Survival – how to

- this document is not a substitute for the advice of an attorney -

The catch phrase of the new millennium … “how to survive in __”. Although ’09 has a nice ring to it, any year for the next five to ten will work. It seems that everybody is an expert, and there are quite a few opinions out there. And it’s unanimous that we are all ready for change and want to believe and have faith that our system will take care of us, after all, we are part of the greatest country in the world; it couldn’t possibly let us down…

Well, I’m certainly not going to claim to be an expert here, and although I have my own opinion, I’m not going to try to convince anyone to even listen to it even though I’ve been forced to listen to everyone else’s.

My intention is to present only the cold hard facts here, and to lead by example. Take it or leave it, I’ve been there and done that.

First, a little history:

Right up front, I am not your average Joe. Life for me has been nothing but a series of challenges. In a way, I am grateful for these experiences as they have served to make me a better person, whether or not I enjoyed them, good and bad, what didn’t kill me, just made me stronger. No silver spoon here, everything I have, I’ve worked for, and I don’t like it when someone tries to take it from me. There are times when I look back and wonder just how I did it, and someday I’ll write a book about it. There have been way too many stories to mention here, like many dime store novels, so to make my point, here are some of the most memorable encounters that I can mention:

I’ve never been to war but I have been shot at and missed, more than once. Been deliberately poisoned by my own family and lived. Seen plenty of blood spilled by strangers on bright sunny days and been exposed to some of the most heinous of life’s offerings, all in my own home town. I’ve been robbed, like every body else, and many times… but twice in the same day? I’ve found lumps and bruises all over my body in the morning because I had been beaten with a two by four in my sleep. Assault by random acts, with scars to prove it, is never a surprise, as it quickly becomes just another day at the office. I’ve cried many times over as I watched my best friends suffer horribly and then die by the hands of both the trusted and the random. Never to be put down by any of this, I just simply take it all in stride. It does make me stop and think sometimes and question their meanings.

I’ve studied all the conspiracy theories, have my own religious convictions, and through all that and my 58 years, I have learned one very important distinction about myself, beyond a shadow of a doubt and above all else, I’m still here to say, I am a survivor. All these wannabees in the spotlight giving their expert advice and opinions… they don’t know Jack!

And so this is how I did it…
Please note that most of the following is common knowledge and does not necessarily have to be proven. Some of it should be considered a frame of mind just for the sake of argument.

Fact no. 1

Bankruptcy is nothing to be ashamed of. This is America, and bankruptcy is a privilege designed to give Americans a second chance. Although its power for the people has been recently compromised with new rules created by the influence of big business, its original intent was to protect the innocent from predatory lending and credit practices. Does this ring a bell here? Hopefully my personal experience can help you avoid bankruptcy, as it is certainly is not what it used to be.

Fact no. 2

Foreclosure is nothing to be embarrassed by. Especially so today, with the current state of the economy, it’s not your fault! It’s just business. Wall Street, Big business, big banks and big government are responsible for creating and manipulating the money system to favor just a select few individuals. Their plan right from the time you sign the promissory note is to take your home from you at first chance for their profit. The “Golden Rule”… you are taught as soon as you become aware, of what its meaning in life represents, but experience in life proves out the true meaning… “He who has the gold, makes the rules”, believe it! (I will refer you to a web page to view the proof later on.) They spend a good amount of money in ways to convince you that you are the problem, but I’m here to tell you that it is in fact the other way around. Pay attention here, I legally took my home from them. And I will never have to pay another mortgage payment for my property again. And most anyone can do it!

Fact no. 3

Servitude is this millenniums new buzz word. The plan is to step on you to the point of bleeding. The costs and fees for freedom are deliberately manipulated in a fashion so as to keep you from getting even the slightest bit ahead of the game. Repress the masses into submission! Today they talk of making our great grandchildren pay for our debts, the same debts they forced us into. Used to be that the laws, that still exist, protected us from these issues, but none of the powers that be, regardless of the fact that they are aware, will do anything about it. Who has control around here anyway?

Fact no. 4

This America of ours today is not the same America That I was born into. Go look up the definition of the word fascism. And then I will only ask; what happened to the American Dream? Kids today are being indoctrinated to believe that this is what America is and they are accepting it as fact. Long term debt and other people’s problems are all they have to look forward to. I don’t want this to be looked upon as a rant here, this fact is being used to re-enforce facts 1, 2 and 3.
Fact no. 5

Wall Street, big banks and mortgage companies are scamming us while our trusted government officials look the other way, (as well they should when you understand how Fannie and Freddie fit in). They spend a lot of time and money to hide these facts by making their schemes look legitimate. They are not just trying to take advantage of the average hard working law abiding citizen, but actually target the big commercial real estate and investor markets as well. (I will refer you to a web page to view the proof later on.)

Fact no. 6

History repeats itself. I really don’t have to say it, but America is in serious trouble. We’ve seen our heyday come and go. I like many others still have hope, but find myself saying more and more prayers everyday. The great Depression could be very easily over shadowed if things don’t turn around here and soon. Unfortunately, the good old fashioned American ways of solving problems, “just throw some money at it and it will go away” or “starting the old war machine to stimulate the economy” just don’t work anymore. And if you have any memory at all of what you were taught in high school history class, you would see the parallels, to other empires come and gone, just like handwriting on the wall.

Fact no. 7

Doing what you have to do to survive is nothing to feel guilty about. You have debtor’s rights and they do not want you to know what they are. Deceit is their main weapon and they are not afraid to use it every chance they have. We live in a credit based society, and they would have you believe that whatever mistakes you do in their credit world is punishable by money. And they employ multiple means to cause you to pay more when you don’t have it in the first place, a catch 22 of sorts, create an escalation of debt so as it can never be paid off, add penalties and interest to seal the deal, in a deliberate effort to control and or destroy and then take whatever is left. And you still have to pay and pay more. You have to recognize this for what it is, and take control of it early on. Prioritize anything you have left, and attack them where you can. This is war, us against them. Your home should be the last thing on your list of debts as it is the easiest to keep, and I’ll show you how.

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Now the rules; follow them and you just might survive.

Rule no. 1

Taxes shall be the first thing you pay. The County and or State you live in have first dibs on what you own. The IRS is the second most powerful entity, and it’s near impossible to beat them. If you want to protect your home, you need to take care of these things first. Don’t argue, you will see the picture shortly. Bankruptcy is the first on the list to avoid, but if you haven’t paid your taxes, then maybe it’s your only choice, just do it and get it over and done with.
Rule no. 2

You gotta eat. This is a “no brainer” here; spend the money, what little you have, on food. Don’t be arrogant, clothes and other necessities are also in this category but learning the secrets of flea markets, thrift stores and dollar stores are a very important part of this rule. Save where you can, use coupons especially at restaurants (not to be misunderstood, you should avoid restaurants as much as possible) and drug stores. Expect the worst, in the great depression, there was 6 months of famine in the U. S. So, if you don’t want to be walking to the local soup kitchens and standing in line for hours for your dinner, you will need to accumulate enough supplies to last at least a few months. Take the advice offered by history and the Obama’s, start a garden in your back yard! Your water and utility bills fall under this rule because you still have to cook your food and then flush the toilet afterwards. Ps. don’t forget the toilet paper.

Rule no.3

Investigate your Mortgage. Spend the money for a professional title search and have it examined by professionals to expose the fraud and the laws that were broken, as well as the cover up. This should be done ahead of time, before you default on your payments, but regardless, it has to be done as soon as possible. This is a real problem today as all the big banks and mortgage companies are doing the bad stuff and have been for quite some time. If you have a mortgage through a small hometown bank chances are pretty good that they have followed the applicable local laws and rules, but they need to be checked anyway. Nobody wants to go delinquent on their home if they can avoid it, but if you are in a jam as most everyone already is, then you need to make a decision. If you have to cut any bills out of the picture, then this just might be the bill to not pay. The mail they send you may contain valuable information that you can use against them. Make them send you any and all data concerning you and your mortgage and your note. Whatever they are willing to send, keep everything and file it away. At first chance, send them a registered mail asking them to “produce the note”, it should include at least a request to view the original blue ink signed paper promissory note with a complete chain of assignments. There should be a lot more added to this letter, as every case is different, consider some help in designing yours, or let a real estate attorney do it.

Rule no. 4

Do not ignore the bill collector. If you don’t question or fight, then you lose by default. In most cases the laws provides that the debt is valid unless challenged, challenge everything. They are collecting data, and they will use it against you. You need to collect data about them and that data can be used against them. They will offer you deals, which are for the most part just lies. They will put their own foot in their mouth. Record the conversations if you can. Photograph your caller ID. You need to play the game just short of deceiving them. You do not want to give them money or financial statements. You do not want to lie to them. You are broke, so you tell them that you are broke and it is because of the economy. Tell them that you are working on it and you will pay them as soon as possible. Do not hang up on them. They are a pain in the rear, but don’t let them intimidate you. They do not need your other phone numbers and especially your work number. They are the servicer and they get paid by the owner of the note, and they get
paid very well as long as you are in foreclosure status. The servicer does not hold or own your note but they will try to convince you that they do. Make them send you data through the mail verifying every thing that they tell you. Ask them to certify any documents that they send. Do not let them know where your money is or how much you have. The less they know about you, the better off you are. There will be a point legally where they will owe you $1000.00 for each phone call that you answer. Log all the calls and if you can, get verification from your phone company. The Fair Debt Collection Practices Act has rules that they must follow, but expect them not to. Explain to them that you consider their calls harassment, but don’t harass them. If you really want to, you can make them stop calling by sending them a registered mail notice to quit.

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Banks make their incredibly huge profits through fees. In the investment world they need speed, (electronic information transfer) and they routinely circumvent the traditional old fashioned ways and laws and rules in order to increase profits and to hide their mistakes and misdoings. The money they save is enormous and involves cheating everybody involved including the local counties and tax offices out of millions. They prefer to absorb the cost of loosing a few mortgages in favor of the tremendous illicit gains, “the cost of doing business”. And the loss is to the homeowners and the investors, the banks and mortgage companies don’t lose a dime.

The truth behind the mortgage on your home may surprise you. Many laws are routinely broken. It is possible that the original blue ink signed paper promissory note that you agreed to, may have been scanned into a computer and then, at a later time, may have been shredded. This is just a simple example, as there is a lot more to the scam, but two very important laws that govern all real property negotiable instruments have been broken here, either one immediately dismisses the debt obligation. The analogy that I prefer here concerns the definition of a negotiable instrument… A dollar bill is a good example and is governed and defined the same as a real estate based promissory note. Take your dollar bill and run it through a scanner, then run it through a shredder, and then print it out; now what do you have?

It is important to note here that timing is a critical factor. You cannot wait till the last minute to do this. If you do, you will have to hire a competent attorney, and if you don’t, they will take your home away and then sell it to some other unsuspecting sucker in order to continue the cycle. They will use slick talk, deceitful tricks and lies as those are the only tools they have. Combine that with unscrupulous lawyer firms that specialize in nothing else but foreclosures and then add your ignorance and you have what has become know as the modern “Foreclosure Mill”. As of this writing, there are very few attorneys or judges that understand the laws or attempt to see through the fraud.

http://foreclosuredefensenationwide.com/?p=144

Just telling them to “produce the note” won’t work. If you intend to do this pro se, there is a pretty serious learning curve; at least a couple of months of study and a serious attitude are absolutely required. On the other hand there are a few cities and counties that see it all too well for what it is, and have created local laws that require the foreclosures
to qualify by pre-submitting all the appropriately required paperwork and checking for validity before they can proceed, virtually eliminating all foreclosures.

If you live in one of those cities then you have already won.
It’s important to note here that our current administration is doing something in an attempt to look good, by introducing a new bill.

http://www.govtrack.us/congress/bill.xpd?bill=h111-1123
But it just isn’t enough when you consider that adequate laws already exist and have been blatantly disregarded for so many years. What is required of them is to address the issue by initiating a form of ultimate control, something that might stop all foreclosures during poor economic conditions, and then creating an accounting system with checks and balances to prevent and expose the fraud before the unsuspecting become victims.

http://www.ftc.gov/bcp/edu/pubs/consumer/credit/cre18.shtm
http://www.sec.gov/investor/pubs/promise.htm
Note here that this does not only apply to residential real estate but holds true just as well with commercial real estate. The rules may vary a little but the governing laws have the exact same impact.
For those who have already lost their homes to foreclosure, there is hope. If you can show that it was in fact through fraudulent means, there are attorneys out there who will fight for you.

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Proof and Help

A manual containing references to pertinent laws you need to use to help save your home with charts and graphs to help you understand. Included in the manual are the templates you can use to get started with. This manual and templates are updated regularly. Research and other services are also available. This is what the pro’s use. This is how it’s done. This is the information you need.

Just do a Google search on “Assignment Fraud” or go to the following link …

http://www.scribd.com/doc/18775420/Assignment-Fraud

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Remember who the real enemy is.
ORDER DENYING APPLICATION FOR ORDER FOR FORECLOSURE

On the 21st day of January 2010, came on for hearing the Application for Order for Foreclosure filed in the above-entitled cause. The Applicant appeared by and through its attorney of record, and the Respondent appeared in person, pro se. The Court, having considered the evidence and the arguments presented, concluded that the application should be, and it is hereby, DENIED.

SIGNED this 25th day of January 2010.

JUDGE PRESIDING