

Case number: 151221-000345

Back

STATUS

Response disputed

Bank of America said:

Explanation of closure

In the complaint received, you expressed concern with the prior decline for an extension of the draw period of your Equity Maximizer Line of Credit Account (LOC), and requested the underwriting guidelines for this account.

Your LOC was originated on September 27, 2005, and had a 120 month draw period that ended on September 27, 2015. At the end of the draw period the loan converted to the repayment period, and the unpaid principal balance was amortized over 180 months at an interest rate of 3.25%.

Our records reflect that you contacted Bank of America on February 12, 2015, requesting to be reviewed for a modification/term extension on your LOC. Upon completing our review of the financial documentation, the bank reviewed your account for the Home Equity Repayment Term Extension program, and regrettably was unable to qualify you due to your debt to income ratio. Please see the enclosed Evaluation letter dated June 16, 2015, with the details of the decline.

In response to the declination of this program, our records indicate that you continued to engage Bank of America leadership for reconsideration of a modification, because you disputed our calculation of your rental income.

Through your communications with representatives from Bank of America's Legal Department, you were approved for a modification based on an exception basis. The terms of the modification are detailed below:

Summary of modification terms

Effective Date September 27, 2015

Repayment Period Extended to 300 months

New Maturity Date September 27, 2040

New Payment Amount Based on variable rate as indicated in the current Note

An additional condition to the modification terms was a non disclosure agreement, as this offer was extended to you as an exception. On July 24, 2015, you advised via email that you were not accepting the terms of the modification offer and the bank withdrew it.

We received your last payment on January 1, 2016, and the account is due for the February 2016 installment.

In your complaint, you referred to the servicing of your account as a form of "racketeering." Please know that Bank of America does not tolerate discrimination on a prohibited basis in any aspect of our lending or servicing process. All of our associates are responsible for complying with our Fair Lending Policy and for bringing any questions or issues regarding the policy or its implementation to their managers. We are committed to fairly, consistently, and responsibly meeting the lending needs of all loan applicants and customers and complying with all fair lending law and anti-discrimination laws. We have reviewed your claims and our research has uncovered no specific facts which would substantiate a claim of racketeering. Therefore, we are unable to further address your claim at this time. If you would like me to investigate your concerns further, we will need you to provide specific factual information in support of your claims.

Documents enclosed

- Evaluation letter dated June 16, 2015
- Equity Maximizer Disclosure Statement
- Loan Payment History

This is primarily to provide some visual proof of the Doc Upload in the CFPB console.

12/21/15 - Case opened

1/5/16 - BofA requested more time and 60 days was granted

1/21/15 - BofA responded to complaint even though they had more time (I had submitted something outside of this to CFPB on

1/19/16 asking for a push to force bofa. I doubt that had an affect, but possible).

1/31/16 - I "disputed" BofAs response, and that brought an end to the case.

There is no "mediation" in this system. Just info gathering. if a company wants to be elusive, like BofA, there's no real recourse via this system. I called the following day and was told i could hire an attorney. I'm not going to waste my money in our civil system again. Been there. Done that. Instead, I'm trying to enlist some influential Congressmen, Senators and some "others" to get a correction on this matter.

This console print out is a little confusing. It is kind of in reverse chrono order. You can see my docs uploaded on pages 3

If you have any questions

I look forward to working with you. My phone number is 1.877.471.4367, extension 436494, and I'm available Monday through Friday from 6:00 a.m. to 2:30 p.m. Pacific. It's important that we stay in touch during this time, so please contact me with any questions.

Response

Bank of America is reviewing your inquiry. We require additional time to provide you a complete response. We will update the status of your inquiry on the portal with our response as quickly as possible.

WHAT HAPPENED

Describe what happened so we can understand the issue...

I've just posted a website related to my experience with a racketeering situation at Bank of America and industry wide collusion related to Home Equity Line of Credit Products. Governor Hogan was notified of the situation via UPS overnight mail this AM. Your copy of the letter and documents sent to him are posted for your review on the website below.

website: bofa-racketeering-2015[dot]weebly[dot]com (replace [dot] with.)

This is a big deal to me for both myself and my fellow citizens. This racket affects my monthly payment by \$1700/month, and there's a chance I could lose my home due to this crap. And here's the very important part: approximately 66,000 other Marylanders may get caught in this same type of racket between 2014 and 2017. MD could experience \$300 million in reduced consumer spending each year for the next 2-4 years due to the banks cash-cull. MD can expect to see as many as 1320 foreclosures due to this racket alone.

Which part of the mortgage process is your issue related to?

Problems when you are unable to pay

This is about Home equity loan or line of credit

DESIRED RESOLUTION

What do you think would be a fair resolution to your issue?

Please reach out to Governor Hogan, Senator Shelby, and your fellow MD constituents to figure out how to address this problem. Hogan, Shelby, Cardin, and Mikulski have been notified of this situation and this website. The contact us pages of all 50 governors were also used to notify every governor in the country. There's no excuse not to get this right.

Please reply to confirm receipt of this notice and to acknowledge you've received the information posted on the website on the eGov. Hogan tab.

MY INFORMATION

Contact information

Mailing address

Mr Bryan Canary
627 S Paca St
Baltimore MD 21230-2411
United States

Email bryancanary70@gmail.com

I am submitting on behalf of Myself

PRODUCT INFORMATION

Property address

627 S Paca St
Baltimore MD 21230-2411
United States

Information about the company

Bank of America
United States

Supporting documents

-  [201512181100img1218_13510004.pdf](#) (101.12 KB)
-  [Prop Res Ltr SR 1-569748209 Canary Final.pdf](#) (717.99 KB)
-  [CFPB document matrix.pdf](#) (1.52 MB)
-  [RL3.1CO151221-000345.pdf](#) (1 MB)
-  [CFPB 30 dispute 0of6 Abstract 20160131.pdf](#) (233.74 KB)
-  [CFPB 30 dispute 1of6 THE BIG PICTURE 20160131.pdf](#) (626.54 KB)
-  [CFPB 30 dispute 2of6 PARAGRAPH BY PARAGRAPH DISPUTE 20160131.pdf](#) (346.2 KB)
-  [CFPB 30 dispute 3of6 THIS SITUATION IN LEGALESE 20160131.pdf](#) (214.96 KB)
-  [CFPB 30 dispute 4of6 DISCOVERY QUESTIONS 20160131.pdf](#) (349.46 KB)
-  [CFPB 30 dispute 5of6 F SARABIA NON TRANSPARENCY 20160131.pdf](#) (126.14 KB)
-  [CFPB 30 dispute 6of6 ARTOFWAR 20160131.pdf](#) (89.83 KB)
-  [RL3.1CN151221-000345.pdf](#) (939.87 KB)

REFERRING OFFICES

Representative John P. Sarbanes

COMPLAINT HISTORY

Auto-Response	01/31/2016 11:07 PM
<p>To: bryancanary70@gmail.com</p> <p>Subject: Your submission, [Case number: 151221-000345]</p> <p>Thank you for reviewing the company's response to your complaint (number 151221-000345). We've noted that you gave us feedback about the response.</p> <p><u>What happens now?</u></p> <ul style="list-style-type: none">• We'll update the complaint database on our website: consumerfinance.gov/ComplaintDatabase to alert the public and the company that you disputed the company's response to your complaint. The complaint database shows which companies get the most disputes from consumers.• We'll use your feedback and the feedback other consumers give us about this company to help us make decisions about which issues and companies to investigate.• We've shared your complaint with the Federal Trade Commission, which will add your complaint to its database for state and federal law enforcement agencies.• There is nothing else you need to do now. Your complaint has completed the process and is now closed. <p><u>If the company broke the law, will you tell me?</u></p> <p>No. We do not comment on possible violations of the law unless they're made public. You can learn about our public actions and sign up to receive email updates at consumerfinance.gov/newsroom.</p> <p><u>Can I hire my own lawyer to look into this?</u></p> <p>Yes. While we can't give legal advice or represent individuals in legal matters, if you want more help you can contact a private attorney or your local legal aid office for free or low-cost legal resources. You can search for legal aid near you by visiting the Legal Service Corporation website at www.lsc.gov and searching for your city, state, or zip code in the "Find Legal Aid" portion of the website.</p> <p><u>Is that it?</u></p> <p>Complaints help us identify trends and problems in the marketplace and understand the challenges</p>	

people are facing so we can look for these problems when we supervise companies, enforce federal consumer financial laws, and write rules and regulations.

Where can I find more information?

If you have questions, call us at (855) 411-CFPB (2372) or visit us at consumerfinance.gov/askcfpb.

We also welcome your feedback on how our complaint process worked for you. If you want to share your story, go to <https://help.consumerfinance.gov/app/tellyourstory>.

New CFPB mortgage rules protect borrowers and make it easier for them to get the help they need. Submitting a complaint won't automatically stop or delay foreclosure, but if you're behind on your mortgage, or having a hard time making payments, call us at (855) 411-CFPB (2372). We can help you find a housing counselor in your area who can develop a plan of action for your situation and help you work with your mortgage company. Foreclosure prevention help is free and special assistance may be available to military members or veterans. You can find more information on mortgages at: <http://www.consumerfinance.gov/mortgage/>

Thank you,
Consumer Financial Protection Bureau consumerfinance.gov (855) 411-CFPB (2372)

AR3.3-EN

Customer Bryan Canary via Web

01/31/2016 11:07 PM

Fil Sarabias response to this Case was misleading and deviant.

Anyone reading this would NOT realize she and I had a 45 minute conversation about all the nitty-gritty details related to fraudulent underwriting denial process utilizing choreographed scripts and fabricated debt values. They also would not realize I discussed in detail attempts by BofA VPs, SVPs and legal to then cover up those processes. The non-disclosure clause attached to the offer was Reverse Black Mail. The gist is "Well give you what we fraudulently denied, as long as you don't tell anyone what we are doing". And that should be obvious with one question... is there EVER a time when anything related to transparent underwriting should require a non-disclosure clause? A non-disclosure clause runs contra to the very nature of transparent, risk based financial underwriting. It does not however run contra to legal risk management after numerous employees have been caught in a well choreographed fraudulent underwriting/fake denial process and its all been document in writing, in emails to all the execs and BofA legal.

Furthermore, anyone reading this would NOT realize Fil confirmed receipt of a fax which gave her access to 40+ docs detailing all aspects of this situation.

As a result of Fils deviance, I saw an opportunity when she said "If you would like me to investigate your [racketeering] claims further, we will need you to provide specific, factual information in support of your claims" Ask and yeah shall receive..

Since 1/21/2016 I increased my supporting docs from 40 to 80+, and I generated 70+ pages of text (the Dispute Docs x of 6) that have been uploaded), that details the nefarious activities with hundreds of detailed references to my supporting docs.

Please start the review with Dispute Doc 0 of 6 and proceed to Dispute Doc 1 of 6. After that you will realize the rest are just more detailed info that has already been covered in those two docs, but from different perspectives.

2/12/2016 -- In Dispute Doc 1 of 6, at the end I have outlined my desire for immediate relief from the extortion situation that has resulted from the arbitrary and nefarious work executed by BofA exes. As detailed in that Doc, a reversal will not come close to resolving this matter, as it goes way beyond me, but it will remove me as a driving force on to allow others who are less vested to pick up the ball. Hopefully these Dispute Docs in totality will help BofA realize the benefits of such a common sense move of appeasing me a little at this point.

Website - Dispute Doc 0 of 6 through Dispute Doc 6 of 6 can also be found on the home page of the website related to this situation: <http://bofa-racketeering-2015.weebly.com/>

Please advise what I might expect regarding the CFPB Dispute review process from a time perspective and a jurisdiction perspective, if any.

Bryan

Auto-Response

01/21/2016 02:48 PM

To: bryancanary70@gmail.com

Subject: Your submission, [Case number: 151221-000345]

We wanted to let you know that the company responded to your complaint.

What happens next?

Review the company's response:

- Log in to <https://help.consumerfinance.gov/app/account/complaints/list> to read it online, or
- Call us at (855) 411-CFPB (2372) and we'll share it with you.

The company's response should include the steps they took, or will take, in response to your complaint.

If you're okay with the company's response, then you're finished! If you aren't okay with it, we want your feedback. You can call us to dispute it, or select "dispute" and share your feedback when you review the response online.

Also, we wanted to let you know that we've published your complaint in two online databases. Your complaint – without any information that could be used to identify you – has been published on our website in the Consumer Complaint Database, where it can be used to help other consumers: consumerfinance.gov/ComplaintDatabase. It has also been shared with the Federal Trade Commission, which has added your complaint to its database for state and federal law enforcement agencies.

What happens if I dispute the company's response?

We use the feedback consumers like you provide about company responses to make decisions about which issues and companies to investigate. We also publish on our website which companies get the most disputes from consumers.

Can I hire my own lawyer to look into this?

Yes. While we can't give legal advice or represent individuals in legal matters, if you want more help you can contact a private attorney or your local legal aid office for free or low-cost legal resources. You can search for legal aid near you by visiting the Legal Service Corporation website at www.lsc.gov and searching for your city, state, or zip code in the "Find Legal Aid" portion of the website.

Is that it?

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Thank you,
Consumer Financial Protection Bureau consumerfinance.gov (855) 411-CFPB (2372)

AR2.1a-EN

Auto-Response

01/05/2016 10:14 AM

The company has provided a partial response to your complaint number 151221-000345 describing the steps taken so far to address your issue. They stated they are still working on your issue, and you should hear from them again within 60 days.

View the details of your complaint and the company's response so far at:

<https://help.consumerfinance.gov/app/account/complaints/list>

We will let you know as soon as we receive an update about your complaint.

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Thank you,
Consumer Financial Protection Bureau consumerfinance.gov (855) 411-CFPB (2372)

Auto-Response

12/22/2015 02:07 PM

We've sent your complaint to the company for a response.

We will let you know when the company responds. The response should include the steps they took, or will take, in response to your complaint.

You should receive a status update within the next 15 days.

You can track the status of your complaint at:
<https://help.consumerfinance.gov/app/account/complaints/list>.

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Customer Bryan Canary

12/21/2015 10:33 AM

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Auto-Response

12/21/2015 10:33 AM

We received your submission from the Congress and will review it as soon as possible to determine if it involves a Federal consumer financial law within our authority.

Depending on what we find, we will:

- Send your complaint to the company for a response; or
- Send your complaint to the appropriate regulator or help you get in touch with your state and local consumer protection office if your complaint is not within our authority; or
- Let you know if we need more information to continue our work.

While we can't give legal advice or represent individuals in legal matters, if you want more help you can contact a private attorney or your local legal aid office for free or low-cost legal resources at www.lsc.gov.

You can register to track the status of your submission at: <https://help.consumerfinance.gov/app/account/complaints/list>.

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