

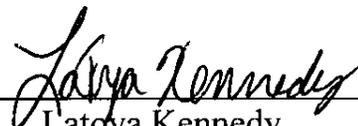
Latoya Kennedy
319 E 6th Avenue
Roselle, NJ 07203
Pro Se, Defendant

RECEIVED
OCT 08 2013
SUPERIOR COURT
C. FRK'S OFFICE

<p>IN RE NOTICES OF INTENTION TO FORECLOSE SERVED BY PHH MORTGAGE CORPORATION</p>	<p>SUPERIOR COURT OF NEW JERSEY CHANCERY DIVISION</p> <p>DOCKET NO.: F-23912-13</p> <p>CIVIL ACTION</p> <p>ORDER TO SHOW CAUSE</p> <p>OBJECTION OF LATOYA KENNEDY</p>
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TO: Superior Court of New Jersey
Foreclosure Processing Services
Attn: Objection to Notice of Intention to Foreclose
25 Market Street
Trenton, New Jersey 08625-0971

CC: Reed Smith, LLP
Princeton Forrestal Village
136 Main Street, Ste 250
Princeton, NJ 08540
Attn: Diane A. Bettino, Esq.



Latoya Kennedy

Dated: September 20, 2013

Latoya Kennedy
319 E 6th Avenue
Roselle, NJ 07203
Pro Se, Defendant

<p>IN RE NOTICES OF INTENTION TO FORECLOSE SERVED PHH MORTOGAGE CORPORATION</p>	<p>SUPERIOR COURT OF NEW JERSEY CHANCERY DIVISION</p> <p>DOCKET NO.: F-23912-13</p> <p>CIVIL ACTION</p> <p>CERTIFICATION OBJECTION OF LATOYA KENNEDY</p>
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I, Latoya Kennedy and as such, I have personal knowledge of the facts herein. I make this certification in support of my objection to PHH MORTOGAGE CORPORATION corrected Notice of Intention to Foreclose.

INTRODUCTION

On August 28, 2013 I received a Notice of Intention to foreclose from PHH Mortgage Corporation on behalf of HSBC Bank, USA, N.A.; **marked and attached hereto as Exhibit "A"**.

Latoya Kennedy
319 E 6th Avenue
Roselle, NJ 07203
Pro Se, Defendant

Defendant object as follow:

1. PHH Mortgage Corporation or HSBC Bank, USA, N.A. did not make my mortgage as defined by the New Jersey Fair Foreclosure Act.
2. PHH Mortgage Corporation or HSBC Bank, USA, N.A. is not a “lender” as defined by the New Jersey Fair Foreclosure Act.
3. PHH Mortgage Corporation or HSBC Bank, USA, N.A. was not assigned my mortgage as defined by the New Jersey Fair Foreclosure Act.
4. PHH Mortgage Corporation or HSBC Bank, USA, N.A. holds my mortgage as defined by the New Jersey Fair Foreclosure Act.

The act defines “lender” means any person, corporation, or other entity which makes or holds a residential mortgage, and any person, corporation or other entity to which such residential mortgage is assigned. N.J.S.A. 2A:50-55. PHH Mortgage Corporation or HSBC Bank, USA, N.A. does not fall with that definition.

Latoya Kennedy
319 E 6th Avenue
Roselle, NJ 07203
Pro Se, Defendant

CONCLUSION

Therefore it is disputed that, PHH Mortgage Corporation or HSBC Bank, USA, N.A. failed bring brought fourth admissible evidence to establish that it is a person, corporation, or other entity which makes or holds a residential mortgage, and any person, corporation or other entity to which such residential mortgage is assigned. N.J.S.A. 2A:50-55.

I certify that the foregoing statements made by me are true. I am aware that if any of foregoing statements made by me are willfully false, I am subject to punishment.



Latoya Kennedy

Dated: September 20, 2013

Latoya Kennedy
319 E 6th Avenue
Roselle, NJ 07203
Pro Se, Defendant

<p>IN RE NOTICES OF INTENTION TO FORECLOSE SERVED BY PHH MORTGAGE CORPORATION</p>	<p>SUPERIOR COURT OF NEW JERSEY CHANCERY DIVISION</p> <p>DOCKET NO.: F-23912-13</p> <p>CIVIL ACTION</p> <p>Affidavit of Service</p>
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I, Latoya Kennedy, et al am the defendant in the above captioned action and being competent to testify, certify

as follows:

1. On this date September 20, 2013 I have forward to the attorney for the plaintiff

Reed Smith, LLP
Princeton Forrestal Village
136 Main Street, Ste 250
Princeton, NJ 08540
Attn: Diane A. Bettino, Esq.

a copy of the within Objection and attached Exhibits, supporting papers via certified mail.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Executed on September 20, 2013


Latoya Kennedy

EXHIBIT A



Premier

2001 Bishops Gate Blvd
Mt Laurel, NJ 08054

Tel 866-435-7089
Fax 856-917-8003

August 28, 2013

Latoya Kennedy
319 E 6th Avenue
Roselle, NJ 07203

Loan Number: 2029874142
Property Address: 186-188 South 8th Street
Newark, NJ 07103

NOTICE OF DEFAULT AND INTENTION TO FORECLOSE

Dear Latoya Kennedy:

This letter is formal notice by PHH Mortgage Corporation (herein as "PHH"), the Servicer on behalf of HSBC Bank USA, N.A. One HSBC Center Buffalo, NY 14203, the Creditor to whom the debt is owed, that you are in default under the terms of the documents creating and securing your Loan described above, including the Note and Deed of Trust/Mortgage/Security Deed ("Security Instrument"), for failure to pay the amounts due.

The loan is due for March 1, 2010 and subsequent payments, plus late charges, fees and costs. As of today, the total delinquency and reinstatement amount is \$159,411.78, which consists of the following:

Next Payment Due Date:	March 1, 2010
Total Monthly Payments Due:	\$154,634.64
3@ \$3,720.41	
12@ \$4,454.10	
27@ \$3,334.23	
Late Charges:	\$6036.32
Other Charges:	
Other Fees:	\$0.00
Uncollected NSF Fees:	\$0.00
Unapplied Balance:	-\$1,259.18
TOTAL YOU MUST PAY TO CURE DEFAULT:	\$159,411.78

It is possible that after payment of the amounts detailed above there may be other fees still due and owing, including but not limited to other fees, escrow advances or corporate advances that PHH paid on your behalf or advanced to your account.

RIGHT TO CURE DEFAULT

You may cure your default by paying the aforesaid amount by so that it is received at the following address on or before October 2, 2013

You must also pay any other scheduled installments and late charges which become due after the date of this letter. Please contact a PHH representative at (800) 330-0423 to determine the exact amount due and to arrange for payment.

Please include your loan number and property address with your payment and send to:

PHH Mortgage Corporation
Attention: Cash Management Department
2001 Bishops Gate Blvd
Mail Stop SV19
Mount Laurel, NJ 08054

Failure to cure the default on or before October 2, 2013, may result in acceleration of the sums secured by the Security Instrument, foreclosure by judicial proceeding and sale of the property. If the mortgage is foreclosed, the mortgaged property will be sold by the sheriff or Court appointed official to pay off the mortgaged debt. Once we begin foreclosure proceedings, you shall still have the right at any time, up to the entry of final judgment or the entry by the court of an order of redemption, to cure the default, decelerate and reinstate your loan. You may do this by making a payment of all sums due necessary to bring the loan current including late or other charges that are due such as all court costs and attorney's fees in the amount which shall not exceed the amount permitted under the Rules Governing the Courts of the State of New Jersey. You must also perform any other obligations required under the note and security instrument.

At any time after default, you may transfer your property to another person (assumption) and that person may have the right to cure the default, if the mortgage documents allow.

RIGHT TO SEEK LEGAL COUNSEL

You are hereby advised to seek legal advice from an attorney of your own choosing concerning your rights under the mortgage documents and the Fair Foreclosure Act. If you are unable to pay for an attorney, call a legal service office. An individual non-eligible for free legal assistance may obtain a referral to an attorney by calling the New Jersey Bar Association or the **LAWYER REFERRAL SERVICE** for the county in which the property is located. A list of legal service offices is attached.

POSSIBLE FINANCIAL ASSISTANCE

You are hereby advised that there may be financial assistance available to help you cure your default through programs operated by the State, Federal and numerous non-profit organizations, as identified by the New Jersey State Commissioner of Banking whose telephone number is 1-609-292-7272 or the Consumer Hotline at 1-800-446-7467. Annexed hereto is a list of such Financial Assistance Agencies which may help you.

Attention Servicemembers and dependents: Servicemembers on "active duty" or "active service," or a spouse or dependent of such a servicemember may be entitled to certain legal protections and debt relief pursuant to the Servicemembers Civil Relief Act (50 USC App. §§ 501-597b) (SCRA)) regarding the servicemember's interest rate and the risk of foreclosure. Servicemembers and dependents with questions about the SCRA should contact their unit's Judge Advocate, or their installation's Legal Assistance Officer. SCRA and certain state laws provide important protections for you, including prohibiting foreclosure under most circumstances. If you are currently in the military service, or have been within the last twelve (12) months, **AND** joined after signing the Note and Security Instrument now in default, please notify PHH immediately. When contacting PHH as to your military service, you must provide positive proof as to your military status. Homeowner counseling is also available at agencies such as Military OneSource (<http://www.militaryonesource.mil/>; 1-800-342-9647) and Armed Forces Legal Assistance (<http://legalassistance.law.af.mil/content/locator.php>),

PHH MORTGAGE CORPORATION IS A DEBT COLLECTOR AND THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED MAY BE USED FOR THAT PURPOSE. TO THE EXTENT YOUR OBLIGATION HAS BEEN DISCHARGED OR IS SUBJECT TO THE AUTOMATIC STAY IN A BANKRUPTCY PROCEEDING, THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT CONSTITUTE A DEMAND FOR PAYMENT OR AN ATTEMPT TO COLLECT AN INDEBTEDNESS AS YOUR PERSONAL OBLIGATION. IF YOU ARE REPRESENTED BY AN ATTORNEY, PLEASE PROVIDE US WITH THE ATTORNEY'S NAME, ADDRESS AND TELEPHONE NUMBER.

and through HUD-certified housing counselors (<http://www.hud.gov/offices/hsg/sfh/hcc/hcs.cfm>). You can also contact us toll-free at (800) 330-0423 if you have questions about your rights under SCRA.

IF YOU DISAGREE THAT DEFAULT OCCURRED

If you disagree with the assertion that a default has occurred or the correctness of the calculation of the amount required to cure the default, you may contact our Collections Department at (800) -330-0423, Monday through Friday 8:30 AM to 8:30 PM EST.

If you are experiencing financial difficulty, you should know that there are several options available to you that may help you keep your home. You may contact a government approved housing counseling agency which provides free or low-cost housing counseling. You should consider contacting one of these agencies immediately. These agencies specialize in helping homeowners who are facing financial difficulty. Housing counselors can help you assess your financial condition and work with us to explore the possibility of modifying your loan, establishing an easier payment plan for you, or even working out a period of loan forbearance. For your benefit and assistance, there are government approved homeownership counseling agencies designed to help homeowners avoid losing their homes. To obtain a list of approved counseling agencies, please call (800) 569-4287 or visit <http://www.hud.gov/offices/hsg/sfh/hcc/hcs.cfm>.

You may be eligible for assistance from the Homeownership Preservation Foundation or other foreclosure counseling agency. You may call the following toll-free number to request assistance from the Homeownership Preservation Foundation: (888) 995-HOPE (4673). If you wish, you may also contact us directly at (800) 330-0423 and ask to discuss possible options.

This matter is very important. Please give it your immediate attention.

Sincerely,

PHH Mortgage Services
2001 Bishops Gate Blvd
Mt. Laurel, NJ 08054

PHH MORTGAGE CORPORATION IS A DEBT COLLECTOR AND THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED MAY BE USED FOR THAT PURPOSE. TO THE EXTENT YOUR OBLIGATION HAS BEEN DISCHARGED OR IS SUBJECT TO THE AUTOMATIC STAY IN A BANKRUPTCY PROCEEDING, THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT CONSTITUTE A DEMAND FOR PAYMENT OR AN ATTEMPT TO COLLECT AN INDEBTEDNESS AS YOUR PERSONAL OBLIGATION. IF YOU ARE REPRESENTED BY AN ATTORNEY, PLEASE PROVIDE US WITH THE ATTORNEY'S NAME, ADDRESS AND TELEPHONE NUMBER.

**NOTICE REQUIRED BY THE
FAIR DEBT COLLECTION PRACTICES ACT
15 U.S.C. SECTION 1601 AS AMENDED**

The principal balance due on the debt, as of the date of this letter is \$ 449,688.84

1. This amount does not include any interest, other charges, foreclosure or bankruptcy fees and costs which have been, or may be, incurred in the future.
2. The debt referred to in the proceeding Notice of Intention to Foreclose evidenced by the copy of the Mortgage and Note, will be assumed valid by the creditor, unless debtors, within thirty (30) days after the receipt of this Notice, disputes, in writing, the validity of the debt or some portion thereof.
3. If the debtor notifies the creditor, in writing, within thirty (30) days of the receipt of this Notice, that the debt, or any portion thereof, is disputed, the creditor will obtain verification of the debt and a copy of the verification will be mailed to the debtor by the creditor.
4. If the creditor, specified in the proceeding Notice of Intention to Foreclose, is not the original creditor, and if the debtor makes a written request to the creditor within thirty (30) days from the receipt of the Notice, the name and address of the original creditor will be mailed to the debtor by the creditor.
5. Written requests should be addressed to:

PHH Mortgage Corporation
2001 Bishops Gate Blvd
Mount Laurel, NJ 08054

Please refer to our file number: 2029874142

PHH MORTGAGE CORPORATION IS A DEBT COLLECTOR AND THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED MAY BE USED FOR THAT PURPOSE. TO THE EXTENT YOUR OBLIGATION HAS BEEN DISCHARGED OR IS SUBJECT TO THE AUTOMATIC STAY IN A BANKRUPTCY PROCEEDING, THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT CONSTITUTE A DEMAND FOR PAYMENT OR AN ATTEMPT TO COLLECT AN INDEBTEDNESS AS YOUR PERSONAL OBLIGATION. IF YOU ARE REPRESENTED BY AN ATTORNEY, PLEASE PROVIDE US WITH THE ATTORNEY'S NAME, ADDRESS AND TELEPHONE NUMBER.

GOVERNMENT AND NON-PROFIT ENTITIES

AMERICAN CREDIT ALLIANCE, INC.

26 South Warren Street
Trenton, NJ 08608
(609) 393-5400

ATLANTIC HUMAN RESOURCES, INC.

1 South New York Avenue
Atlantic City, NJ 08401
(609) 348-4131

CONSUMER CREDIT COUNSELING SERVICE OF NEW JERSEY

185 Ridgedale Avenue
Cedar Knolls, NJ 07927-1812
(973) 267-4324

CONSUMER CREDIT COUNSELING SERVICE OF CENTRAL NEW JERSEY

1931 Nottingham Way
Hamilton, NJ 08619
(609) 586-2574

FAIR HOUSING COUNSEL OF NORTHERN NEW JERSEY

131 Main Street
Hackensack, NJ 07601
(201) 489-3552

GARDEN STATE CONSUMER CREDIT COUNSELING, INC.

225 Willowbrook Road
Freehold, NJ 07728
(800) 992-4557

JERSEY COUNSELING & HOUSING DEVELOPMENT, INC.

29 South Blackhorse Pike
Blackwood, NJ 08012
(856) 227-3683

JERSEY COUNSELING & HOUSING DEVELOPMENT, INC.

1840 South Broadway
Camden, NJ 08104
(856) 541-1000

MERCER COUNTY HISPANIC ASSOCIATION

200 E State Street, 2nd Floor
Trenton, NJ 08607
(609) 392-2446

MIDDLESEX COUNTY ECONOMIC OPPORTUNITIES CORPORATION

1215 Livingston Ave
North Brunswick, NJ 08902
(732) 790-3344

NJ CITIZEN ACTION (MAIN OFFICE/FINANCIAL EDUCATION CENTER)

744 Broad Street, Suite 2080
Newark, NJ 07102
(973) 643-8800
(800) NJ-OWNER (Loan Counseling)
(888) TAXES-11 (Free Tax Preparation Assistance)

NJ CITIZEN ACTION (CENTRAL JERSEY)

85 Raritan Avenue, Suite 100
Highland Park, NJ 08904
(732) 246-4772

NJ CITIZEN ACTION (SOUTH JERSEY)

2 Riverside Drive, Suite 362
Camden, NJ 08103
(856) 966-3091

OCEAN COMMUNITY ECONOMIC ACTION NOW, INC.

22 Hyer Street
Toms River, NJ 08753-0773
(732) 244-2351, extension 2

PATERSON COALITION FOR HOUSING, INC.

262 Main Street, 5th Floor
Paterson, NJ 07505
(973) 684-5998

PATERSON TASK FORCE FOR COMMUNITY ACTION, INC

155 Ellison Street
Paterson, NJ 07505
(973) 279-2333

PUERTO RICAN ACTION BOARD HOUSING COALITION UNIT

90 Jersey Avenue
New Brunswick, NJ 08901
(732) 249-9700

TRI-COUNTY COMMUNITY ACTION AGENCY, INC.

110 Cohansey Street
Bridgeton, NJ 08302
(856) 451-6330

URBAN LEAGUE FOR BERGEN COUNTY

106 West Palisade Avenue
Englewood, NJ 07631
(201) 568-4988

URBAN LEAGUE OF ESSEX COUNTY

508 Central Avenue
Newark, NJ 07101
(973) 624-9535

URBAN LEAGUE OF UNION COUNTY

288 North Broad Street
Elizabeth, NJ 07208
(908) 351-7200

HOMELESSNESS PREVENTION PROGRAM

New Jersey Department of Community Affairs
(866) 889-6270 *

* Basic eligibility is limited to: (a) single family owner/occupied dwellings with all those on the Deed and Mortgage occupying the house; (b) no more than one mortgage or lien encumbrance on the property; (c) no initiated or ongoing bankruptcy. Assistance will be in the form of a loan, and a lien will be placed on the property. The family must document the financial reason for nonpayment. At the time of the eligibility decision, the household must have and document sufficient income to support the household and repay the loan. There is a fee for the credit check and property search.

(609) 585-6200; Fax:(609) 585-5537
E-mail: info@mercer.com
Internet: www.mercerbar.com

MIDDLESEX COUNTY BAR ASSOCIATION

87 Bayard Street
New Brunswick, NJ 08901
(732) 828-0053, ext 100
E-mail: admin@mcbalaw.com
Internet: www.mcbalaw.com

MONMOUTH BAR ASSOCIATION

Monmouth County Court House
Freehold, NJ 07728
(732) 431-5544; Fax:(732) 431-2843

MORRIS COUNTY BAR ASSOCIATION

28 Schuyler Place
Morristown, NJ 07960
(973) 267-5882; Fax:(973) 605-8325
Internet: www.morriscountybar.com

OCEAN COUNTY BAR ASSOCIATION

P.O. Box 381
Toms River, NJ 08753
(732) 240-3666; Fax: (732) 240-4907
Internet: www.oceancountybar.org

PASSAIC COUNTY BAR ASSOCIATION

401 Grand Street, 3rd Floor
Paterson, NJ 07505
(973) 345-4585
Internet: www.passaicbar.org

SALEM COUNTY BAR ASSOCIATION

(856) 935-5629
Internet: www.salemcountybar.org

SOMERSET COUNTY BAR ASSOCIATION

10 N. Bridge Street HCH 325,
Somerville, NJ 08876
(908) 685-2323; Fax: (908) 685-9839
Internet: www.somersetbar.com

UNION COUNTY BAR ASSOCIATION

Courthouse, 1st Floor,
Elizabeth, NJ 07207
(908) 353-4715; Fax: (908) 354-8222
Internet: www.uclaw.com

WARREN COUNTY BAR ASSOCIATION

413 Second Street
Belvidere, NJ 07823
(908) 387-1835
Email: warrencountybar@yahoo.com