

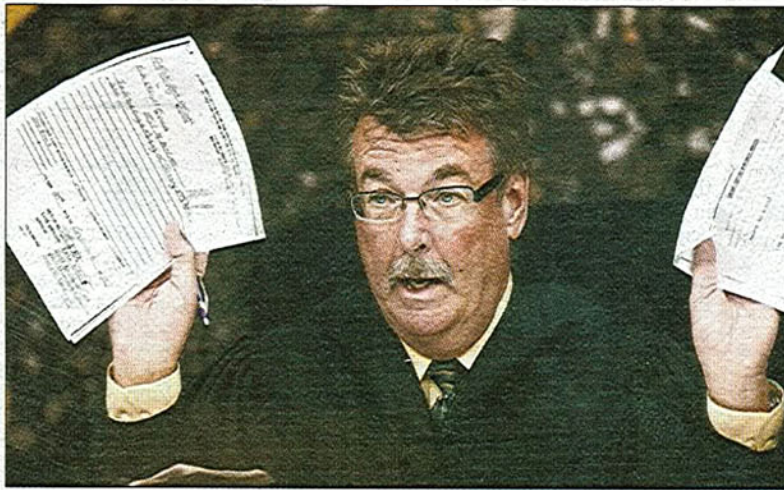
The Palm Beach Post

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PALM BEACH POST CONTINUING COVERAGE | *Foreclosure crisis*

A BRAKE IN THE AUCTION



LANNIS WATERS/Staff Photographer

Palm Beach County Judge Edward Garrison complains paperwork is missing at a foreclosure hearing Tuesday. Judges approved cancellations of half of the day's 150 scheduled foreclosure auctions.

With foreclosure doubts swirling, owners win late reprieves as attorneys stop dozens of sales.



'I'd like to go on my terms'

Regina Ross was near tears when the auction of her suburban Lake Worth home was called off.

By KIMBERLY MILLER
Palm Beach Post Staff Writer

WEST PALM BEACH — The lawyer for the bank foreclosing on her home leaned in to Regina Ross on Tuesday morning to whisper an unexpected message.

Representing JPMorgan Chase, the Florida Default Law Group attorney had just canceled 27 foreclosure sales in less than 15 minutes in front of Palm Beach County Judge Meenu Sasser.

He told Ross he also would call off the sale in Bank of America's 3-year-old case against her.

By the end of the morning's hearings, 50 percent of the day's foreclosure auctions were aborted, canceled in many cases only an

hour before they were to go to sale.

The typical rate for cancellations is about 30 percent.

Lawyers scrambled to pull foreclosed properties from auction after the recent admissions from three major lenders that flawed foreclosure affidavits may have been filed with the court.

That means homeowners on the brink of losing their properties are getting last-minute reprieves, regardless of whether the reason for the pardon is clear to them or whether they're even aware of the status of their cases.

Sasser said she's had to explain to a few homeowners why

See HOMES, 5A ►

Unsure of fallout, clerk of court watching process

► HOMES from LA

the sales were canceled. If it's a JPMorgan Chase, Ally Financial or Bank of America case, it could be because affidavits were signed by bank employees who falsely swore they had verified documents showing the foreclosure was warranted. All three banks have suspended portions

of their foreclosure proceedings to review and correct documents.

"I always take time to explain what's happening," said Sasser, who estimated she approved 40 sale cancellations Tuesday.

Palm Beach County Judge Edward Garrison worked on similar foreclosure hearings.

In total, 150 properties

were scheduled for auction Tuesday. Seventy-five were canceled, with 33 being pulled Tuesday before the 10 a.m. start time of the online auction.

Ross asked for the Nov. 1 sale of her suburban Lake Worth home to be canceled because she said she has someone who will buy it as a short sale. The home was purchased for

\$399,500 in 2005, but the Palm Beach County Property Appraiser's Office now lists its total market value at \$183,809.

While the bank has not approved the short sale and no mortgage has been paid on the home in two years, the foreclosing attorney agreed without argument to cancel the sale.

Attorney John Carter, who is not representing Ross but observed the hearing, said the bank was probably going to request the cancellation anyway because of the affidavit issues.

"I really don't want to leave the house yet and I don't want it to go into foreclosure," said Ross, who was near tears as she

stood in front of Sasser. "I'd like to go on my terms."

Palm Beach County Clerk of Court Sharon Bock said she's monitoring the foreclosure proceedings to see what effects the new revelations may have on her office.

She said she has received no information from the banks on how they will proceed.

"This is going to be a moving target," Bock said.

For the most part, homeowners whose sales were canceled Tuesday were not present for the hearing.

Alvaro Arosemena's suburban Boca Raton home, which has a Chase loan, was spared from Tuesday's auction. He could not be reached for comment and it's unknown whether he's walked away from the home, which went into foreclosure in 2007.

The house, in the Thornhill Glen community, is not homesteaded or listed as Arosemena's mailing address in property appraiser records, typically indicating it is a second home.

Attorneys from the Kaye & Bender law firm, which is representing Thornhill Glen's homeowners association, said they were frustrated by the canceled sale because once the lender takes over the home, it is responsible for paying a portion of delinquent association fees.

"This leaves the homeowners association in limbo," said Robert Kaye of the Pompano Beach-based firm. "With people watching more carefully what the lenders are doing, there will be more cancellations."

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