

Declaration of Mortgage Servicer Pursuant to Civil Code § 2923.5(b)

Borrower(s): **[BORROWER'S NAME]**
Mortgage Servicer: **[MORTGAGE SERVICER'S NAME -- OPTIONAL, IF IDENTIFIED
BELOW]**
Property Address: **[PROPERTY ADDRESS]**
T.S. No.: **[TRUSTEE'S SALE No.]**

The undersigned, as an authorized agent or employee of the mortgage servicer named below, declares that:

1. The mortgage servicer has contacted the borrower pursuant to California Civil Code § 2923.5(a)(2) "to assess the borrower's financial situation and explore options for the borrower to avoid foreclosure". Thirty (30) days, or more, have passed since the initial contact was made.
2. Despite the exercise of due diligence pursuant to California Civil Code § 2923.5(e), the mortgage servicer has been unable to contact the borrower "to assess the borrower's financial situation and explore options for the borrower to avoid foreclosure". Thirty (30) days, or more, have passed since these due diligence efforts were satisfied.
3. No contact was required by the mortgage servicer because the individual(s) did not meet the definition of "borrower" pursuant to subdivision (c) of Section 2920.5.
4. The requirements of Cal. Civil Code § 2923.5 do not apply because the loan is not secured by a first mortgage or first deed of trust that secures a loan, or that encumbers real property, described in Civil Code § 2924.15(a).

I certify that this declaration is accurate, complete and supported by competent and reliable evidence, which the mortgage servicer has reviewed to substantiate the borrower's default and the right to foreclose, including the borrower's loan status and loan information.

[NAME OF MORTGAGE SERVICER], Mortgage Servicer

Dated: _____

By: _____
[NAME OF AGENT OR EMPLOYEE]
[TITLE OF AGENT OR EMPLOYEE]