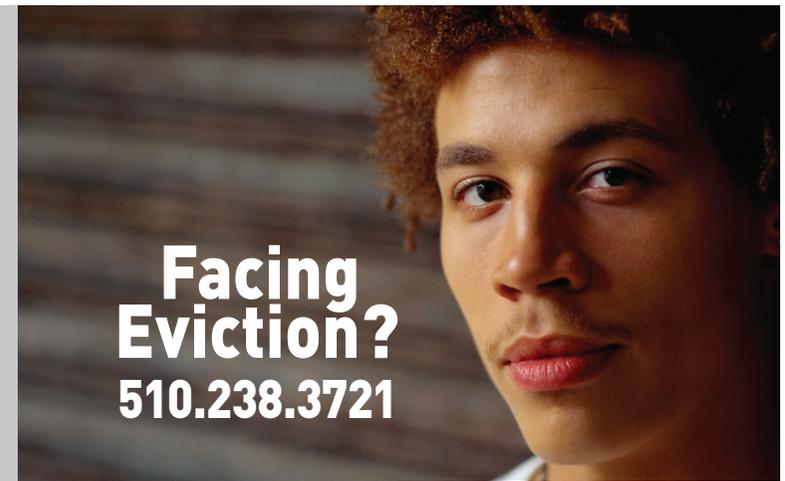


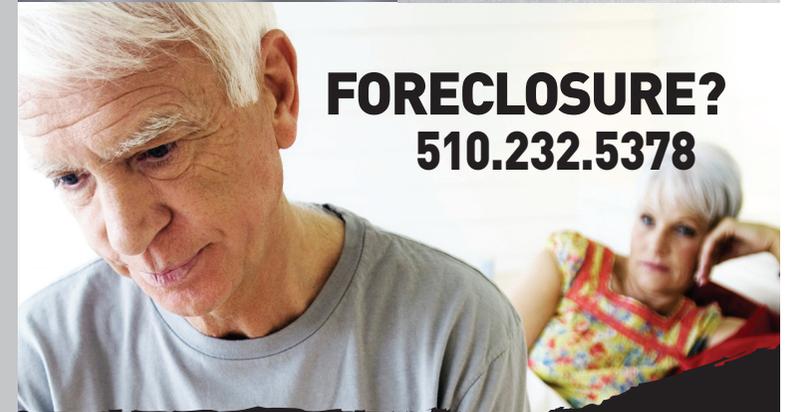
what you need to
know about
EVICTON and
FORECLOSURE

Lending practices during the last few years have included a number of high-risk loans involving adjustable interest rates, balloon payments, and other provisions that have led to a great increase in the number of homeowners who lose their homes to foreclosure. In the coming months, an even larger number of adjustable-rate mortgages will re-adjust upward. This will increase the monthly payment to levels that many homeowners will simply not be able to afford. In addition, tenants who live in buildings that are foreclosed are being evicted in violation of the Oakland Just Cause Ordinance. Part of the reason for this is that many tenants and lenders do not know that tenants in this situation are usually protected by the **Just Cause for Eviction Ordinance**. The growing number of foreclosures negatively affects not only homeowners and tenants, but the community as a whole. It may result in large numbers of vacant buildings, which increase crime and blight in our city.

CITY OF OAKLAND
Community and Economic Development Agency (CEDA)
Housing and Community Development Division
250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612



**Facing
Eviction?**
510.238.3721



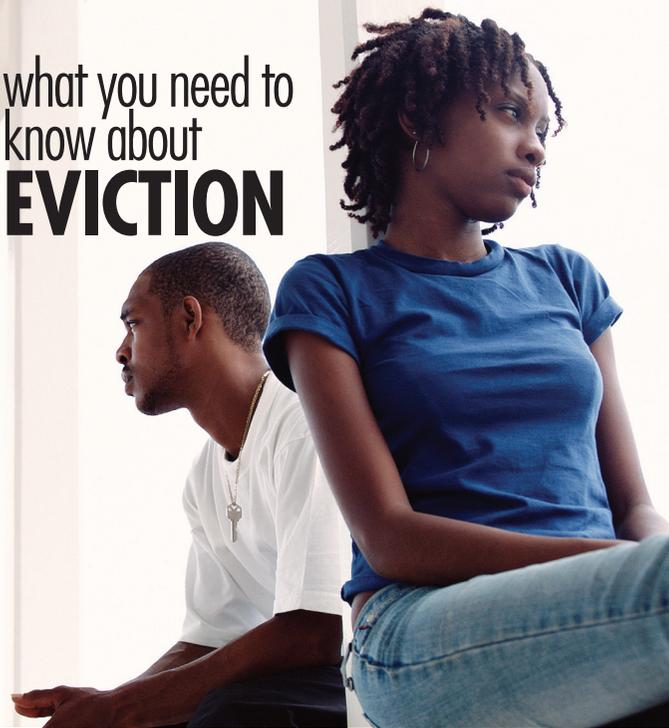
FORECLOSURE?
510.232.5378

Know your rights.

www.oaklandnet.com/oaklandhelps



what you need to know about
EVICION



Can I be evicted because my building has been foreclosed?

NO! The Oakland Just Cause for Eviction Ordinance states that a landlord must have good cause to evict a tenant. If a building is foreclosed, a bank or mortgage company becomes the new owner. This is no different from a situation in which a building owner sells the building to someone else. In either case, the fact that someone else owns the building is not a lawful reason to evict a tenant or increase the rent.

If there is a foreclosure, can my rent payment be increased?

NO! Under the Oakland Rent Ordinance, a new landlord, including a bank or lender who has foreclosed on the property, does not have any more or less right to increase a tenant's rent than the prior landlord had.

What if I paid rent to the prior landlord and the new landlord claims that I haven't paid?

A tenant who has paid rent to a prior landlord before being notified that there has been a foreclosure is given credit for the rent payment. It is your responsibility to prove that the rent was paid. **Always** insist on getting a receipt.

Know your rights.

510.238.3721 (eviction information)
510.232.5378 (foreclosure information)
www.oaklandnet.com/oaklandhelps

ATTENTION PROPERTY OWNERS

There are a series of legal steps that a lender must take before a property is foreclosed. **Get the facts!** Call the Oakland City Attorney's Hotline at **510.BE ALERT (232.5378)**.

ATTENTION TENANTS

Foreclosure or sale of a building is **not** a lawful reason to evict a tenant or raise the rent in the City of Oakland. **You have rights!** For questions about rent increases, call the Rent Adjustment Program at **510.238.3721**.

FOR TENANT COUNSELING CONCERNING EVICTIONS, CALL:

- Bay Area Legal Aid 510.250.5270
- Centro Legal de al Raza 510.437.1554
- East Bay Community Law Center .. 510.548.4040
- East Bay Tenant Bar Association ... 510.548.4774
- Eviction Defense Center 510.452.4541
- Sentinel Fair Housing 510.645.1057

BEWARE OF NEW LOANS

Don't sign any document that you do not understand.

Greedy loan brokers and mortgage companies have given loans when they knew the borrower would not be able to keep up with the payments. Always find out the **real** cost of the loan. If it **sounds** too good to be true, it probably **IS** too good to be true.



facts about
FORECLOSURE

Who should I contact if I fall behind on my mortgage payments or think I might not be able to make my next payment?

Contact your servicer or lender immediately to discuss your options. If you cannot reach your servicer, or need your options clarified, call the HOPENOW hotline at 888-995-HOPE for an HUD-approved credit counselor.

If the foreclosure process has started, do I have any rights to negotiate with the lender?

Depending on your ability to sustain the debt and make the new payments on time, you may be able to negotiate a workout plan during the foreclosure proceedings.

I was promised that I would be able to refinance after the second year when my mortgage rate would double. What can I do?

Contact your lender about refinancing.

Avoid rescue scams.

Do not refinance into another ARM or non-fixed rate product. Call the HOPENOW hotline for counseling or go to our website at www.hopenow.com

