

Press Releases

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ATTORNEY GENERAL MADIGAN DEMANDS MEETING WITH MORTGAGE LENDER AT CENTER OF FORECLOSURE CONTROVERSY

GMAC Suspected of Submitting False Documents in Foreclosure Cases

Chicago — Attorney General Lisa Madigan today issued a letter to the mortgage lender Ally (formerly GMAC) demanding a meeting to address concerns that the company has violated the state's Consumer Fraud Act in its pursuit of Illinois homeowners in foreclosure. Madigan's letter responds to reports raising serious questions about the accuracy of documents the lender files in foreclosure lawsuits.

An Ally employee testified in a Florida court case that he routinely signed affidavits for foreclosure lawsuits and submitted them to Ally's attorneys without reviewing the homeowners' loan documents. These affidavits were then filed with the court as evidence of Ally's right to foreclose on the homes. The employee testified that he signed at least 10,000 affidavits a month without reviewing the underlying paperwork, and thus had no way of knowing whether the information in the affidavits was actually true.

"Families' homes are at stake here," Madigan said. "If I determine that Ally is rubber-stamping affidavits and filing them with our courts as evidence, I will take appropriate action. The law demands that lenders prove their case in foreclosure actions, and Illinois homeowners demand the same."

Following these revelations, Ally announced this week that it is suspending foreclosure lawsuits in 23 states, including Illinois.

Madigan also requested that Ally immediately provide her office with details on the impact of Ally's conduct on Illinois homeowners, including the number of Illinois homeowners affected by the suspension of foreclosures; the names of the Illinois law firms that Ally retains to pursue foreclosure actions; information about how these firms will implement and monitor the suspension of foreclosure lawsuits in Illinois; and the length of the suspension.

GMAC ranked fourth among U.S. home mortgage lenders in the first six months of this year, according to Inside Mortgage Finance, an industry newsletter.

-30-





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