

HILTON WILLIAMS & ASSOCIATES

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June 22, 2009

UPS Next Day

THE SUPRME COURT OF THE STATE OF NEVADA
201 South Carson St.
Carson City, NV 89701-4702

FILED

JUN 23 2009

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

Requests for Written Comment AB 149

ADKT 435

1. In regard to proposed Rule 5, (d)

(Issue) ALL decisions regarding the modification of a loan are now being made by the INVESTOR or OWNER of the block of loans sold by the mortgage company. The LENDERS no longer have ANY authority regarding the modification of the loan. The LENDERS have been reduced to the roll of a servicing company or GATE KEEPER for the INVESTOR.

(Proposed changes) The INVESTOR shall attend, and be present at all times during the mediation.

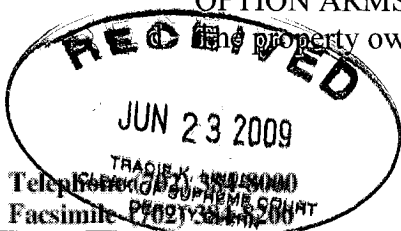
2. In regard to proposed Rule 6

(Issue) As drafted Rule 6 states: An owner occupied property located in Nevada where a Default is recorded prior to July 01, 2009 must have a stipulation from the GRANTOR or PERSON who holds the title of record to enter the Foreclosure Mediation Program. This is discriminatory to those Nevadans already in FORCLOSURE but who HAVE NOT had their home sold.

(Proposed change) An owner occupied property located in Nevada shall have the right to request entrance into the Foreclosure Mediation Program if:

- a. The property has a SALE DATE after August 01, 2009.
- b. The property owner has received a LOAN MODIFICATION offer that does not reduce the monthly payment more than 10%, or creates a future hardship.
- c. The property owner has an existing loan that is PREDATORY in nature. i.e. OPTION ARMS.

The property owner has an extreme hardship.



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09-31783

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3. In regard to proposed rule 7 (b)

(Issue) As drafted Rule 7 (b) states: The beneficiary of the deed of trust or its representative shall produce any appraisals that it may have with respect to the residence the real property that is subject to the deed of trust upon which the Beneficiary is attempting to foreclose and shall prepare an estimate of the "short sale" value.

(Proposed change) The INVESTOR of the deed of trust shall produce and PAY for and produce a CURRENT APPRAISAL with respect to the REAL PROPERTY that is subject to the deed of trust upon which the INVESTOR is attempting to foreclose and shall prepare an estimate of the "short sale" value at the time of the mediation.

Respectfully,

HILTON WILLIAMS & ASSOCIATES



L. Kirk Williams, Esq.

