

Robert and Elaine Morris
904 E. Madison Street
Millstadt, Illinois 62260

April 28, 2010

Attorney General (Consumer Protection Division)
State of Illinois
100 West Randolph Street
Chicago, Illinois 60601

Taylor, Bean & Whitaker (Attn: Laura Nigels, VP Loan Services)
315 NE 14th Street
Ocala, FL 34470

CENLAR, Central Loan Admin & Reporting
425 Phillips Boulevard
Ewing, NJ 08618

BMC Group, Inc
Taylor, Bean & Whitaker Corp Claims Processing
PO Box 3020
Chanhassen, MN 55317

CLAIM FILED
JACKSONVILLE, FLORIDA

APR 30 2010

CLERK, U. S. BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA

To Whom It May Concern:

ATTORNEY GENERAL, STATE OF ILLINOIS:

We would like to convey our thanks to your office for assistance provided concerning our unaccounted for mortgage payment, though the check was cashed by Taylor, Bean & Whitaker. We have been to several sources seeking help with this matter. Your office is the only place that attempted to assist us. For that, we are truly appreciative.

TAYLOR, BEAN & WHITAKER-Laura Nigels, VP Loan Services:

The State of Illinois sent us your letter dated March 5, 2010. In this letter, you state: "...apologize for any inconvenience this may have caused..." Give us a break! This apology is weak and we cannot and will not accept it as sincere. My wife and I have always met our financial obligations, though at times it was difficult. We are retired and now live on a fixed income and for your organization to take our \$1090 monthly payment and not apply it correctly to our mortgage account is irresponsible and appalling. We have both worked and provided for ourselves all our lives, while giving back to our community through several volunteer efforts. I served our country for 22 years in military service, and am combat disabled. We more than meet our obligations, whether through military service, contributing to the community with our time and efforts, meeting our incurred expenses in a timely and responsible manner, and helping others when needed. It disgusts us that your organization could take our monthly mortgage payment, cash the check, and not account for it in any way—especially in the manner for which it was intended. We would like to know how you would feel if this was your own mortgage payment.

T, B & W Mortgage Corp.



01491

CENLAR:

In our lifetime we have never dealt with a company who completely turned a deaf ear to our concerns—until now. We were required to make an additional payment to you in order to refinance our mortgage, even though you knew the payment was made to Taylor, Bean & Whitaker. When you took over our mortgage you failed to gather ALL necessary information for the holders of the mortgages you assumed. You failed to consider your responsibility to these people, including ourselves. Repeated telephone calls, email messages, and a certified letter to your organization were completely ignored. There were no answers to our questions or to our repeated attempts to discuss the matter. We do not know how your company obtained our mortgage—you did not have the means to handle this mortgage or the others turned over to you. We did research through the Better Business Bureau only to learn that your company has a “D” rating. We would never have approved you as our mortgage lender; it is inconceivable to us why anyone else would either.

BMC GROUP, INC:

We are placing our trust and hopes in you as the agency that will handle our claim. If so, the basis for our claim is attached.

Sincerely,

Robert O. Morris
Elaine J. Morris

Attch:

1. Letter, Attorney General, State of Illinois, April 9, 2010
2. Letter, Taylor, Bean & Whitaker, March 05, 2010
3. Letter to Attorney General State of Illinois, Robert and Elaine Morris, February 3, 2010
4. Letter to CENLAR, Robert and Elaine Morris, December 20, 2009



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

April 9, 2010

Robert/Elaine Morris
904 E. Madison
Millstadt, IL 62260

Re: Taylor Bean & Whitaker
File No: 2010-CONSC-00272634

Dear Sir/Madam:

Enclosed please find a copy of the company's response to your complaint.

Please review this response and contact the undersigned **in writing** within ten (10) days of your receipt of this letter with your comments. Direct all correspondence to the Consumer Protection Division, Office of the Attorney General, 100 W. Randolph Street, Chicago, IL 60601. Refer to the above mentioned file on all correspondence. If we do not receive written communication from you within this time, we will subsequently close your file.

Thank you for bringing this matter to our attention.

Sincerely,

ATTORNEY GENERAL
State of Illinois

Virginia Luevano

Virginia Luevano
Citizen's Advocate
Consumer Protection Division
(312) 814-4322

enc.



**Taylor, Bean
& Whitaker**

Mortgage Corp.

315 NE 14th Street

Ocala, Florida 34470

Bus. 888-225-2164

888-329-9270

Web: www.taylorbean.com

ATTORNEY GENERAL'S
OFFICE

MAR 05 2010

CONSUMER FRAUD
CHICAGO

March 2, 2010

Consumer Protection Division
Office of the Attorney General
Attn: Virginia Luevano
100 W. Randolph Street
Chicago, IL 60601

RE: File No. 2010-CONSC-00272634
Robert & Elaine Morris
Taylor, Bean & Whitaker Loan #1056050

Dear Ms. Luevano:

Please be advised we are in receipt of the complaint filed against Taylor, Bean & Whitaker Mortgage Corp. (TB&W) by Mr. & Mrs. Morris (Borrower) in connection with a payment issue on the above referenced loan. Our response to the complaint is as follows:

We are currently working through the bankruptcy court process to resolve TB&W's outstanding issues. The outcome of the Borrower's specific payment issue will be subject to resolution obtained from the bankruptcy court. At this time, funds are unable to be disbursed. We sincerely apologize for any inconvenience this may cause the Borrower.

It is our understanding, pursuant to the wishes of the investor on the loan, that a Borrower's successive servicer, which in this case is Cenlar, is responsible for working with the Borrower regarding missing funds, which will then be recovered from the investor. We are unable to respond on behalf of Cenlar regarding any payment demands made by their company.

More information regarding our bankruptcy status may be accessed online at www.bmcgroup.com. The Borrower may click "Find a Case," scroll down to Taylor, Bean & Whitaker Mortgage Corp., and, if the Borrower chooses to agree to the terms of the website, the Borrower will have access to updated information...

If upon review of our response you have any questions, please feel free to contact us.

Sincerely,

Laura Nigels
Vice President of Loan Servicing
Taylor, Bean & Whitaker Mortgage Corp.

mfk/lmn

Send claims to:

BMC Group, Inc
Taylor, Bean & Whitaker Mortgage
Corp Claims Proc
P.O. Box 3020
Chanhassen, MN 55317-3020

Robert and Elaine Morris
904 E. Madison Street
Millstadt, Illinois 62260

February 3, 2010

Attorney General (Fraud Division)
State of Illinois
100 West Randolph Street
Chicago, Illinois 60601

To Whom It May Concern:

Per a previous telephone conversation with your office, listed below is an account of problems we have encountered with our previous mortgage company. We are asking that your office can be of assistance with this matter.

- A. Previous mortgage was with Taylor, Bean and Whitaker (TBW), 1417 North Magnolia Avenue, Ocala, FL 34475. Our account number was 1056050. Their telephone number is 888-225-2164. However, numerous calls to this number to resolve issues resulted in a recorded message asking us to "Please hold." No one every answered the many calls we attempted.
- B. In July/August 2009 timeframe, TBW was declared bankrupt by the US Government.
- C. At or about this same time, our mortgage was assumed by CENLAR, Central Loan and Administration and Reporting, 425 Phillips Boulevard, Ewing, NJ 08618. Our account number was 0030044291. Their telephone number is 877-680-5583.
- D. On December 3, 2009, we refinanced our mortgage with Scott Credit Union, O'Fallon, IL.
- E. The payoff statement (copy attached) from CENLAR to Scott Credit Union showed interest paid up to 10-01-09. Since we made all payments to 11-01-09, for which all checks were cashed and cleared, we immediately contacted CENLAR to discuss the disparity, when interest should have shown paid to 11-01-09, vice 10-01-09.
- F. CENLAR personnel informed us that our payoff statement was only through 10-01-09 due to a missing payment for 08-01-09. We checked our records, and indeed, we had made this payment and the check had been cashed and cleared, the amount removed from our account. Copy of this check, showing both sides, is attached. CENLAR told us that they did not receive the payment for 08-01-09 from TBW when CENLAR assumed responsibility for our mortgage. CENLAR stated we must make that payment again, even though we paid it already, because TBW did not give them correct information, indicating the payment was made. They refused to give us any further information.
- G. We closed on our refinancing action on 12-03-09. We paid the full amount on CENLAR's payoff statement as we were told by Scott Credit Union we had no choice, no matter what proof of all payments we made. This means we made an extra payment on our mortgage, with absolutely none of it reflected in our paid balance or interest.

H. On 12-20-09 we sent a certified letter (copy attached) to CENLAR, requesting any information about the double payment and any recourse we may have. As of today, 02-03-10, we have heard nothing further from them, with no answer to our request. We do not expect that they will answer.

All of our attempts to obtain information from TBW and CENLAR, or offer proof of payments, have been to no avail and have been ignored. We have sent certified letters, email requests, and telephone calls and all have proven futile. We are asking your assistance to determine what became of this "missing from the records," but paid, mortgage payment. We can be reached at 904 E. Madison Street, Millstadt, IL 62260 or by telephone at 618-476-7414.

Any assistance you can provide would be greatly appreciated. Thank you for your time and consideration.

Sincerely,

Robert O. Morris
Elaine J. Morris

6 Attachments:

1. CENLAR Payoff Cover Letter
2. CENLAR Payoff Statement Letter
3. Copy of check indicating 08-06-09 payment for August payment
4. Copy of Certified Letter to CENLAR, dated 12-20-09
5. Copy of Certified Letter Receipt, provided through the US Postal Service
6. Authorization to Release Information through your Office

20 December 2009

904 E. Madison St.
Millstadt, IL 62260

CENLAR
425 Phillips Blvd
Ewing, NJ 08618

To Whom It May Concern:

1. Reference
 - a. Previous mortgage with CENLAR, Acct # 0030044291
 - b. Previous mortgage with TAYLOR-BEAN & WHITAKER, Acct # 1056050
 - c. Payoff statement, CENLAR, 12-01-2009 (copy attached)
 - d. Our cancelled check #5417 dated 8-6-2009 to TAYLOR-BEAN & WHITAKER (copy attached)
2. We refinanced our mortgage loan from your company, payoff date 12-02-2009. Your payoff statement shows interest thru 10-01-2009.
3. We paid our 11-01-2009 payment and your company accepted our payment. We do not understand why interest paid was only until 10-01-2009 and not 11-01-2009.
4. We contacted your customer service department and were informed that our Aug 2009 payment to Taylor-Bean & Whitaker was not received by your company, therefore still our responsibility.
5. We have been instructed by the Office of the Attorney General (Fraud Division), State of Illinois, to finish our refinance and then send this letter to you requesting all information pertaining to this missing payment. Please provide any and ALL information concerning our payment and monies received from Taylor-Bean & Whitaker when you assumed our mortgage.
6. THIS REQUEST IS MADE PER SEC. 6, RESPA (12 U.S.C. 2605).

Sincerely,


Robert O. Morris

Attachments:

1. Payoff Statement, CENLAR 12-01-2009
2. Cancelled check #5417