

*Serving Bucks, Chester,  
Delaware and Montgomery  
Counties Since 2001*

**Mission**

Our mission at LASP is to provide quality legal representation to low-income people, to empower them to solve problems without legal representation through legal education and increased access to the courts, and to change community practices and systems that cause or aggravate poverty.

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*“Injustice anywhere is a  
threat to justice everywhere.”*

Martin Luther King, Jr.

Please Note: Articles in this newsletter are intended to provide general information and not specific legal advice. If you have a specific legal problem, you should consult an attorney or call our toll-free Helpline at 1-877-429-5994.

## How Legal Aid Helps Prevent Homelessness



Two recent cases illustrate how clients in very different circumstances were able to keep their homes with the help of their Legal Aid attorneys.

Melanie D. thought her dream house was finally within reach when she received both verbal and written approval for a reasonable 5% fixed rate 30 year mortgage. But when she went to closing, she was suddenly presented with a completely different mortgage. The new interest rate was 11%, requiring monthly payments one and one half times the amount to which she had agreed. When she refused to sign the settlement papers, the broker made oral and written promises to refinance the loan within two months to meet the original terms. This promise was never kept and, in six months, Melanie was falling behind in her payments and in danger of losing her home. Melanie called Legal Aid's Don't Borrow Trouble helpline. Her Legal Aid attorney negotiated with the broker to refinance the mortgage to offer lower interest rates and payments she could afford, making the home-ownership dream possible once again.

When changes in national security law required Mark N., a disabled man, to produce a photo ID or risk termination from the Section 8 rental assistance program, he was in trouble. When very young, Mark's foster parents were awarded permanent custody by the court but he was never adopted. Although he was issued a Social Security card in his foster parents' last name and had always been known by that name, the PA Department of Transportation refused to issue a photo ID because his birth name was different. Mark came to Legal Aid for help. A staff attorney helped him file a name change petition and with this he finally was able to receive an official photo ID

*Continued on Page 3*

## Maintaining Our Services in a Tough Economy

It has been just over a year since Legal Aid learned that it would lose \$500,000 in funding for the 2008-2009 fiscal year due to the impact of declining interest rates on a major funder, the Interest on Lawyer Trust Accounts (IOLTA) program. Since then, the Legal Aid staff, board and community supporters have worked hard to find new dollars to assure continuation of services to our vulnerable clients.

- **More than \$300,000 has been raised this year from individual attorneys, Bar Associations, and Bar Foundations.**
- Legal Aid received generous donations from **Uninvest, Flexible Benefits, Merck, and Aetna**. Members of the Merck and Aetna legal departments also donate their time to represent our clients.
- Despite having fewer resources to distribute, a long list of area charitable foundations and United Ways continued to generously support Legal Aid including **The Bucks County Foundation; Patricia Kind Family Foundation; The Claneil Foundation; The Pottstown Health and Wellness Foundation; Green Tree Community Health Foundation; The North Penn Community Health Foundation; The Taylor Community Foundation; The McLean Contributionship; The E. Wallace Chadwick Memorial Fund; The Independence Foundation; The 1675 Foundation, and the United Ways of Bucks County and Southern Chester County.**
- **The Pew Fund for Health & Human Services** recently awarded a three-year, \$120,000 grant to Legal Aid to support its elder law services.
- **Philadelphia Foundation** awarded a \$45,000 general operating grant to Legal Aid in recognition of its status as a **“high performing nonprofit.”**

Looking ahead, we expect another challenging fundraising year, even as the volume of calls to our helpline and requests for service continues to climb. Once again we will work with staff and supporters to think creatively about how to continue to meet the pressing legal needs of our clients. We will continue to provide updates as the year goes on and welcome ideas on improving the effectiveness of our services in these difficult times.



*with sincere*

**THANKS**  
TO OUR RECENT  
**DONORS**



- The **Chester County Department of Aging Services** recently joined the county aging departments in Bucks, Montgomery and Chester in providing funding support for Legal Aid’s elder law services.
- The **Chester County Paralegal Association** once again held its “Taste of West Chester,” donating \$9,000, its largest grant to date, to Legal Aid.
- Legal Aid participated in new statewide initiatives coordinated by the Pennsylvania Legal Aid Network to provide **Mortgage Foreclosure Counseling** and **Legal Services to Eliminate Barriers to Employment** for welfare clients.

CLIENT **Fact Sheet**

Issues in Consumer Finance | Spring 2009

*Prepared by Legal Aid of  
Southeastern Pennsylvania*

This fact sheet is intended to provide general information and not specific legal advice. The law often changes. Each case is different. If you have a specific legal problem, you should consult an attorney or call the LASP Helpline toll-free at 1-877-429-5994.

*Se habla español.*



## Facing Foreclosure?

*Are you having trouble keeping up with your mortgage payments?*

### **First and Foremost, Don't Ignore the Problem**

The further behind you fall, the harder it will be to reinstate your loan and keep your house. You must open and respond to all mail from the lender; your failure to open the mail is not an excuse that will hold up in foreclosure court. Find your loan documents and read them so you know what your lender may do if you can't make your payments.

### **Prioritize Your Spending**

After healthcare, keeping your house should be your first priority. Look for optional expenses that you can eliminate. Delay payments on credit cards and other unsecured debt until you have paid your mortgage.

### **Contact Your Lender**

Do this as soon as you realize you have a problem. Lenders do not want your house. They have options to help borrowers through difficult times.

### **Contact a HUD-Approved Housing Counseling Agency**

These agencies provide crucial information about foreclosure laws and timelines. You can find contact information at [www.fha.gov](http://www.fha.gov).

### **Avoid Foreclosure Prevention Companies and Scams**

Unfortunately, every day people lose their homes to foreclosure recovery scams and even legitimate Foreclosure Prevention Companies cost money to provide services your lender or HUD-approved housing counselor offer for free. *See the reverse side of this fact sheet to learn more about these scams and what you can do to avoid them.*

*For more information on foreclosure assistance,  
call Legal Aid's Don't Borrow Trouble Helpline at  
1-888-275-8843, M-Th, 9 am-1 pm.*

## 5 TIPS for Avoiding Foreclosure Scams

### ***Work with a Nonprofit, HUD-Approved Counselor***

If you are looking for help to prevent foreclosure, be sure the counseling agency is on the Department of Housing and Urban Development's list of approved agencies. Visit HUD's website for an easily searchable list of HUD-approved housing counseling agencies, or call 877-HUD-1515 (877-483-1515) for more information. If you are approached by foreclosure counselors—by mail, phone, or in person—make sure the counseling agency is HUD-approved before you do business with them.

### ***Don't Pay an Arm and a Leg***

You should not have to pay hundreds—or thousands—of dollars. Most HUD-approved housing counselors provide no-cost counseling services and many more provide low-cost counseling. Do not agree to work with a counselor who collects a fee before providing you with any services or who accepts payment only by cashier's check or wire transfer. In general, do not pay money to anyone unless you know exactly what services you will receive.

### ***Be Wary of Guarantees***

A reputable counselor will not guarantee to stop the foreclosure process, no matter what your circumstances. Working with a legitimate counselor can certainly increase your chances of keeping your home—but be wary of people who promise a sure thing. Again, get the details of your transaction, along with any promises, in writing first.

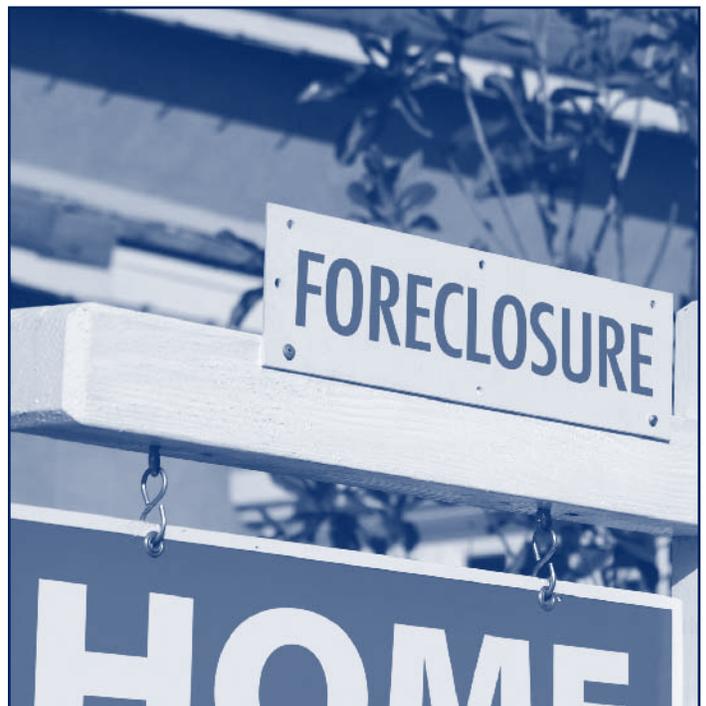
### ***Know What You Are Signing***

Don't let a counselor pressure you to sign paperwork you haven't had a chance to read through carefully or that you don't understand. Don't sign any blank forms or let the counselor fill out forms for you. Be sure to talk with an attorney before signing anything that transfers the title of your home to another party.

### ***If It Sounds Too Good to Be True...***

...it probably is. If you feel you may be the target or victim of foreclosure fraud, trust your instincts and seek help. For tips on spotting scam artists, visit the Federal Trade Commission's webpage on foreclosure rescue scams. Report suspicious schemes to your state and local consumer protection agencies, which you can find on the Federal Citizen Information Center's Consumer Action Website.

*Information in this insert was adapted from factsheets and web information published by the US Department of Housing and Urban Development ([www.hud.gov](http://www.hud.gov)) and the Federal Reserve Board ([www.federalreserve.gov](http://www.federalreserve.gov)).*



*Continued from Page 1*

in the name he had used since the age of four. With that he remained eligible for his rental subsidy and was able to stay in his home.

**WHAT LEGAL AID IS DOING**

Mark and Melanie's stories are not unique. Legal Aid is committed to using all the skills and tools at its disposal to assist people so they can preserve housing for themselves and their families. To that end, it has become involved in two projects to save peoples' homes and housing and we are working toward involvement in a third.

- **Mortgage Foreclosure Counseling Project:** Legal Aid is part of a state-wide effort to collaborate with housing counseling agencies to target and serve people who are behind in their mortgages but not yet in foreclosure. Legal staff review lending documents and, if possible, help homeowners to negotiate a realistic and fair resolution of their arrearage with their lender.
- Legal Aid is participating in efforts to design and institute a **Mortgage Foreclosure Diversion Project** to allow homeowners in foreclosure to request a mandatory conciliation conference with the lender to work out a plan to save their home.
- Through the **American Recovery and Reinvestment Act**, new funding is being allocated to counties to preserve housing and prevent homelessness. Legal Aid is in contact with Housing officials in all four counties to offer our legal skills and experience to assist people facing eviction or loss of their housing.

*Bilingual Legal Aid Staff  
Help Keep a Family Together*

A recent case illustrates the importance of providing access to legal services in languages other than English in our increasingly diverse region.

Carlos B., his wife and 8 year old step-daughter and son were originally from Puerto Rico and had moved to Southeastern Pennsylvania. In March of 2008, Carlos' wife died and he and the children traveled back to Puerto Rico for the funeral. When it was time to return home, his in-laws told him that while he was the only father the step-daughter had ever known, he could not take her back and that he had no rights to her. Carlos, not knowing what to do, returned to Pennsylvania with his son. Looking for help, a friend told him that he should check with Legal Aid. Although he spoke limited English, one of Legal Aid's Spanish-speaking paralegals worked closely with him to successfully file an emergency petition with the court which resulted in an order granting him custody of his step-daughter.

The story did not end there, however. While he now had a Pennsylvania order, the child was still in Puerto Rico, and the local Puerto Rican officials refused to honor the Pennsylvania order. Working closely with Puerto Rico Legal Services, and reviewing and preparing documents in Spanish, Legal Aid staff filed an action in court to make the in-laws produce the child. When the lower court denied the motion, finding that Puerto Rico was the appropriate forum to decide with whom this child should live, LASP appealed to the Puerto Rican Appeals Court. After submitting briefs, the court granted Carlos B.'s motion and acknowledged that Pennsylvania courts had jurisdiction to decide the custody matter involving this child. The child is now living in Southeastern Pennsylvania once again with her father and brother.

**LASP** Legal Aid  
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**Administration**

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Norristown, PA 19401

[www.lasp.org](http://www.lasp.org)

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## LASP Offices

**Bucks County**

1290 Veterans Highway, Box 809  
Bristol, PA 19007  
215-781-1111

100 Union Street  
Doylestown, PA 18901  
215-340-1818

**Chester County**

222 N. Walnut Street  
West Chester, PA 19380  
610-436-4510

**Delaware County**

410 Welsh Street  
Chester, PA 19013  
610-874-8421

**Montgomery County**

625 Swede Street  
Norristown, PA 19401  
610-275-5400

248 King Street  
Pottstown, PA 19464  
610-326-8280

LASP TOLL-FREE HELPLINE, MON-FRI 9 AM-1 PM, SE HABLA ESPAÑOL **1-877-429-5994**

*LASP offers useful educational brochures on a variety of legal topics. To receive a copy of any of these brochures, in English or Spanish, call the Helpline.*

Landlord/Tenant Law  
Evictions  
Security Deposits  
Public Housing  
Utility Law  
LIHEAP  
Preventing Foreclosure

Bankruptcy  
Credit Reports  
Repossessions  
Custody  
Child Support  
Divorce and Separation  
Protection from Abuse  
Unemployment Compensation  
Social Security  
Medical Assistance  
Food Stamps  
Issues in Aging  
Advance Healthcare Declaration  
Power of Attorney

## Community Education and Outreach

LASP offers community legal education, staff in-service training and outreach about our services to a variety of groups in our four-county region. If you would like to schedule a LASP representative for an upcoming event, contact Harvey Strauss, Esq. at 610-275-5400 x117.