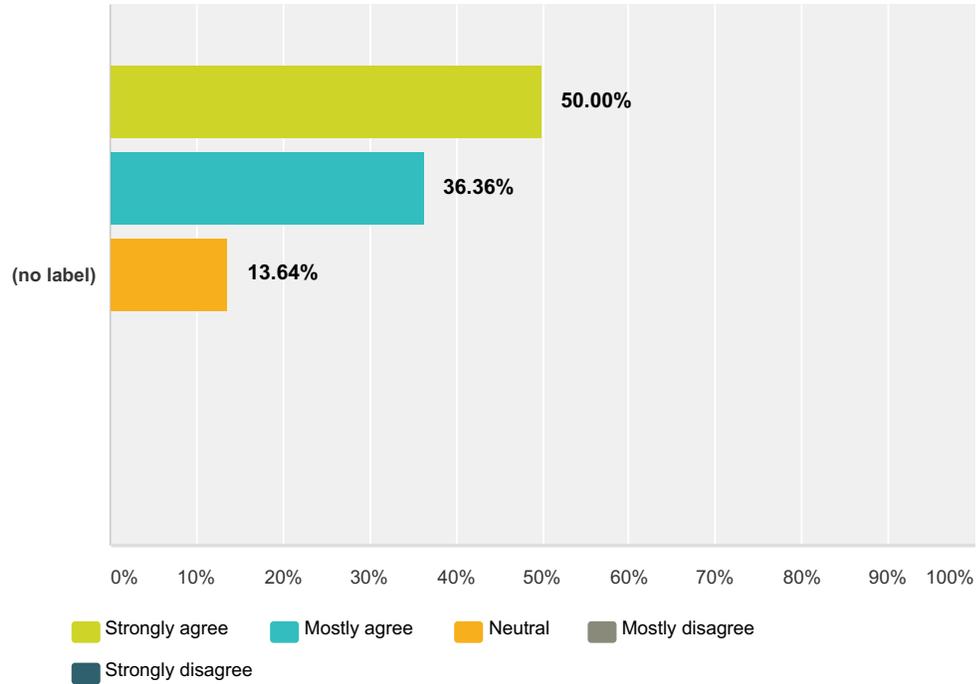
	Strongly agree (1)	Mostly agree (2)	Neutral (3)	Mostly disagree (4)	Strongly disagree (5)	Total	Weighted Average
(no label)	19.05%	33.33%	23.81%	23.81%	0.00%	21	2.52
	4	7	5	5	0		

Basic Statistics					
Minimum	Maximum	Median	Mean	Standard Deviation	
1.00	4.00	2.00	2.52	1.05	

#	Comments	Date
1	I think that is the reason borrowers have counsel.	10/5/2015 10:26 AM
2	It would be nice to know that the mediator actually knew what they talking about, yes.	10/2/2015 1:58 PM
3	That is what the housing counselor/attorneys are for. However if a person is not represented, then the mediator's role could be expanded.	9/30/2015 2:59 PM
4	Sure	9/29/2015 2:30 PM
5	Mediators should care and know about the actual deals on the table.	9/29/2015 1:58 PM

**Q30 Mediators should ask for an NPV test in any mediation where home retention is desired.**

Answered: 22 Skipped: 2



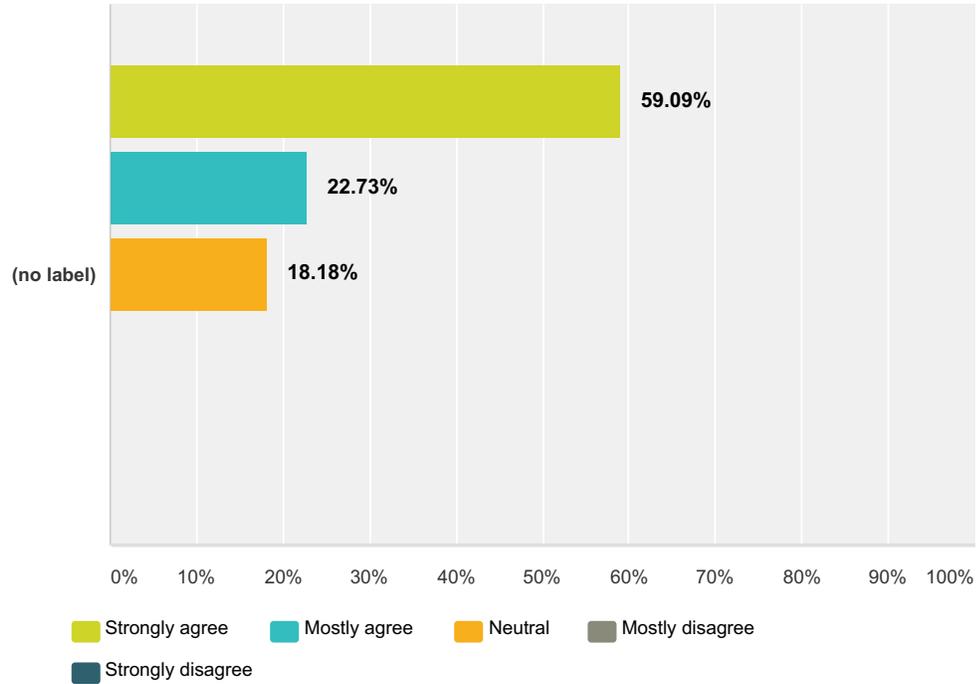
	Strongly agree (1)	Mostly agree (2)	Neutral (3)	Mostly disagree (4)	Strongly disagree (5)	Total	Weighted Average
(no label)	50.00% 11	36.36% 8	13.64% 3	0.00% 0	0.00% 0	22	1.64

Basic Statistics					
Minimum	Maximum	Median	Mean	Standard Deviation	
1.00	3.00	1.50	1.64	0.71	

#	Comments	Date
1	That is what the rules say, except for FHA loans	9/30/2015 2:59 PM
2	If there is not an offer on the table.	9/29/2015 3:52 PM
3	Still depends	9/29/2015 2:30 PM

### Q31 Mediators should ask for proof of waiver requests to PSA or investor restrictions in any mediation where home retention is desired.

Answered: 22 Skipped: 2



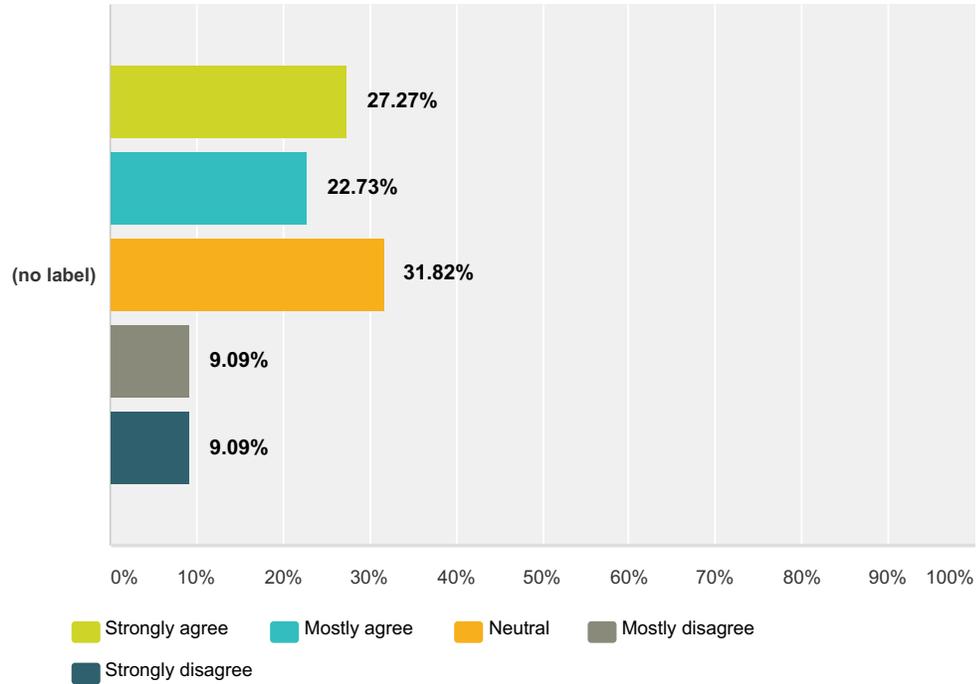
(no label)	Strongly agree (1)	Mostly agree (2)	Neutral (3)	Mostly disagree (4)	Strongly disagree (5)	Total	Weighted Average
	59.09%	22.73%	18.18%	0.00%	0.00%	22	1.59
	13	5	4	0	0		

Basic Statistics					
Minimum	Maximum	Median	Mean	Standard Deviation	
1.00	3.00	1.00	1.59	0.78	

#	Comments	Date
1	Why is such an obvious question even being asked?	10/2/2015 1:58 PM
2	Yes, this is key. We need to have proof that the servicer indeed asked for a waiver of any guidelines that may hinder a borrower from being evaluated.	10/1/2015 11:04 AM
3	not an issue for me.	9/30/2015 2:59 PM
4	THIS IS WHAT THE LAW REQUIRES!	9/30/2015 10:27 AM
5	When necessary	9/29/2015 2:30 PM
6	This shouldn't even be a question. It is a requirement of the statute and the fact that Commerce is asking this question demonstrates the fact that Commerce is not requiring adherence to the statute.	9/29/2015 2:14 PM

### Q32 Mediators should cancel the mediation and certify “lack of good faith” all non-responsive borrowers.

Answered: 22 Skipped: 2



	Strongly agree (1)	Mostly agree (2)	Neutral (3)	Mostly disagree (4)	Strongly disagree (5)	Total	Weighted Average
(no label)	27.27% 6	22.73% 5	31.82% 7	9.09% 2	9.09% 2	22	2.50

Basic Statistics					
Minimum	Maximum	Median	Mean	Standard Deviation	
1.00	5.00	2.50	2.50	1.23	

#	Comments	Date
1	They should try all means, phone, email, and letter mailing before issuance.	10/1/2015 11:04 AM
2	I think the mediators handle this problem well. Often a second chance is given and that is appropriate.	9/30/2015 2:59 PM
3	Implementing this one procedure would help this program more than any other action the program designers could take!	9/30/2015 9:45 AM
4	Of course	9/29/2015 2:30 PM
5	It depends upon the circumstances, but generally, if after several tries the borrowers or their representative does not respond, that is appropriate.	9/29/2015 2:14 PM

### Q33 What are your top three expectations of a mediator during a mediation session?

Answered: 16 Skipped: 8

#	Responses	Date
1	Set dates, send follow-up reminders of documents, and facilitate the mediation.	10/5/2015 10:27 AM
2	Impartiality, active communication, knowledgeable of foreclosure process and guidelines	10/1/2015 11:07 AM
3	1. Facilitate the meeting. 2. Actively participate in document exchange.	10/1/2015 9:35 AM
4	stay neutral, bring the conversation back if it derails, enforce the rules equally	9/30/2015 4:41 PM
5	neutrality; enforcement of rules; knowledge of regulations/rules	9/30/2015 3:23 PM
6	knowledge of case, timeliness and follow up	9/30/2015 11:33 AM
7	Neutrality, knowledge of the FFA, and fairness	9/30/2015 10:28 AM
8	Give a finding of failing to act in good faith if the lender is not dealing in good faith.	9/30/2015 9:47 AM
9	hold parties accountable for document production; even-handed mediation; firm hand to bring the mediation to closure, whether or not successful	9/30/2015 9:47 AM
10	Knowledgeable; reasonable; accountable	9/29/2015 4:03 PM
11	Requiring meaningful adherence to the statute, rational and reasonable approach and a willingness to certify "not in good faith" if the beneficiary is not adhering to the statutory requirements.	9/29/2015 2:56 PM
12	Ensure all parties understand the FFA Mediation process, hold parties accountable within program guidelines, utilize forced second session when necessary.	9/29/2015 2:41 PM
13	impartiality, clarity, familiarity with legal requirements	9/29/2015 2:04 PM
14	1. To not waste our time by talking just to talk - if they don't know the laws, just sit back and let the parties discuss 2. To know the servicing guidelines related to the loans at issue 3. To understand	9/29/2015 2:02 PM
15	competency, neutrality and fairness	9/29/2015 2:02 PM
16	to facilitate honest negotiations, compliance with the law and lender guidelines. If a modification is denied the mediator should have clear information from the lender as to why.	9/29/2015 1:51 PM

**Q34 Can you share a time when a mediator demonstrated impartiality as a facilitator?**

Answered: 10 Skipped: 14

#	Responses	Date
1	Never had a bad mediator in an actual mediation.	10/5/2015 10:27 AM
2	mediators do not get involved in the conversation, they simply reflect back on what the conversation between borrower and lender has been.	9/30/2015 4:41 PM
3	In Spokane we have basically 5-6 mediators, with the same counsel representing the bank on 80% of the cases and a SNAP housing counselor representing the borrower on about 80% of the cases; so we have all become very familiar with one another. Many times the mediator has engaged in ex parte conversations or e-mail communications with only one party.	9/30/2015 3:23 PM
4	In most cases the mediators have been impartial	9/30/2015 11:57 AM
5	when they began talking about vacations with the attorney in front of the client	9/30/2015 11:33 AM
6	Anthony Arrington is an excellent mediator who was extremely impartial and professional.	9/30/2015 10:28 AM
7	no	9/30/2015 9:47 AM
8	When they asked the Borrower you are 49 months behind do you really think any lender would give you a modification?	9/29/2015 4:03 PM
9	Yes - the good mediators do this all of the time and focus on adherence to statutory requirements while using a rational approach to things.	9/29/2015 2:56 PM
10	I have never had an issue with a mediator struggling with impartiality. They always do a good job of that.	9/29/2015 2:02 PM

**Q35 Describe what you consider inappropriate mediator behavior.**

Answered: 11 Skipped: 13

#	Responses	Date
1	someone who is constantly trying to interpret the conversation and making its own decisions of what should happen.	9/30/2015 4:41 PM
2	Once a mediator talked about a time when he and the beneficiary counsel played golf. I was not bothered by this as the next weekend it might have been me playing gold with the mediator, but when the conversation occurs in front of the home owner they get the wrong idea about the impartiality of the mediator.	9/30/2015 3:23 PM
3	When they are too influenced by beneficiary counsel	9/30/2015 11:57 AM
4	oversharing, too friendly with the beneficiary attorney	9/30/2015 11:33 AM
5	Not issuing a findinf of failing to act in good faith when the lender has not acted in good faith.	9/30/2015 9:47 AM
6	did not experience any	9/30/2015 9:47 AM
7	Telling a borrower before the mediation session even starts "I will not be allowing a second session"	9/29/2015 4:03 PM
8	Refusing to require adherence to the statute. Providing false information on a Certificate. Ignoring a beneficiary representative who absolutely refused to even review a borrower for a modification and for refusing to identify the loan owner.	9/29/2015 2:56 PM
9	Complaining to parties about how their fees do not cover their costs and requiring parties to secure a location to meet.	9/29/2015 2:41 PM
10	Posting rules on the walls for how parties should behave and making everyone listen to a lecture about them	9/29/2015 2:02 PM
11	A mediator who does not hold a lender to the their obligations and does not help a borrower understand the process.	9/29/2015 1:51 PM

**Q36 Share a scenario where you wish the mediator would have acted or performed differently.**

Answered: 7 Skipped: 17

#	Responses	Date
1	My biggest complaint is when a mediator does not schedule a session within the 70 days as required. I have had the first session 6 months or longer after the mediation request.	9/30/2015 3:23 PM
2	Where beneficiary refused to make any offer and reinstatement or foreclosure were only options	9/30/2015 11:57 AM
3	none	9/30/2015 9:47 AM
4	A mediator refused to require the Beneficiary to run the NPV and had they done so there would have been a modification sooner and would have costs the borrower thousands of dollars for less.	9/29/2015 4:03 PM
5	Beneficiary only provided summary of INTERNAL NPV analysis prior to session. At session borrower was told that the INTERNAL NPV was done again and was positive, but still only a summary was provided. Bank nevertheless refused to even review borrower for a loan mod, contending that it was precluded from doing so because borrower filed bankruptcy. When borrower pointed out US Treasury rules that contradicted that assertion, bank still refused to even consider and then indicated for the first time that there was an "investor" that owned the loan. Bank's representative and lawyer both refused to ID the "investor" or to produce the documents that allegedly precluded borrower from being reviewed for loan mod. Mediator did absolutely nothing about it and never required bank to ID "investor" or turnover guidelines. Mediator ran FDIC NPV and it was positive, but didn't print out. Session was a complete waste of time and money and when mediator completed the certificate, refused to make a "not in good faith" finding and falsely stated on the Certificate that the NPV was negative and that "discrepancies had been discussed". It was shameful and an embarrassment to the FFA.	9/29/2015 2:56 PM
6	Snomohish DRC Mediators are quick to close mediations and rarely uses their option to force a second session.	9/29/2015 2:41 PM
7	See number 35.	9/29/2015 2:02 PM

**Q37 Share a scenario where the mediator acted in an exemplary way.**

Answered: 6 Skipped: 18

#	Responses	Date
1	During a heated conversation between borrower and attorney, mediators were well prepared to intervene and	9/30/2015 4:41 PM
2	most of the time	9/30/2015 3:23 PM
3	holding a mediation upon for a very long time while the borrower and loan administator worked through a process that took way too long but was ultimately successful.	9/30/2015 9:47 AM
4	A specific mediator required the benefecary to adhere to a deadline and issued a not in good faith when they did not.	9/29/2015 4:03 PM
5	Mediators who require adherence to the statute and who approach often difficult situations with a reasoned and rational response to problem solving. They help get things done - for both sides.	9/29/2015 2:56 PM
6	Jacque Miller at Puget Sound Mediation is always productive and efficient.	9/29/2015 2:02 PM

### Q38 Any other comments?

Answered: 2 Skipped: 22

#	Responses	Date
1	none	9/30/2015 9:47 AM
2	Commerce needs to employ people who understand the statute and desire to have adherence, and who understand that the purpose of the statute is to facilitate efforts at homeownership. And if mediators don't want to require adherence to the statutes by the beneficiaries, then they need to resign or be removed.	9/29/2015 2:56 PM