HAU MEMBER TALKING POINTS

Support the Rogers-Wiggins Acts

Updated for Mortgage-Servicing Enforcement Records, MERS and Servicer-Ownership Transparency, Document Integrity, and Servicing-Transfer Safeguards

Use these points to communicate clearly, respectfully, and personally with your federal or New Jersey representatives. Choose the federal or New Jersey section that applies, adapt it to your own experience, and describe public enforcement records accurately.

Start With Your Introduction

- My name is [Name], and I am a constituent who lives in [City/Town].
- I am a member of Home Advocates Union, a homeowner advocacy organization.
- I am contacting you because homeowners need stronger protections against improper mortgage servicing, foreclosure abuses, unreliable mortgage documents, and unsupported claims of authority.

The Core Message

- Foreclosure should be a true last resort, not the result of confusing paperwork, unsupported claims of authority, servicing errors, account-transfer mistakes, or ignored homeowner disputes.
- Homeowners deserve clear proof of who owns the debt obligation, who may enforce the note, who services the loan, and who has authority to pursue foreclosure.
- Families facing illness, job loss, disability, military service, or other hardship need a fair and meaningful opportunity to pursue loss-mitigation options before losing their homes.
- Mortgage servicers and foreclosure firms must be accountable for false statements, unsupported affidavits, improper fees, defective notarizations, questionable assignments, and inaccurate payment or escrow records.
- A servicing transfer should not erase a homeowner’s payment history, delay a pending modification, cause new fees, or become a reason to advance foreclosure.

Talk About Public Enforcement Records Responsibly

- The Rogers-Wiggins Acts draw on public records involving mortgage servicing, foreclosure processing, document integrity, account management, and servicing-transfer practices to support stronger prospective safeguards.
- A civil complaint states allegations. A consent judgment, consent order, or consent decree states the terms of a resolution and may include no admission of wrongdoing. An agency report or order reflects the findings stated by that agency.
- These records do not decide whether a particular homeowner’s loan, payment history, or document is valid. The bills require reliable, loan-specific proof when a homeowner’s property rights are at stake.
- The goal is not to presume that every questioned document or MERS-related transaction is invalid. The goal is transparency, preservation of evidence, accurate disclosures, and meaningful judicial review.

Federal Bill Talking Points

Rogers-Wiggins Act / Home Preservation and Mortgage Integrity Act of 2026

- I urge you to support, introduce, or co-sponsor the federal Rogers-Wiggins Act, also known as the Home Preservation and Mortgage Integrity Act of 2026.
- The bill would require a Mortgage Authority Packet before a foreclosure, material payment demand, proof of claim, or bankruptcy-related mortgage relief is pursued.
- Homeowners would receive understandable information about the actual owner of the obligation, the person claiming the right to enforce the note, the servicer, the mortgagee of record, the account history, fees, default allegations, and claimed basis for foreclosure.
- The bill would require a verified MERS Capacity Disclosure whenever a claimant relies on MERS-related authority. It would identify MERS’ claimed role, the actual principal, the owner of the debt obligation, the authority of any certifying officer, and the records supporting the claimed transaction.

- A servicer, registry entry, nominee designation, administrative-convenience assignment, or conclusory statement could not, standing alone, be used to prove that an entity owns the debt obligation or has foreclosure authority.
- The bill would strengthen protections against dual tracking by pausing foreclosure activity while a complete loss-mitigation application, appeal, trial plan, or timely error dispute remains unresolved. It would also require a reliable point of contact and meaningful appeal rights.
- The bill would require disclosure, preservation of evidence, and independent authentication before reliance on a government-identified compromised document, including qualifying DocX-associated documents, in foreclosure, bankruptcy, collection, title, or property-related matters.
- The bill does not declare every questioned document invalid. It would require heightened proof before a document connected to an identified document-integrity concern is used to affect a homeowner's property rights.
- The bill would establish servicing-transfer continuity protections. Transferor and successor servicers would have to preserve and reconcile loan-level data such as payments, escrow, suspense funds, fees, pending loss-mitigation applications, foreclosure status, bankruptcy status, and disputes before taking material adverse action.
- A homeowner should not lose an existing trial modification, permanent modification, repayment plan, or other foreclosure-prevention agreement merely because the servicing of the loan changes hands.
- The proposal would create enforceable remedies, government referral pathways, model disclosures, and support for housing counselors, legal-services providers, and nonprofit organizations that assist homeowners.

Why Congress Should Act

- The federal proposal is informed by public enforcement and oversight records involving Bank of America, Ocwen, PHH, Nationstar/Mr. Cooper, Fairbanks Capital, Green Tree, DocX/LPS, Federal banking-agency orders, HUD Office of Inspector General reviews, and other public sources identified in the draft.
- Those records reflect recurring concerns about servicing accuracy, loss mitigation, foreclosure processing, document controls, third-party oversight, and account-transfer integrity. They support a national framework that prevents the same categories of failures from harming homeowners again.

New Jersey Bill Talking Points

Rogers-Wiggins Act / New Jersey Preserve the Home and Mortgage Integrity Act

- I urge you to support, introduce, or co-sponsor the New Jersey Rogers-Wiggins Act, also known as the New Jersey Preserve the Home and Mortgage Integrity Act.
- New Jersey homeowners would receive a Mortgage Authority Statement at least 45 days before a Notice of Intention to Foreclose.
- That statement would clearly identify the actual owner of the obligation, the person claiming the right to enforce the note, the mortgagee of record, the servicer, any trustee or agent, the payment history, fees, alleged default, and the basis for claimed authority.
- When MERS-related documents or representations are used, the claimant would have to disclose MERS' precise role, the actual principal, the identity and authority of the signer, and the verified records supporting the claimed authority.
- A nominee designation, registry entry, servicer role, limited corporate resolution, or administrative-convenience assignment would not, by itself, establish debt ownership, note-enforcement authority, or the right to foreclose.
- A foreclosure could not move forward while a complete loss-mitigation request or appeal is under review, while the homeowner is performing under a foreclosure-prevention agreement, or while a material dispute about payments, fees, escrow, authority, MERS capacity, or foreclosure documents remains unresolved.
- The bill would prohibit deceptive servicing, improper or duplicative fees, false statements, defective affidavits, false notarization, unsupported ownership claims, and documents that misstate MERS' or a servicer's authority.
- The bill would require servicing-transfer continuity and account-data integrity. Before and after a transfer, servicers would have to preserve and reconcile account records, correct material errors, honor existing foreclosure-prevention agreements, provide a post-transfer notice and point of contact, and avoid irreversible foreclosure action while a credible transfer-related dispute remains unresolved.
- When a foreclosure document is connected to a government-identified compromised-document process or a qualifying DocX-associated record, the homeowner and court would receive written disclosure. The party relying on the document would have to establish authenticity and enforceability through clear and convincing evidence supported by independent corroboration.

- The bill would not automatically invalidate every document associated with a settlement, remediation process, MERS, or DocX. It would require disclosure, preservation, reliable proof, and meaningful judicial review before a homeowner's property rights are affected.
- The proposal would treat violations as unlawful practices under New Jersey consumer-protection law and provide avenues for corrective action, remedies, and regulatory enforcement.

Why New Jersey Should Act

- The New Jersey proposal builds on the State Judiciary's 2010 foreclosure-document review measures, the Congressional Oversight Panel report, and public enforcement records involving the National Mortgage Settlement, Ocwen, PHH, Nationstar/Mr. Cooper, DocX/LPS, Nationwide Title Clearing, the New Jersey PHH consent order, the Florida Attorney General's foreclosure-practices report, and other sources identified in the draft.
- New Jersey can turn these lessons into clear State standards that protect homeowners, support accurate court filings and land records, and help prevent avoidable displacement.

Personal Story Talking Points

- This issue matters to me because [briefly describe your experience or concern].
- Homeownership is often a family's largest asset and the foundation of financial stability.
- A homeowner should not lose a home because of an error, lack of transparency, unreliable document, or a process that prevents meaningful review.
- Strong protections benefit not only individual homeowners, but also neighborhoods, municipalities, seniors, veterans, people with disabilities, and families living on fixed incomes.
- I am asking for a fair process: accurate records, an honest explanation of authority, a real opportunity to resolve a hardship, and a foreclosure process that respects due process.

Clear Requests to Your Representative

For a Federal Representative or Senator

- Will you support, introduce, or co-sponsor the federal Rogers-Wiggins Act?
- Will you ask your legislative counsel or committee staff to review the bill's Mortgage Authority Packet, MERS disclosure, document-authentication, bankruptcy-integrity, and servicing-transfer provisions?

For a New Jersey Legislator

- Will you support, introduce, or co-sponsor the New Jersey Rogers-Wiggins Act?
- Will you ask legislative staff to review the bill's 45-day Mortgage Authority Statement, MERS transparency, document-integrity, and servicing-transfer protections?

For Either Office

- Will you meet with HAU members or staff to discuss the bill and its homeowner protections?
- May I receive a written response explaining your position and the next steps you will take?

Closing

- I respectfully ask you to stand with homeowners by supporting legislation that promotes transparency, document integrity, accurate account records, accountability, and home preservation.
- Thank you for your time and for serving our community.

Home Advocates Union | Homeowner Advocacy, Accountability, and Action