

PHH 1

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

IN RE:
RODNEY JOHNSON, SR.
DEBTOR

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CASE NO. 19-34397
(CHAPTER 13)

Declaration of Brandon Wolf

1. “My name is Brandon Wolf. I am of sound mind and capable of making this unsworn declaration in accordance with 28 U.S.C. § 1746. I am over the age of twenty-one (21) years and have never been convicted of a felony or crime involving dishonesty. I am fully competent to testify to the matters herein. I have personal knowledge of the facts stated herein, which are true and correct.

2. I am currently employed by Mackie, Wolf, Zientz & Mann, P.C. (“MWZ”), as an attorney. As such, I am authorized to provide this affidavit on MWZ’s behalf.

3. MWZ is a law firm. It is regularly engaged by mortgage servicers to process foreclosures. In connection with such representation, MWZ regularly sends certain foreclosure related notices to the borrowers on the Loans.

4. PHH Mortgage Corporation (“PHH”) engaged MWZ to process foreclosure concerning: Rodney Johnson, Sr.; the real property with the address of 3611 Parkwood Drive, Houston, Texas 77021; and the PHH loan ending with 1444.

5. MWZ maintains an electronic file of imaged documents and correspondence (collectively, the “Business Records”) relating to the Loan. The Business Records reflect acts, events, and conditions with regard to the Loan. The Business Records are made at or near the time of such acts, events, or conditions by—or from information transmitted by—someone with knowledge of such acts, events, or conditions. It is MWZ’s regular practice to make, image, and store the Business Records, and the Business Records are kept in the course of MWZ’s regularly conducted activities. In

connection with my job duties and responsibilities, I have access to the Business Records and I have knowledge of how the Business Records are maintained.

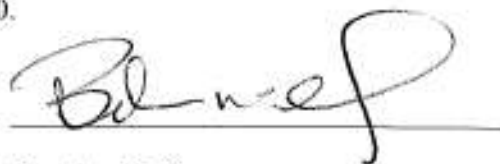
6. I have gained personal knowledge of the facts stated below through my job duties and responsibilities and my review of the pertinent portions of the Business Records. If called upon as a witness to testify, I could and would competently testify as to the facts stated herein under penalty of perjury. Each document attached hereto is a true and correct copy of the identified document as it exists in the Business Records.

7. The following exhibit is a true and correct copy of the stated document as found in the Business Records:

- a. attached as **Exhibit A** is a true and correct copy of the correspondence styled Payoff Quote, dated July 8, 2019, and served as set forth thereon; and
- b. attached as **Exhibit B** is a true and correct copy of that certain instrument styled Notice of Foreclosure Sale that MWZ caused to be posted with the Harris County, Texas Clerk.

I declare under the penalty of perjury under the laws of the United States that the foregoing is true and correct."

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Dated this 11th day of March 2020.



Brandon Wolf
Shareholder
Mackie, Wolfe, Zientz & Mann, P.C.

Exhibit A

MACKIE WOLF ZIENTZ & MANN, P.C.

ATTORNEYS AT LAW

PHONE (214) 635-2650 FAX (214) 635-2686

PARKWAY OFFICE CENTER, SUITE 900
14160 NORTH DALLAS PARKWAY
DALLAS, TEXAS 75254

UNION PLAZA
124 WEST CAPITOL, SUITE 1560
LITTLE ROCK, ARKANSAS 72201

* PLEASE RESPOND TO DALLAS OFFICE

July 8, 2019

VIA EMAIL - www.rovertsmarkland.com

RODNEY JOHNSON
3611 Parkwood Drive
Houston, TX 77021

RE: Loan No: [REDACTED]1444
Current Borrower(s): RODNEY JOHNSON
Property Address: 3611 PARKWOOD DRIVE, HOUSTON, TX 77021
MWZM No.: 14-001401-670-5

PAYOFF QUOTE VALID THROUGH 08/05/2019

Dear RODNEY JOHNSON:

We represent the Plaintiff in the current or anticipated foreclosure action in connection with the above-referenced loan.

A payoff quote was requested for account number: [REDACTED]1444
The total amount due is \$950,096.35, which will be valid through **08/05/2019**. Thereafter, you will need to request a new payoff letter.

1. Refer to the following pages for a detailed breakdown of this quote and for payment instructions.
2. Payoff funds should be sent in one of the forms of certified funds listed here: Wire Transfer, Cashier's Check, Certified Bank Check, Title Company Check, Money Order, Attorney's Escrow Check, MoneyGram or Western Union. Funds not remitted in one of these forms will be returned, and the payoff will not be processed.

Upon receipt of payoff funds, we will verify all amounts due and contact the issuer of the funds in the event of any discrepancies.

After the payoff funds have been applied and the account has been reconciled, any overpayment of funds will be returned to the remitter through regular mail within 20 days of the receipt of the funds.

For any questions regarding this payoff quote contact (214) 635-2650.

Sincerely,

Mackie Wolf Zientz & Mann, P.C.

This communication is from a debt collector attempting to collect a debt; any information obtained will be used for that purpose. However, if the debt is in active bankruptcy or has been discharged through bankruptcy, this communication is provided purely for informational purposes only with regard to our secured lien on the above referenced property. It is not intended as an attempt to collect a debt from you personally.

See below for a breakdown of the total amount required to pay off the above-referenced account on or before 08/05/2019, as well as complete payoff instructions.

Important Note: If there is an escrow account associated with the mortgage for property taxes and insurance, we may need to pay the tax and insurance bills before this payoff quote expires on 08/05/2019. Any additional disbursements made on behalf of the mortgage will be added to the amounts due on payoff.

Description	Amount Due
Unpaid Principal Balance	\$412,825.11
Interest	\$304,631.52
Late Charges	\$600.20
Other Fees	\$20.00
Escrow Advances	\$184,210.18
Recoverable Balance	\$47,403.74
Attorney Fees and Costs	\$405.60
Grand Total	\$950,096.35

Quoted Date 07/08/2019
Payoff Quote Expiration Date 08/05/2019
Original Principal Balance \$424,000.00

Given below is a breakdown of the interest that is shown above in the amount of \$304,631.52 due on or before 08/05/2019. Please note that interest is generally charged in arrears. On a normal amortizing loan, the current month's payment will include the interest charges for the previous month. The unpaid principal balance is not the payoff amount.

From	To	Interest Rate
12/01/2009	08/05/2019	7.62500%

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PAYOFF REQUIREMENTS AND CONDITIONS

Certified funds are required for payoff. Payoff funds must be provided via certified funds such as: Wire Transfer, Cashier's Check, Certified Bank Check, Title Company Check, Money Order, Attorney's Escrow Check, MoneyGram, Speed pay or Western Union. Non-certified payments will not be accepted, and the payoff will not be processed.

HOW TO SUBMIT PAYOFF FUNDS

- Wire transfers are preferred. Wire transfer is the fastest, safest and most convenient payment option. Because this is the fastest option, it may also save money on per-diem interest.
- To make a wire transfer, provide the information listed under payment methods to the remitting bank.
- Be sure to always include the borrower's name, property address and account number on any remittance. If there is an inability to wire transfer funds, the payment should be sent in certified funds by overnight mail as shown below.

CONVENIENT PAYMENT OPTIONS

Wire Transfer	Overnight Mail
M & T Bank 1 MT Plaza, Buffalo, NY, 14203 ABA: 022000046 / Account No.: 9865548821 Credit to: PHH Mortgage Services	PHH Mortgage Services Attention: Mail Stop SV-20 1 Mortgage Way Mount Laurel, NJ 08054 Attn: Cashiering / Payoff Department

*All checks/money orders should be made payable to: PHH Mortgage Services. The mortgage account number, borrower's name and property address should be included on the front of any check or money order.

This payoff amount is subject to change. To the extent permitted by law, we reserve the right to correct any portion of this statement at any time.

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