

LEGAL LIFELINE



ATTY. GENE W. CHO

What to do with home foreclosure

charges, about 8% of the sales price, no money will be left over, even if the house is sold. The couple just cannot afford to keep the house. In this case, the couple could choose to extend their use of the house through short-sale strategy and Chapter 7 Bankruptcy. That could extend their use of the house without paying the mortgage payments for 6 months to more than a year. Besides, freedom from the mortgage burden would free up cash flow to give breathing room for the family now. First, try to obtain a purchase offer by listing the property for much less than the fair market value of the house, for example, \$400,000. They would need \$475,000 to pay off the mortgage plus \$40,000 in sales costs such as broker commission and escrow charges; in total, \$515,000. They would fall short by \$115,000, since the offered price is only \$400,000. Request for the mortgage banks to reduce their principal pay-off amount is called "short sale offer". While the banks entertain short sale offers, they often suspend foreclosure proceedings. In California, foreclosures can be conducted in two ways: one, Judicial Foreclosure and Trustee Sale. Judicial Foreclosure is a formal lawsuit, which could take much time and costs for the lenders, although they would be able to retain their right to seek payment of "deficiencies", the difference between the mortgage pay-off balance and the actual cash sales proceeds through foreclosure. Most lenders do not opt for Judicial Foreclosure due to costs and time factor. The other preferred method of foreclosure is Trustee Sale. Lenders are required under California Law to file "Notice of Default" with the County of Recorder's Office and wait 90 days for the homeowner to

reinstate the default, or pay whatever amounts in default. As of May 22nd, this 90 day period will become 180 days. Thirty (30) days before filing a Notice of Default, the lender must engage in a good faith effort to restructure the loan with the homeowner. Most lenders do not initiate Trustee Sale upon the first month default. They generally wait 2 to 4 months before initiating the procedure. The new law passed by Governor Arnold Schwarzenegger. If the couple successfully petitioned the banks for short sale, that would further extend their time to live in the house without paying for however many months while the banks consider short sale offers.

In addition, filing Chapter 7 bankruptcy would completely stop all collection activities through the "Automatic Stay" Order issued by the United States bankruptcy courts. To resume foreclosure, lenders are required to obtain court orders by filing Motion for Relief from Automatic Stay. This legal procedure could add additional 60 to 120 days. So, to recap, 3 to 6 months for the short sale offer period, 6 to 8 months for the foreclosure process and then 2 to 4 months for the bankruptcy relief process could add up to 11 to 18 months. Meanwhile, the couple could save up unused cash for relocation and other necessities.

Lastly, for the lender to gain possession of the house, they must file Unlawful Detainer action. That takes another two months or so.

The Law Offices of Gene Cho practices in business and general civil litigation, immigration, personal injury, real estate transaction and litigation, criminal defense, family law, collection and judgment enforcement and appellate laws. You may contact (213) 639-3888 for any legal matters you may have.

(Advertising Supplement)

BRIDGING FINANCIAL GAPS



EVANGELINE A. GIRON

ESTATE planning is financially preparing your assets and liabilities for when you are no longer alive, to leave as much as you can to the people that you love. Estate planning minimizes how much your loved ones will pay for the distribution of your estate, helps them to make important decisions related to your death, and prevents the frustration of the probate process.

Having a will gives you the decision-making control over

In California, an estate goes through probate if the total gross value of the estate is more than \$100,000 (if you own a home or have life insurance, your estate already surpasses this minimal amount).

who gets what; you still control how and when they receive it. A will conserves and distributes your assets and money according to your wishes, names guardians for your minor children, as well as names an executor for your estate. It alleviates family member feuds that may take place after your death; there is no guess work. While essential to have, a will does not avoid the probate process.

Creating a living trust allows you to be in control over your assets and their distribution at your death. A living trust is a relationship between people and property. One person (the

How important is estate planning?

trustee) is given legal ownership of the assets to be managed or invested for the benefit of the beneficiary. You can even be the trustee of your own trust while you are alive. The successor trustee will oversee the trust upon your death. Having a living trust avoids the probate process.

In California, an estate goes through probate if the total gross value of the estate is more than \$100,000 (if you own a home or have life insurance, your estate already surpasses this minimal amount). The probate process

your last wishes. If your estate is relatively large, focus should be on preserving your assets and reducing or postponing estate taxes that are payable on your death.

Evangeline Giron Financial & Legal Group can assist you in putting into place the basic building blocks of estate planning, such as a will, durable power of attorney for health care, durable power of attorney for financial management, a health care directive and perhaps a living trust. Our estate planning services are designed for the orderly transfer of wealth, taking into consideration each client's individual goals and circumstances. With good estate planning, you can take control of your family's future.

NOTE: Evangeline is not an attorney nor does she provide legal advice. She prepares legal documents at the specific direction of the client. At your request, she can file your legal documents at the appropriate court. She is a Legal Document Assistant (LDA # 397, registered and bonded in Los Angeles County, expires 3/23/2011).

Evangeline can be reached at her marketing location at the Ground Floor of Eagle Rock Plaza (in front of Jollibee), 2700 Colorado Blvd., Los Angeles, CA 90041 or at her business address at 655 N. Central Ave., 17th Fl., Glendale, CA 91203, phone number (323) 356-3803 or (323) 254-6787.

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EVANGELINE A. GIRON
President

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E. GIRON INSURANCE & FINANCIAL SERVICES



Business address:
655 N. Central Ave. 17th Fl.
Glendale, CA 91203



Marketing location:
2700 Colorado Blvd., NL1
Los Angeles, CA 90041
(Ground Fl., Eagle Rock Plaza)

ON FENG SHUI



JENNY LIU

(Part 2)

THIS week we begin our virtual feng shui consultation using the case of one of my clients in Europe, changing her name to Mary for privacy reasons. I will take you through Mary's case step by step so that you will have a basic understanding of what goes on in a feng shui session.

Mary first contacted me by mail ten years ago. She sent me her floor plan, numerous detailed photos of her apartment, and a letter explaining the challenges she was facing in her life. Mary also wrote that her main desire was to get married and have a family.

One of Mary's main challenges is relationships. Whether it be with family, friends, or co-workers, her relationships tended to be unstable, short term, and conflicting, leaving Mary feeling lonely, depressed, and unmotivated.

Career is the second thing Mary wrote about. She frequently changes jobs, which creates chaos, instability, and lack of self-confidence. She experiences a lot of friction with her coworkers no matter how hard she tries to along with them. She would also like to do better financially in her career.

Using Mary's birth information, I find that she is a Western Direction Pattern person belonging specifically to the northwest direction, which tells me that she is more compatible with the northwest, southwest, northeast, and west directions. According to her birth chart, her promoting elements are earth and metal, meaning that she lacks and needs more of these elements to balance her personal energetic make up.

Now that I know Mary's promoting elements, I can establish

her promoting colors, which are yellows, browns, tans, and beiges representing the earth element, and white and gold representing the metal element. Her neutral element is water, and therefore her neutral colors are black, gray, and blue. Since Mary has an abundance of the fire and wood element, (her defeating elements) I will minimize the representative colors of fire (reds, pinks, purples) and wood (greens) in her feng shui adjustments. Her promoting number is 8, associated to the earth element, and 6 and 7, which belong to the metal element.

Next we do a reading of her personal birth chart to get a better idea of what's going on in her life, what her potential is, and what might be causing her current situation. A complete birth chart reading takes between one and two hours and covers twelve aspects of your life including: personality, parents/ancestors, luck, property, career, friendship, travel, health, marriage, siblings, wealth, and children. It also covers 10-year cycles of your life, annual cycles, and past life karma energy.

Mary's birth chart tells me that she is intelligent, assertive, dominant, and adventurous. She doesn't hesitate to voice her opinions and likes to do things her own way. Being in a leadership position is better for her than working for someone. She is most compatible to money related fields such as banking, loans, sales, or real estate.

Her marriage sector indicates that she may have multiple partners in her life that tend to be short-term relationships embodying conflict and challenges. Love relationships will be more compatible to her later in life

Virtual Feng Shui Consultation – Floor Plans, Birth Charts, and Elements

and tend to be open relationships, which don't necessarily include marriage.

At the time I started this case, Mary was just starting a 10-year cycle full of challenge and difficulty. This combined with her poor feng shui promotes a struggling, miserable way of life for Mary. However, when I look into future cycles, her birth chart shows her next 10-year cycle to be excellent, with Mary in a leadership position earning very good money at a very good job. She definitely has something to look forward to, but wants to know what she can do right now. Ten years is a long time to be struggling! I tell her that we can adjust her feng shui, her personal energy, and keep a positive attitude.

With the information and insight I've gathered regarding Mary's personal life and her apartment's feng shui, I can make recommendations that will allow her to more fully reach her potential. Check in next week for the next step in this Feng shui consultation!

Jenny Liu is a fourth generation feng shui master and is available for residential and commercial consultations. To learn more, please see her website at Liu-FengShui.com, or call her at (626) 272-4901 for a free estimate. Mention this article in Asian Journal and receive a 10% discount.

Guide to a Harmonious 2009 -156 pages, full color, soft cover - on sale now for \$25 or two for \$45. To order or preview book, go to www.Liu-FengShui.com or call Julie at (626) 862-1788. Audio book format also available. Download a FREE Zodiac Scroll and see our FREE Library Seminar Calendar at Liu-FengShui.com. Join Jenny Liu for Feng Shui Tea Time: 2009 Feng Shui on Saturday January 31, 2009. For more information call Julie at (626) 862-1788.

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