

Your Right to File Complaints

DISCLAIMER

(Read about Disclaimer on page two)

Private Lawsuits. If you have a problem, the best place to have it fixed is at its source (the lender, settlement agent, broker, etc.). If that approach fails and you think you have suffered because of a violation of RESPA, ECOA or any other law, you may be entitled to sue in a federal or state court. This is a matter you should discuss with your attorney.

Government Agencies. Most settlement service providers are supervised by a governmental agency at the local, state and/or federal level, some of which are listed in the Appendix to this Booklet. Your state's Attorney General may have a consumer affairs division. If you feel that a provider of settlement services has violated RESPA or any other law, you can complain to that agency or association. You may also send a copy of your complaint to the HUD Office of Consumer & Regulatory Affairs. The address is listed in the Appendix.

Servicing Errors. If you have a question any time during the life of your loan, RESPA requires the company collecting your loan payments (your "servicer") to respond to you. Write to your servicer and call it a "[qualified written request](#)" under Section 6 of RESPA." A "qualified written request" should be a separate letter and not mailed with the payment coupon. Describe the problem and include your name and account number. The servicer must investigate and make appropriate corrections within 60 business days.

DISCLAIMER: Settlement Costs and Helpful Information

2. June 1997

The content of this booklet has been prepared, prescribed and approved by the U.S. Department of Housing and Urban Development, as required by Section 5 of the Real Estate Settlement Procedures Act of 1974 (Public Law 93-533), effective on June 30, 1976.

This publication may be reprinted. However, in no case may any change, deletion, or addition be made in its content.

Sample Written Complaint to Lender

The following is a sample qualified written request from you, the borrower, to a lender. Use this format to address complaints under the Real Estate Settlement Procedures Act (RESPA). Be sure to read more about RESPA, and your rights under this Act, elsewhere [on the RESPA site \(http://www.hud.gov/offices/hsg/sfh/res/RESPA_hm.cfm\)](http://www.hud.gov/offices/hsg/sfh/res/RESPA_hm.cfm).

Attention Customer Service:

Subject: [Your loan number]
[Names on loan documents]
[Property and/or mailing address]

This is a "***qualified written request***" under Section 6 of the Real Estate Settlement Procedures Act (RESPA).

I am writing because:

Describe the issue or the question you have and/or what action you believe the lender should take.

Attach copies of any related written materials.

Describe any conversations with customer service regarding the issue and to whom you spoke.

Describe any previous steps you have taken or attempts to resolve the issue.

List a day time telephone number in case a customer service representative wishes to contact you.

I understand that under Section 6 of RESPA you are required to acknowledge my request within 20 business days and must try to resolve the issue within 60 business days.

Sincerely,

[Your name]

REMEMBER: This letter **SHOULD NOT** be included with your mortgage payment, but should be sent separately to the customer service address.

You **SHOULD** continue to make the required mortgage and escrow payment until the request is resolved.

You may bring a private right of action under Section 6, if you suffer damages due to the lender's servicing of the loan. See the [RESPA statute and regulations](#).

Final Rules and Regulations

The links on this page take you to the most current Government Printing Office versions of the Real Estate Settlement Procedures Act Rule. The **Appendices** can only be found here:

[24 CFR Part 3500 Final Rule as of April 1, 2007](#)

[24 CFR Part 3800 Final Rule as of April 1, 2007](#)

Appendices

[Appendix A](#) Instructions for Completing HUD-1 and HUD-1-A Settlement Statements; Sample HUD-1 and HUD-1-A Settlement Statements

[Appendix B](#) Illustrations of Requirements of RESPA

[Appendix C](#) Sample Form of Good Faith Estimate

[Appendix D](#) Affiliated Business Arrangement Disclosure Format

[Appendix E](#) Arithmetic Steps Illustrating Aggregate Analysis

The above may be found at:

<http://www.hud.gov/offices/hsg/sfh/res/respereg.cfm>