

Securitization and Forensic Audit Submission

Instructions and Introduction to Forensic and Securitization Audits

We are affiliated with seasoned mortgage foreclosure fraud investigators with decades of experience. TriStar Marketing has agreements with multiple securitization Experts. One expert that we have used has over thirty five years of securitization, lending and mortgage finance experience. Others are seasoned veterans of the Banking industry who have switched hats to battle for the consumer instead of the Banks. Our Mortgage Fraud investigators have trained extensively with some of the best auditors in the industry.

Many foreclosures that may appear to be legitimate to a Judge are being conducted illegally with fabricated, fictitious, forged documents including Assignments and claims that are used to gain standing to foreclose.

We investigate and identify bogus, questionable foreclosure transactions using false and misleading documents. When lenders, mortgage servicers and local trustees are using questionable, wrongful or unlawful practices to foreclose, we report on it as evidence with expert witness support so you can submit your evidence in court and request judicial notice in the process of winning a verdict in your favor.

Foreclosures may be considered questionable if they include:

- ✓ Foreclosure-related documents signed in a manner that may not have been lawful;
- ✓ A chain of ownership that is unclear and faulty;
- ✓ No clear chain of ownership for the loan or the security interest;
- ✓ Underlying sales and transaction disclosure of a securitized loan not revealed in full and;
- ✓ State consumer protection requirements have not been followed.

Foreclosures that are undertaken in a process that may be unlawful can include:

- ✓ Inaccurate documents;
- ✓ Fictitious documents;
- ✓ Undisclosed conflicts of interest;
- ✓ Faulty chains of title;
- ✓ Failures to provide the disclosures and conduct mediations required by law
- ✓ Not identifying the "real" owner of the loan and the company that is acting as servicer.
- ✓ Not telling the homeowner about their right to explore alternatives to foreclosure.
- ✓ Not advising of the right to request mediation or to schedule a face-to-face meeting.
- ✓ These practices make it harder for homeowners to contact their mortgage owners.

"Robo-Signing" has become a nationally acknowledged issue across the media and has become acknowledged itself as a benchmark for questionable and unlawful foreclosure. Robo-Signing includes:

- Parties seeking to foreclose that regularly manufacture fictitious affidavits and other documents asserting claims without knowledge of the facts, or confirming their accuracy.
- Employees of foreclosure trustees signing documents posing as the corporate officer of multiple banks and mortgage servicers.
- Reverse engineering the chain of title in the Assignments to make it appear as though the loan was passed from company to company when in fact it was not.

Procedural defects can include affidavits and documents signed outside the presence of a notary public or a robo-signer notary that may also be contrary to state law.

None of our reports contain the disclaimer "for informational purposes only". Lender's counsel knows they can easily prevent this type of reporting by parties not meeting expert qualifications with objections and render them inadmissible as evidence in court. A bevy of entrepreneurial upstarts have ceased this opportunity with weekend courses, template reports and access to meaningless software in terms of making a case and proving a case. False reliance on this quality of reporting to sway lenders into settlements and scare lenders is false advertising.

In order for our processors and Mortgage Fraud Investigators to thoroughly investigate your loan and provide the strongest audit possible we need all documentation that we ask for in our checklist.

The audits that are provided by our auditing firm are some of the most comprehensible in the industry. We need all documents to come to us in a timely manner and complete. If we have to chase down documents or sort thru stacks of documents we did not request, there will be additional charges for that to be done. We ask for documents that are recorded in County Records as they are important. Now some people do not like going anywhere near a Court House or a County Records Department.

If that is the case with you then we can get the recorded documents but there will be a fee of \$ 10.00 per document and a one-time fee of \$ 19.95 for a search. That can be paid prior to the complete audit being sent to you. Most loans will have a Notice of Default, Substitution of Trustee, Mortgage Assignment and Notice of Trustee Sale Recorded. Some may have multiples of these documents. But on Average no more than 4 or 5 of these documents will be recorded on one loan. So for an additional \$ 60.00 or \$ 70.00 we can get those documents for you thru a service we use. Understand our audits are not done by a software program, they are done in person by investigators and each audit can take between 10 and 15 man hours to complete if pre-sale or 15 to 20 hours if it is a post-sale situation and the property has already been foreclosed on and sold.

Please fill out the form below as complete as possible and include it with all of your documents.

As an FYI we ask for your social security number in order to do a couple of searches concerning your loan, so it is important that you list it in the Client Intake Sheet. Thanks for your business and we look forward to supplying you with a very valuable audit.

Forensic Loan Audit - Should I Get One?

1. Did the loan officer intentionally inflate your income or assets to help you qualify for the loan?
2. If you had a great credit score 720 or more, why is your interest rate so high?
3. Where any signatures forged during the creation of the loan documents?
4. In non-Judicial foreclosure states did they execute the substitution of Trustee correctly?
5. If the loan was sold into a mortgages pool, does the mortgage pool actually exist?
6. If you are being foreclosed upon, does the foreclosing party have the authority to take such action?
7. Where notaries or robo signers involved in the transaction? Where assignment of notes valid? Is the Trust Deed Valid?
8. Was the MERS system used? Is MERS legal?
9. If the loan was sold into a pool, has that pool been identified to the borrower?
10. Was the foreclosure timeline adhered to?

If you would like a Forensic Loan Audit done by hand not by software we will do that along with your securitization audit. If ordered by itself the fee for the Forensic Audit is \$ 750.00.

If ordered with and at the time of your securitization audit the fee is only \$ 200.00. You can make arrangements for adding that service when you submit your documents. Just include a check for \$ 200.00 payable to TriStar Marketing and send to address listed on the last page.

*****You may keep pages 1 and 2 for your own information, but return pages 3 and 4 with your request for an audit and your documents to be audited**

TriStar Marketing Group

New Client Agreement and Document Checklist

Disclaimer: TriStar Marketing Group is an approved wholesale vendor for multiple Securitization Audit Firms. This is beneficial as it allows an arms length distance between auditor and homeowner for a possible true 3rd party expert witness who has no direct benefit to them in any particular case. If an Attorney is involved it becomes an even farther arm's length transaction more beneficial to the homeowner. TriStar Marketing Group Performs document preparation and several aspects of the foreclosure research for these auditing firms prior to the audit and report writing of the Expert. TriStar feels these firms are some of the best in the Country.

I understand and take full responsibility for how I use a Forensic Audit or a Securitization Audit. Providing securitization audit results to a lender or lender's attorney prior to a foreclosure lawsuit or other civil suit in court can significantly undermine the borrower's position. Many lenders have robo-signing and document creation operations that can correct critical mistakes. Giving these lenders a "heads up" before they have committed their current documentation into court where it becomes official can do irreparable harm. I also understand that it is in my best interest that I have the final Securitization Audit reviewed by an attorney, as an attorney will be able to represent me better than if I represent myself. If I do represent myself, and attempt to use the securitization as evidence, I do so at my own risk.

I further understand that it is my responsibility to provide ALL Requested documents and that the audit will not start until ALL Requested Documents are received. I understand that if all documents are not received within 120 days of ordering that I am not entitled to a refund if no audit is performed.

I _____ understand and acknowledge the above statements and disclaimers.
Printed Client Name(s)

Signature: _____ Date: ____ / ____ / 20____

Signature: _____ Date: ____ / ____ / 20____

Make Checks Payable to: TriStar Marketing Group and send to
1056 Green Acres Road Suite # 308
Eugene, OR 97408

DOCUMENT CHECKLIST

Securitization Checklist if Requesting a Securitization Audit

1. ___ Signed Note an Unsigned one is o.k. but Signed is Better
2. ___ Recorded Mortgage or Deed of Trust
3. ___ Notice of Trustee Sale, Lis Pendens, Notice of Default, Assignment of Mortgage or Deed of Trust, Substitution of Trustee (you can obtain these documents from County Records, just ask To receive copies of all documents recorded against your Mortgage or Deed of Trust
4. ___ Recent Mortgage Statement (servicer information) If you have had multiple servicers try and send in a mortgage statement for each. For Instance if you had Washington Mutual then it was passed to Chase try to submit a Mortgage Statement from each company
5. ___ New Client Intake Sheet
6. ___ New Client Agreement and Document Checklist

Additional Documents that can be helpful

5. ___ Letters from your Lender or Servicer
6. ___ Letters from the Lender or Servicer's Attorney

Forensic Checklist If Requesting a Forensic Loan Audit (Items in Red Required)

1. ___ Final Truth in Lending Notice of Right to Cancel if refinance of primary residence
2. ___ NOTE (Signed or Unsigned)
3. ___ Lender's Closing Instructions
3. ___ Mortgage or Deed of Trust Complete with any Riders Mortgage Broker Agreement (if applicable)
4. ___ Final HUD-1 or HUD-1A if refinance Escrow Account Disclosure (if applicable)
5. ___ Loan Application - 1003 Borrower 1040 or W2 for the time of financing
6. ___ Itemization of Amount Financed Appraisal for the time of financing
7. ___ MIP (if applicable) Questionnaire from borrower