

## AN OPEN LETTER TO CUYAHOGA COUNTY SHERIFF GERALD McFAUL

December 17, 2007

Dear Sheriff McFaul:

The undersigned community organizations and leaders are deeply concerned that the torrent of subprime mortgage foreclosures through Cuyahoga County's courtrooms, Sheriff's sale and eviction process continues unchecked.

It's now one week until Christmas Eve and two weeks until New Year's Eve. There are Sheriff's sales scheduled today, on Christmas Eve and on New Year's Eve. According to data on your website, over 650 foreclosed properties are scheduled for these three sales -- over 230 on Christmas Eve alone.

As a result of these sales, hundreds more houses will be vacated and boarded in our neighborhoods in the next nine days, and hundreds of our neighbors who haven't yet left their foreclosed homes will face eviction by Sheriff's Office personnel.

This *must* come to a halt. *Somebody* has to start putting on the brakes.

The "subprime freeze" recently announced by the White House will do nothing to slow the current deadly assault on our community. The U.S. Congress has yet to pass any legislation that will help. The Governor's efforts to help have so far been stymied by the unwillingness of major lenders and servicers to cooperate.

Which leaves the people of this community on our own, in dire need of immediate, courageous leadership from our own public officials. We are here to ask for that leadership – right now, today, before this troubled year comes to an end.

There is some good news. The Chief Justice of the Ohio Supreme Court has asked Cuyahoga County's Common Pleas Court and the local Bar to undertake a systematic mediation effort to reduce the number of homeowner defaults that lead to foreclosure and sale. We're confident that our county's judges will respond to this proposal. We already have a number of community organizations, with the support of the County Commissioners and Treasurer, working feverishly to help homeowners avoid foreclosures through direct negotiation with mortgage servicing firms. Some of those firms are beginning to respond with grudging cooperation. 2008 may very well bring a major increase in the number of homeowner defaults that are resolved through early negotiation or mediation rather foreclosure orders coming from the courts to your office.

But this won't help the hundred of homeowners already in your system, who face the loss of their homes right now even though better opportunities for negotiation or mediation might have helped them. It won't help tenants living in foreclosed rental properties who face eviction in the dead of Winter, through no fault of their own. And it won't help our communities that have to cope with hundreds more vacant homes.

So today we're here to join in signing an open letter asking you to **immediately declare a *Foreclosure Holiday* for the next sixty days.**

We ask you to **delay foreclosure proceedings against owner-occupants and occupied rental properties for the next sixty days** -- to take them off the Sheriff's sale lists, or cancel the sales altogether. And we ask you to **cancel all foreclosure evictions** for the same Foreclosure Holiday period.

Sixty days. That's what we're asking.

Let people stay in their homes through the holidays and the beginning of the new year.

Let our entire community catch its breath and take the time to help the courts, other county leaders and your office come up with more permanent solutions.

And help us send a strong signal to the mortgage banks and servicers, whose "business as usual" is driving our community deeper into crisis every week, that business as usual will no longer be automatically enabled by this community's leaders.

Signed:

Neighborhood Housing Services of Greater Cleveland  
Empowering & Strengthening Ohio's People (ESOP)  
Cleveland ACORN  
Cleveland Housing Network  
Cleveland Tenants Organization  
Neighborhood Progress, Inc.  
Cleveland Neighborhood Development Coalition  
Housing Research & Advocacy Center  
Legal Aid Society of Cleveland  
Community Housing Solutions  
Heights Community Congress  
Housing Advocates, Inc.  
Collinwood and Nottingham Villages Development Corporation  
Ashbury Community Services  
Spanish American Committee  
Greater Cleveland NAACP  
Commission on Catholic Community Action  
Northeast Ohio Coalition for the Homeless  
Cuyahoga Community Land Trust

cc: Leading foreclosure plaintiffs and law firms representing them in Cuyahoga Co. Common Pleas Court