



# Home Means Nevada, Inc.

A Non-Profit Entity Established by the  
State of Nevada Department of Business and Industry

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October 28, 2020

Ms. Elizabeth A. Brown  
Clerk of the Supreme Court  
Supreme Court of Nevada  
201 South Carson Street  
Carson City, Nevada 89701

FILED

OCT 28 2020

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY \_\_\_\_\_  
CHIEF DEPUTY CLERK

Re: **ADKT 0435 – Comments on Proposed Amendments to Foreclosure Mediation Rule 13**

Dear Chief Justice Pickering, Members of the Nevada Supreme Court, and Ms. Brown:

Home Means Nevada, Inc. (HMN) submits the following comments in support of the proposed amendments to ADKT 0435 – Foreclosure Mediation Rule 13.

HMN is a non-profit that was created by the Department of Business and Industry. Senate Bill 490 of the 79<sup>th</sup> Nevada Legislative Session (2017) made several changes to the Foreclosure Mediation Program. Senate Bill 490 removed the Nevada Supreme Court as the Foreclosure Mediation Program Administrator with a process now involving the Nevada District Courts and HMN to facilitate and streamline the Foreclosure Mediation Program. It required HMN to perform certain aspects of the Foreclosure Mediation Program, including, issuing certificates prior to the filing of a notice of foreclosure sale, and creating a portal that could be used by stakeholders during the Foreclosure Mediation Program.

HMN implemented the “Portal” and it is being used by stakeholders in the Foreclosure Mediation Program. The benefits and outcomes of the Portal include the following:

- ❑ A free self-service Portal, that assists stakeholders, including, but not limited to, homeowners/consumers, attorneys, mortgage servicers, mediators, and the courts in interacting and exchanging documents on foreclosure mediation cases through the Portal.
- ❑ An end to end audit trail that documents interactions between homeowner/consumers, attorneys, mortgage servicers, mediators, and the courts.
- ❑ Reduces the risk of lost documents and communications because there is an electronic record of transactions and document exchanges in the Portal.
- ❑ The ability to track and report on the number of foreclosure mediation cases being filed and processed by HMN and the courts.
- ❑ Complies with current federal and state directives related to the COVID-19 public health emergency by allowing for electronic submission and exchange of documents.



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Since implementing the Portal, HMN has sought to improve the Portal and will continue to work with stakeholders based on current and future needs. HMN understands that there may be individuals who do not have available technology or resources to access the Portal. HMN will work to provide options for these individuals including, but not limited to, mailing documents to HMN that can then be uploaded into the Portal and/or a drop box at HMN where documents could be dropped off and then uploaded by HMN. HMN will consider other options as needed. In addition, Foreclosure Mediation Rule 13 provides discretion for the District Court to allow for the exchange of documents outside of the Portal.

In fiscal year (FY) 2019/2020 during the period covering July 1, 2019 to June 30, 2020, there were 2,756 notice of defaults (NOD's) filed. In the previous FY 2018/2019, there were 4,001 NOD's. The decrease in NOD's in FY 2019/2020, is likely due to the moratorium(s) on foreclosures at the State and federal level (CARES Act) because of the COVID-19 public health emergency.

Of the 2,756 NOD's filed in FY 2019/2020, HMN received 226 Petitions to Participate in the Foreclosure Mediation Program and received 213 Court Orders from completed Foreclosure Mediation Program cases.

Once the moratorium(s) on foreclosures lift at the State and federal level, it is expected that the filing of NOD's will increase in 2021 along with Petitions to Participate in Foreclosure Mediation Program. The Portal will play a vital role in managing this process and providing an electronic system to accomplish the requirements of Foreclosure Mediation Rule 13.

HMN respectfully submits these comments in support of the proposed amendments to Foreclosure Rule 13.

Should you have any questions or concerns, please feel free to contact me at (775) 684-1891 or by email at [ShannonChambers@labor.nv.gov](mailto:ShannonChambers@labor.nv.gov).

Sincerely,



Shannon M. Chambers  
President  
Home Means Nevada, Inc.