



Home Means Nevada, Inc.

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

Board of Directors

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November 9, 2020

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

NOV 09 2020

ELIZABETH A. BROWN
CLERK OF THE SUPREME COURT
BY: [Signature] DEPUTY CLERK

Re: ADKT 0435 – Proposed Language for Amendments to Foreclosure Mediation Rule 13

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

As agreed to in the public comment provided at the November 5, 2020, Public Hearing on ADKT 0435 – Foreclosure Mediation Rule 13, Home Means Nevada, Inc. (HMN) submits the following proposed language to address the issue of portal access/participation by parties that may not be represented and/or utilizing the portal is not feasible. HMN worked with Mr. Peter Aldous, Attorney, Consumer Rights Project, Legal Aid Center of Southern Nevada, Inc., and Ms. Kristin Shuler-Hintz, Esq. - Partner, Managing Attorney, McCarthy-Holthus, LLP, on this language.

The following is the proposed additional language to be added to the proposed amendments to ADKT 0435-Foreclosure Mediation Rule 13.


"The documents shall be exchanged via the state-sponsored portal unless otherwise ordered by the District Court. The District Court may permit documents to be exchanged by means other than the state-sponsored portal if the Homeowner is not represented in the mediation process and/or the Homeowner certifies in the Petition for Foreclosure Mediation Assistance that use of the state-sponsored portal is not feasible. Relief from the utilization of the portal may only be authorized after the Petition is answered for good cause shown."

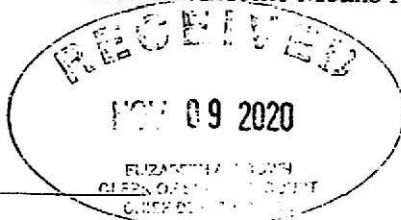
The attached form, Exhibit B, would be utilized by the Homeowner and submitted to the District Court.

HMN respectfully submits this proposed language to be included in the amendments to ADKT - Foreclosure Rule 13 that the Nevada Supreme Court is considering.

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.

Sincerely,


Shannon M. Chambers
President - Home Means Nevada, Inc.



20-40904

EXHIBIT B

PETITION FOR FORECLOSURE MEDIATION ASSISTANCE FORM

Homeowner(s)

Name(s): _____

Address: _____

City, State, Zip _____

Phone _____

Email: _____

DISTRICT COURT

COUNTY, NEVADA

(Homeowner Name)

And

(Additional Homeowner Names)

And

(Beneficiary/Service Name)

CASE NO:

DEPT NO:

PETITION FOR FORECLOSURE MEDIATION ASSISTANCE

Petitioners hereby petition this Court, pursuant to the terms of Chapter 107 of the Nevada Revised Statutes, to grant them participation in the mediation program for homeowners facing foreclosure. Petitioners state as follows:

1. Residence. The home that is under foreclosure proceedings is in _____

County in the State of Nevada. Petitioner is the occupant and owner of this home.

2. APN. The assessor parcel number (APN) of the home is _____.

3. Notice of Default. The notice of default is attached to this petition. The notice was received in the last 30 days.

4. Mediation Fee. The required \$250 mediation fee is submitted herewith.

5. I am not represented by counsel,

I understand that participation in the program may require the use of an electronic portal to transmit information:

☐ I have access to a computer and internet.

☐ I do not have access to a computer and internet and I consent to being contacted by Home Means Nevada to assist me (or direct me to additional assistance) about potential use of the portal.

☐ I do not have access to a computer and internet and it is not feasible for me to obtain assistance with using the portal.

Petitioners hereby request that this Court allow participation in the foreclosure mediation assistance program.

Date

Date

Homeowner Signature

Homeowner Signature

Homeowner Printed Name

Homeowner Printed Name

FIRST PETITIONER'S VERIFICATION

State of Nevada)
)
County of _____)

(*Homeowner's name*) _____, being first duly sworn under
penalty of perjury deposes and says:

I am the Petitioner herein, and I have read the foregoing Petition for Foreclosure
Mediation Assistance and know the contents thereof; that the pleading is true to the best of my
own knowledge.

(*Homeowner's signature*)

Signed and sworn to (or affirmed) before me on
(*date*) _____ by (*name*) _____

Signature of notarial officer

State of Nevada)
)
County of _____)

On this _____ day of _____, 20____, personally appeared before
me, a Notary Public, (*homeowner's name*) _____

known or proved to me to be the person who executed the foregoing Petition for Foreclosure
Mediation Assistance, and who acknowledged to me that he/she did so freely and voluntarily and
for the uses and purposes herein stated.

ADDITIONAL PETITIONER'S VERIFICATION

State of Nevada)

County of _____)

(*Homeowner's name*) _____, being first duly sworn under
penalty of perjury deposes and says:

I am the Petitioner herein, and I have read the foregoing Petition for Foreclosure
Mediation Assistance and know the contents thereof; that the pleading is true to the best of my
own knowledge.

(*Homeowner's signature*)

Signed and sworn to (or affirmed) before me on

(*date*) _____ by (*name*) _____

Signature of notarial officer

State of Nevada)

County of _____)

On this _____ day of _____, 20____, personally appeared before
me, a Notary Public, (*homeowner's name*) _____

known or proved to me to be the person who executed the foregoing Petition for Foreclosure
Mediation Assistance, and who acknowledged to me that he/she did so freely and voluntarily and
for the uses and purposes herein stated.

CERTIFICATE OF SERVICE

I, _____, hereby certify that on this date _____, I mailed copies of the foregoing **“PETITION FOR MEDIATION ASSISTANCE”** certified mail, return receipt requested, to the following parties at the addresses shown below:

Trustee

Beneficiary

Home Means Nevada

330 West Sahara Ave., Suite 480
Las Vegas, Nevada 89102

Other party of interest

Signed: _____