

Foreclosure Defense

Homeowners have rights, even if they have fallen behind on their mortgage payments. In fact, it's when homeowners default on their mortgage that they most need to assert their rights. Unfortunately, many don't, and they usually lose their homes to foreclosure. The foreclosure defense attorneys at Tully Rinckey PLLC are experienced in helping homeowners keep their homes or obtain more time to explore their options. **How We Can Help**

In New York, lenders are required to send to homeowners in default a notice that within 90 days they will initiate foreclosure actions against the mortgage. Once a summons is delivered to the homeowner, the clock is ticking. Failure to answer the lawsuit will enable foreclosing lenders to swiftly prevail in court, bring the home to auction and evict its occupants. Call today for an initial consultation. Tully Rinckey LLC's foreclosure defense lawyers can help Central New Yorkers fight back by providing the following legal services: Preserving the homeowner's rights

Preparing and filing a timely answer to a foreclosure complaint

Promptly responding to motions

Assessing mortgage documents to determine whether the lender has legal grounds to pursue the foreclosure

Scrutinizing court and mortgage documents to determine whether the lender is complying with complex state and federal laws relating to mortgages and foreclosure actions

Making sure the lender satisfied New York State's 90-day pre-foreclosure notification requirements

Examining lender affidavits to determine whether they were properly executed and not unlawfully signed by so-called "robo-signers"

Determining whether the lender has violated the Truth in Lending Act or Real Estate Settlement Procedures Act by: Not properly defining the mortgage's terms

Not properly disclosing the loan's material provisions

Not providing good faith closing cost estimates

Engaging in predatory lending

Examining whether the lender committed fraud

Determining whether the lender foreclosed on a service member's home during or shortly after active uniformed service in violation of the Servicemembers Civil Relief Act (SCRA)

Generally, homeowners have 20 days (if served in person) to 30 days (if served by mail) to respond to a foreclosure complaint. If they don't submit a timely answer, the lender might be able to swiftly secure a default judgment from the court. With this judgment the lender could quickly complete the foreclosure and sell the home. Contact a foreclosure defense attorney immediately to fight to save your home. Tully Rinckey PLLC's bankruptcy lawyers can represent debtors and creditors throughout Central New York, including Syracuse, Cicero, North Syracuse, Manlius, Liverpool, East Syracuse, Cazenovia, Baldwinsville, and DeWitt. Call today to schedule an initial consultation with one of our bankruptcy attorneys at 315-492-4700 or e-mail info@1888law4life.com

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to view a video about our consultation process.

Our office is minutes away from Destiny USA, formerly the Carousel Mall, and several courthouses. Located in Franklin Square, near exits for I-81 and I-690, our office is easy to get to and offers plenty of nearby parking.

If your legal matter is urgent, call 518-727-3593 to speak to an attorney 24 hours a day, seven days a week. The firm is responsive to the needs of current and prospective clients. We will respond to phone calls within normal business hours and e-mails within hours on the same business day. The quickest way to get a hold of us is by calling. During normal business hours, we have a client relations team that can put potential clients in touch with the attorney whom they need. If you call or e-mail us after hours, you should expect to hear from our office by the next business day.