

Department of Real Estate

Loan Servicing

Q. What can I do about problems with my loan servicer?

A. There are a variety of licenses or authorities under which a mortgage company can service a home loan, including a real estate broker license issued by the Department of Real Estate. Regardless of the license or authority under which a company is operating, there are several things that a borrower can do in order to resolve a loan servicing problem.

Most loan servicers have a toll-free customer service number. Consumers should call their servicer and explain the problem. Be sure to have your loan number and pertinent documents in hand before calling. Document the call by writing down to whom you spoke, the date and time of the call, and what was promised. If the customer service representative is unable to immediately resolve the problem, be sure to ask for some sort of follow-up action and when you might expect a call-back or a timeframe in which the problem will be resolved. After speaking with a customer service representative, or if you are unable to successfully contact the servicer by telephone, a letter should be sent to the servicer at the address for correspondence indicated on your monthly statement or documents.

Section 6 of the Real Estate Settlement Procedures Act (RESPA), which is enforced by the federal Consumer Financial Protection Bureau (CFPB), requires a servicer to acknowledge such a written request to resolve a problem within 20 business days and to attempt to resolve the problem within 60 business days. If the correspondence is not acknowledged or the problem is not resolved within those time frames, you may file a complaint with CFPB (<http://www.consumerfinance.gov> or call at (855) 411-2372) and you may be able to file a civil lawsuit against the servicer.

Complaints may also be filed with the appropriate government agency that regulates the servicer.

To determine if the servicer is licensed by the California Department of Real Estate, you may check the license status on the DRE website www.dre.ca.gov or call (877) 373-4542.

If the servicer is licensed by the Department of Real Estate, a complaint may be sent to:

Department of Real Estate
Mortgage Loan Activities
P.O. Box 137015
Sacramento, CA 95813-7015
Phone: (877) 373-4542
