

Elijah E. Cummings Efforts to Address Foreclosure Fraud

From the outset of the 112th Congress, Oversight Committee Ranking Member Elijah E. Cummings has been at the forefront of congressional efforts to investigate and address abuses by mortgage servicing companies, including illegal foreclosures against U.S. military servicemembers.

Investigative

- ❖ **December 21, 2011:** Cummings sent his first letter as Ranking Member to Chairman Issa requesting that he make investigating foreclosure abuses one of the Committee's top priorities in the 112th Congress.
- ❖ **January 24, 2011:** Cummings requested that Chairman Issa invite the Executive Vice President and General Counsel of JPMorgan to testify at a hearing on the foreclosure crisis, but Chairman Issa refused.
- ❖ **February 10, 2011:** At Cummings' request, the Oversight Committee unanimously adopted as part of its Oversight Plan a commitment to "examine the foreclosure crisis including wrongful foreclosures and other abuses by mortgage servicing companies."
- ❖ **February 25, 2011:** Cummings sent a second, more detailed letter to Chairman Issa setting forth specific evidence of widespread abuses by mortgage servicing companies, outlining steps the Committee should take to investigate, providing specific information about illegal foreclosures against servicemembers, and asking Chairman Issa to join document requests to the nation's top ten mortgage servicing companies.
- ❖ **February 25, 2011:** Cummings asked the new IG of the FHFA to investigate attorneys who handle foreclosures as members of the "Retained Attorney Network" established by Fannie Mae and the "Designated Counsel Program" established by Freddie Mac.
- ❖ **February 25, 2011:** Cummings requested an audit from the Special Inspector General for TARP (SIGTARP) on mortgage servicer conduct that SIGTARP called "abysmal."
- ❖ **February 25, 2011:** After Chairman Issa declined to join him, Cummings sent letters to ten mortgage banks seeking documents relating to wrongful foreclosures against servicemembers and their families, "robo-signing" of foreclosure documents filed with courts, inflated fees, fraud, deficient recordkeeping, and other abuses.
- ❖ **April 12, 2011:** Cummings asked OCC Acting Comptroller John Walsh for a briefing on the interagency investigation into allegations that mortgage servicers engaged in systemic abuses against homeowners facing foreclosure.
- ❖ **May 24, 2011:** Cummings sent a third letter to Chairman Issa, reporting that several mortgage servicing companies refused to provide documents in response to his previous requests and requesting subpoenas.

- ❖ **May 31, 2011:** Cummings wrote to federal banking regulators to request copies of “engagement letters” between 14 mortgage servicing companies and the private consultants they were required to hire to review their widespread foreclosure abuses.
- ❖ **June 1, 2011:** Cummings asked the Federal Housing Finance Agency (FHFA), which oversees Fannie Mae and Freddie Mac, why Fannie Mae is letting an embattled law firm continue to handle its Maryland foreclosures despite problems documented with the law firm by Freddie Mac and its decision to eliminate this program from its Maryland Designated Counsel Program.
- ❖ **June 21, 2011:** Cummings wrote a fourth letter to Chairman Issa, marking the six-month anniversary of his first letter requesting the investigation, providing additional information regarding abuses by mortgage servicers, and reiterated the need for subpoenas for documents relating to illegal foreclosures, inflated fees, and other abuses.

Legislative

- ❖ **April 13, 2011:** Cummings joined Senator Jack Reed in introducing H.R. 1477, the Preserving Homes and Communities Act of 2011, as the House version of legislation to increase consumer protection and transparency and hold servicers accountable for providing relief to qualified homeowners.

Forums and Hearings

- ❖ **March 8, 2011:** At Cummings’ request, the Committee held a field hearing in Baltimore on the foreclosure crisis, with testimony from the Governor of Maryland, the Mayor of Baltimore, and a disabled veteran who suffered from the abusive practices of a mortgage service company.
- ❖ **July 12, 2011:** Cummings and Senator John Rockefeller convened a forum to examine illegal foreclosures against U.S. servicemembers and their families.