

# DannLaw files suit alleging Wells Fargo defrauded two borrowers who were wrongly denied home mortgage modifications

*The suits, filed in U.S. Federal Court in New Jersey, paint a disturbing picture of the pain and suffering caused by Wells' self-admitted computer glitch.*

CLEVELAND, OHIO, UNITED STATES, January 7, 2019 /EINPresswire.com/ -- DannLaw attorneys today filed suit against Wells Fargo on behalf of two borrowers who lost their homes after the bank refused to grant mortgage loan modifications for which they

qualified. The suits, filed in the Trenton Division of the United States Federal Court for the District of New Jersey, allege that Wells violated the New Jersey Consumer Fraud Act when it denied loan modification applications submitted by Kimberly Duncan of South Amboy, NJ, and Dawn Van Brunt of Long Branch, NJ. The women are among the hundreds of borrowers across the country victimized by a still-unexplained computer "glitch" that the bank concealed for years.



Documents related to the Duncan case may be viewed and downloaded here: <https://s3-us-west-2.amazonaws.com/docketbird-combined-case-documents/njd-3%3A2019-cv-00172-00001+%28combined%29.pdf?AWSAccessKeyId=AKIAJMYZHWLJGTF3MQ2A&Expires=1578427310&Signature=XkqWo6MZGXYmTjQL4dwpsPc3EIQ%3D> The Van Brunt documents here: <https://s3-us-west-2.amazonaws.com/docketbird-combined-case-documents/njd-3%3A2019-cv-00170-00001+%28combined%29.pdf?AWSAccessKeyId=AKIAJMYZHWLJGTF3MQ2A&Expires=1578427395&Signature=j5H3UckwwwS8OGDBvCUjclrEQ9w%3D>

"Along with chronicling Wells Fargo's carelessness and disregard for the rule of law, the filings paint a disturbing picture of the physical and mental pain our clients suffered and are suffering as a result of Wells' unconscionable actions," DannLaw founder and former Ohio Attorney General Marc Dann said. "What Wells did to these two women who spent their lives pursuing the dream of homeownership is nothing short of criminal."

The form letter both Ms. Duncan and Ms. Van Brunt received from Wells is among the exhibits filed in the cases. The letter reads in part:

"We made a mistake when we reviewed you for payment assistance. When you were considered for a loan modification, you weren't approved, and now we realize that you should have been. We want to make things right. ...We've carefully considered what we can do for you. You'll find a payment enclosed to help make up for your financial loss. We're also reaching out to the consumer reporting agencies to ask them to remove any negative reporting. We're here to help."

"The letter is a fraud," Atty. Dann said. "In reality, Wells has done everything possible to avoid making things right, including concealing the mistake. There's no evidence they 'carefully considered' what they can do—they've refused to tell us how they calculated the settlements offered our clients. And I think anyone who reviews Wells' correspondence with them will conclude that the last thing the bank wants to do is help them. So, we're depending on the civil justice system to force Wells to make things right."

Letters Ms. Duncan and Ms. Van Brunt sent to Wells are both heart-rending. On September 18, 2018 Ms. Duncan, who was needlessly forced to abandon her home in a short sale wrote:

"My four children lost the home they grew up in. The fact that I was treated like I was less than human, and almost had a nervous breakdown. The fact that we were forced to move into an apartment that was unfit to be lived in.

"After 2 years of the Mortgage Modification Process, giving Wells Fargo everything [sic] they asked for and jumping through every hoop they asked me to jump through all the while being harassed by the lawyer Wells Fargo hired to threaten me that my house was in foreclosure. Also, that at any moment the Sheriff could come and put a pad lock on my home."

:With all the emotional trepidation that was caused by Wells Fargo, then to find out that in fact I was eligible for the loan modification, but because of a "Computer Glitch" I lost my home when I didn't have to.

As I am sure you are aware, I could go on for ever and ever with all of the specifics of what happened during this horrible time. If need be I will."

"Wells Fargo you ruined a lot of good hard working [sic] people's lives."

Ms. Van Brunt recounted the damages she suffered to a mediator Wells selected to examine the case:

"I lost my home 3 years prior to the foreclosure being finalized. According to your representative, the official foreclosure...was not until 2017. The sheriff forced my family and I out in October of 2014."

"Wells Fargo assured me my loan modification would be approved... A short time later I received a notice of foreclosure.

I have been forced to move residences 6 times due to the financial hardships that were a direct result of the foreclosure on my home. Also [sic] I lost my security deposits for nearly each residence due to financial issues stemming from this foreclosure."

"I have had multiple medical issues including 2 major stroke [sic] as well as multiple mini strokes (one occurring just 3 months after I was forced to leave my home) that are in direct correlation to stress and blood pressure. This resulted in loss of income leading to the 4 years of on and off homelessness of my family."

Along with the damages recounted in the letters, detrimental credit reporting associated with the foreclosures have made it difficult if not impossible for Ms. Duncan and Ms. Van Brunt to secure safe, adequate housing for their families.

"The toll Wells' "glitch" and the bank's cavalier attitude took on these women and their families are strikingly similar," Atty. Dann said, noting that the problems afflicting another Wells victim and DannLaw client, Jose Aguilar, were the subject of a long report on the CBS Morning News. "There are hundreds of people across the country who suffered similar fates," he said. "Wells needs to be held accountable for all the lives they've ruined. The courts are the best—the only way to make that happen."

Atty. Javier Merino, Managing Partner of DannLaw's New Jersey office, said the cases are being filed under that state's consumer fraud law because of the protections it provides for New Jersey consumers. "New Jersey's statute gives us the best opportunity to secure justice and just compensation for our clients," he said. "We look forward to trying these cases so we can lay out the full extent of Wells' despicable actions to juries and the American public."

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