

<u>Payment to Suntrust</u> <sup>1</sup>	<u>Payment applied on</u>	<u>Applied to "Due Date"</u>
January 13, 2012	March 8, 2012	May 1, 2011 (doc. 38-18, p. 5)
February 27, 2012	March 8, 2012	June 1, 2011 “
March 30, 2012	May 25, 2012	July 2011 (doc. 38-18, p. 4)
No April payment		

May 7, 2012, the account activity statement shows a “Statutory Expense Disbursement” charge against account of \$5.59, \$206.54 and an “Attorney Advance Disbursement” charge against account of \$360.00. (Doc. 38-18, p. 4) Previously on November 22, 2011, the statement showed a \$200.00 “Statutory Expense Disbursement” charge against the account and a \$180.00 “Attorney Advance Disbursement” charge against the account (Id. p. 5). These appear to be part of the Proof of Claim (see below).

May 29, 2012	June 25, 2012	August 2011 (doc. 38-18, p. 4, 9)
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**June 1, 2012 - Seterus acquires account.**

Proof of claim

June 8, 2012 - Suntrust files a Proof of Claim for \$11,357.04 for 8 pre-petition past due monthly payments (May 1, 2011 through December 1, 2011) and prepetition expenses of \$1,623.81 (late charges \$427.19, attorney fees \$540.00 (\$180.00 + \$360.00 = \$540.00, doc. 38-13, p. 2), advertisement \$206.54, title \$200.00, property inspection fees \$135.00, escrow shortage \$109.49, mail \$5.59) + attorney fee for filing the Claim \$425.00. Total \$13,405.85.

June 25, 2012	June 25, 2012	September 2011 (doc. 38-18, p. 9)
August 31, 2012	August 31, 2012	October 2011 “

No payments July, August, September 2012

<sup>1</sup> Payments for less than the full amount due were deposited into the Moores’ suspense account until there were enough funds available to make a full payment. Also, they frequently paid in even sums, *i.e.* \$1,450.00, \$1,500.00, \$1,600.00, and the excess between their actual payment due and the payment made was deposited in the suspense account. When a sufficient amount had accrued, the funds in the suspense account were applied to a payment.

<u>Payment to Seterus</u>	<u>Payment applied on</u>	<u>Applied to "Due Date"</u>
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October 22, 2012 - Seterus receives \$13,405.85 from Bankruptcy Court for Suntrust's claim, which is applied to 9 past-due payments (doc. 38-7)

October 22, 2012	October 23, 2012 <sup>2</sup>	November 2011 through July 2012 (doc. 38-18, p. 9)
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The 9 past-due payments at \$1,476.81 each total \$13,291.29, and subtracting this sum from \$13,405.85 yields a balance of \$114.56. Seterus states that the remaining \$114.56 "was held in suspense until a full Periodic Payment could be made" (Doc. 40, p. 4, n. 3).

October 31, 2012	October 31, 2012	August 2012 (doc. 38-18, p. 9)
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October 31, 2012	October 31, 2012	September 2012	"
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No payment November 2012 through January 2013

February 26, 2013	February 26, 2013	October 2012	"
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February 26, 2013	February 26, 2013	November 2012	"
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February 26, 2013	February 26, 2013	December 2012	"
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No March payment 2013

April 1, 2013	April 1, 2013	January 2013	"
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April 10, 2013	April 10, 2013	February 2013	"
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April 10, 2013	April 10, 2013	March 2013	"
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On April 15, 2013, the Moores paid \$726.00 for legal fees and costs for the Defendants' Motion for Relief from Automatic Stay (doc. 38-11, Order). The Activity Statement shows the \$726.00 as a suspense deposit (doc. 38-18, p. 9).

April 29, 2013	April 29, 2013	April 2013 (doc. 38-18, p. 9)
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No payment May 2013

June 6, 2013	June 6, 2013	May 2013	"
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July 19, 2013	July 19, 2013	June 2013	"
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<sup>2</sup> Payments from the suspense account (doc. 38-18, p. 9), not a direct payment from the Moores.

<u>Payment to Seterus</u>	<u>Payment applied on</u>	<u>Applied to "Due Date"</u>
No payment August 2013		
September 12, 2013	September 12, 2013	July 2013 (doc. 38-18, p. 9)
October 15, 2013	October 15, 2013	August 2013      “
No payment November 2013		
December 31, 2013	December 31, 2013	September 2013      “
January 31, 2014	January 31, 2014	October 2013      “
February 28, 2014	February 28, 2014	November 2013      “
March 31, 2014	March 31, 2014	December 2013      “
April 30, 2014	April 30, 2014	January 2014      “
No payment May 2014		
June 2, 2014	June 2, 2014	February 2014      “
July 7, 2014	July 7, 2014 <sup>3</sup>	March 2014      “
July 7, 2014	July 7, 2014	April 2014      “
July 31, 2014	July 31, 2014	May 2014      “
No payment August 2014		
September 10, 2014	September 10, 2014	June 2014      “
No payment October 2014		
November 6, 2014	November 6, 2014	July 2014 (doc. 38-18, p. 10)
No payment December 2014		

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<sup>3</sup> Payment from the suspense account, not a direct payment from the Moores. This payment appears to include the \$726.00 paid by the Moores pursuant to the Bankruptcy Court Order (doc. 38-18, p. 9).

<u>Payment to Seterus</u>	<u>Payment applied on</u>	<u>Applied to "Due Date"</u>
January 30, 2015	January 30, 2015	August 2014 (doc. 38-18, p. 10)
February 27, 2015	February 27, 2015	September 2014      “

March 2015, the Moores bankruptcy is dismissed.

No payment March and April 2015

May 7, 2015 (\$14,331.71)	May 8, 2015	October 2014 through June 2015 (doc. 38-18, p. 11-12)
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The balance remaining, after application of \$14,331.71 to nine monthly payments (\$13,291.29), was \$1,040.42. That sum plus \$126.69 from the suspense account were applied to late charges \$1,167.11 (doc. 38-18, p. 11).

June 24, 2015, \$6,256.06 was refunded from the escrow account (doc. 1, complaint, doc. 38-18, p. 11), Seterus explains that an escrow analysis reduced the monthly payment to \$1,307.52 and a surplus of escrow was refunded (doc. 38-18, p. 2).

No payment June 2015

July 31, 2015	August 3, 2015	July 2015 (doc. 38-18, p. 11)
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August 6, 2015, Seterus responds to the Moores' QWR/NSE (doc. 38-18)

No payment August and September 2015

October 7, 2015	October 8, 2015	August 2015 (doc. 38-6, p.4)
October 13, 2015	October 14, 2015	September 2015 (doc. 38-6, p. 4)
October 21, 2015	October 22, 2015	October 2015      “

No payment for November 2015 through January 2016.

February 29, 2016	March 7, 2016	November 2015 (doc. 38-6, p. 3)
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