

STATE OF VERMONT

SUPERIOR COURT
ORLEANS UNIT

CIVIL DIVISION
DOCKET NO. 19-1-09 Oscv

BAC HOME LOANS SERVICING,
LP, F/K/A COUNTRYWIDE HOME
LOANS SERVICING, LP,)
Plaintiff,)
)
v.)
)
LISA BOGAR, IMRE BOGAR, AND)
CAPITAL ONE BANK,)
Defendants.)

FILED
OCT - 6 2010
VERMONT SUPERIOR
COURT
ORLEANS UNIT

Judgment Order

This matter came before the Court on Defendants' Motion to Enforce Home Affordable Modification Program Trial Period Plan, filed August 25, 2010. Plaintiff failed to file an opposition. The Court held a hearing on the motion on September 29, 2010.

Based on the pleading presented, the Court finds that Plaintiff offered Defendants a three-month trial period plan under the federal Home Affordable Modification Program (HAMP). Under the terms of the trial period plan and the federal HAMP guidelines, Defendants were entitled to a permanent modification agreement so long as they made three trial period payments and their representations regarding their financial hardship, residence in the property and income documentation remained true in all material respects. Defendants made timely payments under the agreement in the amount of \$403 for the months of April, May, and June 2010 as required under the agreement. They have continued to make payments in the amount of \$403 every month thereafter. Nonetheless, Plaintiff has failed to provide Defendants with a permanent loan modification agreement that modifies their loan obligation as agreed to in the trial period plan and in compliance with the HAMP guidelines.

WHEREFORE, Plaintiff BAC Home Loans Servicing is hereby ordered to provide

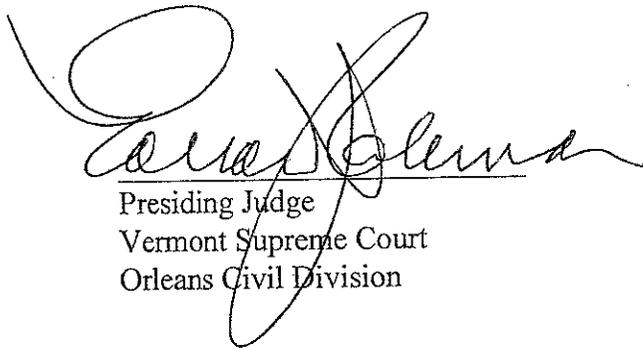
Defendants with a permanent loan modification agreement that complies with the federal HAMP guidelines within 30 days of the date of this order or the above-referenced foreclosure action shall be dismissed with prejudice.

Furthermore, Plaintiff BAC Home Loans Servicing is ordered to pay to Vermont Legal Aid, Inc., Defendants' attorney's fees related to the Motion to Enforce in the amount of

\$ 781.25

So Ordered:

10/6/10
Date


Presiding Judge
Vermont Supreme Court
Orleans Civil Division