

United States Courts  
Southern District of Texas  
FILED

NOV 04 2022

November 3, 2022

Nathan Ochsner, Clerk of Court

To whom it may concern:

4:22CV3477

I feel it's greatly important that this court please review both sides of the story and understand that I'm not a deadbeat or trying in any way to not pay for my house. In truth, I'm trying to do everything possible to avoid losing my house that my mother left for me prior to her passing. Please understand that I would love to have an attorney representing me but I have already spent thousands to this point and to continue on would cost me in excess of \$8000 just to look at the case. Please recognize I do not have that kind of money right now to fight these large corporations.

If it pleases the court, I'm going to try and summarize where my mortgage company, LoanCare, made huge lapses in judgment and failed to uphold their contractual agreements. They informed me they would work with me and make my home whole again after the water damage which resulted in loss back on 2/21. They put my house in forbearance due to the loss and my home being unlivable in 2/21 to current, this was not due to covid as they are now stating. They informed me numerous times from 05/20 up until the loss in February of 2021 that I was covered with a Travelers policy and paid in full from my escrow account, which once I had the loss, was not true. They informed me during many phone calls and communications that it was their mistake and they would match the replacement cost policy I had with Travelers.

They even started to pay me some of the benefits of the policy like loss of use where I received roughly half the policy stated amount, but once that money ran out, I received no more. LoanCare is not owning up to their obligation and are not providing the truth to this court.

I purchased a policy from Travelers Insurance, after being recognized as legal successor of interest for property address 22703 Deville Dr, Katy, TX 77450. Policy #606508001-633-1 valid from 04/22/2020 to 04/22/2021 to be paid from an escrow account held by LoanCare LLC.

This policy was canceled by Travelers Insurance on 10/22/2020 for non-payment. After contacting LoanCare, they stated multiple times that the policy was paid in full and was nothing to be concerned about. I was never notified that the policy was canceled or lapsed.

On 2/16/2021 due to the freeze in Texas my pipes busted and I filed a loss. I tried to file a claim with Travelers and was told that the policy had lapsed for non-payment. I immediately contacted Loancare and they said the policy was paid, after several calls to both parties it was discovered that Loancare failed to pay for the policy out of my escrow account.

After weeks of phone calls to both parties, a Loancare representative agreed to match and mirror the policy I had with Travelers with all their coverages and that it was a replacement cost policy like I had with Travelers. I have audio recordings from Loancare agreeing to it. By matching and mirroring they said it was the same dollar amounts and replacement cost policy I had with Travelers including loss of use and contents. At this point I was frustrated but felt that Loancare was going to do the right thing. I don't know how they force-placed a policy that mirrored the one I had, but I was not concerned as that was their internal business and I was told not to worry.

When it comes to the timeline of payments to the house, this is also now something that LoanCare is not being truthful about and I have bank records to show they are not correct. LoanCare claims of no payments made since November 2020 is not true, attached is proof of payment up to, including February 2021, time of loss. My insurance policy was purchased and supposed to have been paid for. It was canceled and I was not aware nor notified that it had been canceled before the alleged date of loss. It is also noted that previous payments made to LoanCare were difficult to make because LoanCare didn't recognize me as successor of interest before April 2020. Because of this I was only able to make payments every 90 days only due to the mortgage company not accepting monthly payments.

Since the loss in February 2021, LoanCare has held money for repairs to my house since August of 2021 for approximately \$48,000, stating that they are holding the money because they ask me to sign a Responsibility letter and then later a Liability Release. I have requested numerous times for them to send me the document they need me to sign. Every time I call they put me on hold later to come back to say the document doesn't exist. A Loancare representative instructed me to put my name, account number and state that I'm responsible for all damages. I have asked them to put that in writing but then they refused to. Also, why in the world would I agree to something that would ultimately relieve them of responsibility to repair my house. This makes no sense to me and they refuse to provide any explanation as to why.

It is my sincere hope that this court can see that LoanCare is not being truthful and willing to review the documentation I can provide. LoanCare is not holding up to their contractual obligations and are out right trying to take my home from me. Loancare has not released the

money they are holding so i am unable to complete the repairs on my home, additionally the house is not livable which means that I cannot refinance the home. Loancare is also withholding

the payoff amount for the home that has been requested numerous times which prevents me from obtaining a 203k construction loan to rectify the situation.

I plead with this court to please hear my side and understand that I am willing to work with LoanCare for payment but I need this court to uphold what LoanCare agreed to in repairing my house with the insurance money they have held on to and refused to release.

Any further questions and communications can be sent to me, as I am currently unrepresented, by calling me at 832-802-1326, emailing me at poppbryan@yahoo.com or at legal residence address 22703 Deville Drive Katy Tx 77450.

Sincerely,

Bryan Popp



BRYAN C...

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High-Yield 3.66% APY\* CD

### Accounts

#### CASH BACK CHECKING

5205 S90

Current Balance **\$3,124.79**  
 Available Balance **\$3,098.09**

DATE	DESCRIPTION	AMOUNT	BALANCE
FEB 19 2021	LOANCARE SERV TYPE: MTG PYMT ID: 1541322890 CO: LOANCARE SERV <i>Add a category</i>	-\$698.46	\$1,467.17
JAN 22 2021	LOANCARE SERV TYPE: MTG PYMT ID: 1541322890 CO: LOANCARE SERV <i>Add a category</i>	-\$698.46	\$644.82
DEC 8 2020	LOANCARE SERV TYPE: MTG PYMT ID: 1541322890 CO: LOANCARE SERV <i>Add a category</i>	-\$696.88	\$851.78
NOV 25 2020	LOANCARE SERV TYPE: MTG PYMT ID: 1541322890 CO: LOANCARE SERV <i>Add a category</i>	-\$696.88	\$364.16
OCT 2 2020	LOANCARE SERV TYPE: MTG PYMT ID: 1541322890 CO: LOANCARE SERV <i>Add a category</i>	-\$696.88	\$1,221.42
JUL 2 2020	LOANCARE SERV TYPE: MTG PYMT ID: 1541322890 CO: LOANCARE SERV <i>Add a category</i>	-\$1,500.00	\$2,204.15

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