

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

KEITH LAVERPOOL
863 FLAT SHOALS RD S.E.
SUITE C 105
CONYERS, GA 30094
478-714-8037 (CELL)

PLAINTIFF,

v.

Department of Housing and Urban Development
Office of the Executive Secretariat
Room 10139
451 7th Street, SW
Washington, DC 20410-3000
(202) 402-2671 (Telephone)
(202) 708-1353 (Fax)

Case: 1:18-cv-00284
Assigned To : Boasberg, James E.
Assign. Date : 2/12/2018
Description: FOIA/Privacy Act

DEFENDANT.

COMPLAINT FOR INJUNCTIVE RELIEF

This is an action under the Freedom of Information Act, 5 U.S.C. § 552, to order the production of agency records, concerning Proof of Brower Keith Laverpool requesting the cancelation of FHA Insurance **Loan# 105-3052233-703**, which defendant has improperly withheld from plaintiff.

Jurisdiction and Venue

1. This court has both subject matter jurisdiction over this action and personal jurisdiction over the party pursuant to 5 U.S.C. § 552(a)(4)(B). This court also has jurisdiction over this action pursuant to 28 U.S.C. § a1331. Venue lies in this district under 5 U.S.C. § 552(a)(4)(B).

2. Plaintiff, Keith Laverpool, is the requester of the records which defendant is now withholding. Plaintiff has requested this information for alleged fraud committed with his home mortgage.

3. Plaintiff requested all information on file related to FHA Case Number: 105-3052233-703 Property Address: 1580 Smithson Court Lithonia, GA 30058. Proof of the Lender Taylor, Bean, & Whitaker asking to cancel the FHA Insurance **Loan# 105-3052233-703**.

4. The request of the foreclosure for the sale of my property located at 1580 Smithson Ct, **Loan# 105-3052233-703** that was scheduled for and had the sale conducted on or about February 3, 2015. All loan documents for RoundPoint Mortgage and Taylor, Bean, & Whitaker relating to property located 1580 Smithson Ct, with the identifying **Loan# 105-3052233-703**

5. Defendant Department of Housing and Urban Development Office of the

Executive Secretariat (hereinafter “HUD”) is an agency of the United States and has possession of the documents that plaintiff seeks.

6. Plaintiff spoke to a HUD agent concerning the FHA Note and was informed that he needed to speak with NOVAD (a subcontractor) concerning his loan. The HUD agent was Tia Tatum a HUD investigator. HUD stated they did not see a foreclosure concerning Plaintiff’s loan.
7. NOVAD’s agent informed plaintiff that the Lender and Brower asked to cancel the FHA Insurance. Plaintiff assured the agent that he would have never asked to cancel his insurance.
8. Plaintiff asked for a copy of the documentation or paperwork that shows he asked to cancel his insurance. Plaintiff states he was given the cold shoulder and told the only way he would get any information concerning his loan he had to submit a Freedom of Information Act Request. Plaintiff has submitted three (3) FOIA request and still have not received the requested information.
9. By letter dated July 13, 2015, plaintiff requested access to Proof of Brower Keith Laverpool requesting the cancelation of FHA Insurance **Loan# 105-3052233-703**. A copy of this letter is attached as Exhibit A.
10. Another request was done May 23, 2017 which was follow-up by a response July 26, 2017. Exhibit B.

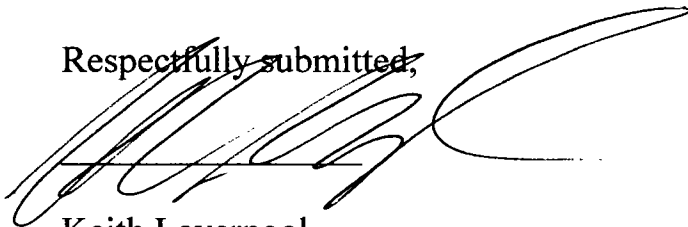
11. By letter dated July 26, 2017, plaintiff was denied access to the requested information on the grounds that it was exempt from disclosure under FOIA and the Privacy Act (PA) 5 U.S.C. §§ 552(b). A copy of this letter is attached as Exhibit C.

12. Plaintiff has a right of access to the requested information under 5 U.S.C. § 552(a)(3), and there is no legal basis for defendant's denial of such access.

WHEREFORE, plaintiff requests this Court:

- (1) Order defendant to provide access to the requested documents;
- (2) Expedite this proceeding as provided for in 28 U.S.C. § 1657;
- (3) Award plaintiff costs and reasonable attorney's fees in this action, as provided in 5 U.S.C. § 552(a)(4)(E); and
- (4) Grant such other and further relief as may deem just and proper.

Respectfully submitted,



Keith Laverpool
863 Flat Shoals Rd S.E.
Suite C 105
Conyers, GA 30094

EXHIBIT A

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July 13, 2015

Dolores Cole
Office of the Executive Secretariat
Room 10139
451 7th Street, SW
Washington, DC 20410-3000
(202) 402-2671 (Telephone)
(202) 708-1353 (Fax)

Dear Dolores Cole:

Pursuant to the Freedom of Information Act, I would like to **obtain a copy of** the following public records:

- Any and all information on file related to FHA Case Number: 105-3052233-703
Property Address: 1580 Smithson Court Lithonia, GA 30058
- Proof of Brower Keith Laverpool requesting the cancelation of FHA Insurance **Loan# 105-3052233-703**.
- Proof of the Lender Taylor, Bean, & Whitaker asking to cancel the FHA Insurance **Loan# 105-3052233-703**.
- The request of the foreclosure for the sale of my property located at 1580 Smithson Ct, **Loan# 105-3052233-703** that was scheduled for and had the sale conducted on or about February 3, 2015.
- All loan documents for RoundPoint Mortgage and Taylor, Bean, & Whitaker relating to property located 1580 Smithson Ct, with the identifying **Loan# 105-3052233-703**

Please be advised that the address for RoundPoint is...

RoundPoint Mortgage Servicing Corporation
Company NMLS ID # 18188
17304 Preston Road, Suite 1280
Dallas, Texas 75252

Please be advised that the address for Taylor, Bean, & Whitaker Mortgage Corp is...

Taylor, Bean, & Whitaker Mortgage Corp.
4901 Vineland Road
Suite 120
Orlando, FL 32811

I understand that if I seek a copy of this record, there may be a copying fee. Additionally, any fees required to cover certifying any copies of the requested document will be covered by myself as well.

According to the statute, this request should be acted upon as soon as possible, but in no event later than the third business day following receipt of this letter.

If you choose to deny the request, then you are required to respond in writing and state the statutory exception authorizing the withholding of all or part of the public record and the name and title or position of the person responsible for the denial.

Thank you for your assistance on this matter.

Respectfully Submitted,

Keith Laverpool
1580 Smithson Court,
Lithonia, Georgia 30058

EXHIBIT B

EXHIBIT B

EXHIBIT E

May 23, 2017

Department of Housing and Urban Development
Office of the Executive Secretariat
Room 10139
451 7th Street, SW
Washington, DC 20410-3000
(202) 402-2671 (Telephone)
(202) 708-1353 (Fax)

To whom it may concern:

I was informed by Round Point Mortgage that the FHA Insurance for my **loan #105-3052233-703** was canceled per my request. I did not request to cancel my FHA Insurance and this has caused me a great deal of confusion with the servicing company.

Pursuant to the Freedom of Information Act, I would like to **obtain a copy of the following public records:**

- Any and all information on file related to FHA Case Number: 105-3052233-703
Property Address: 1580 Smithson Court Lithonia, GA 30058
- Proof of Brower Keith Laverpool requesting the cancelation of FHA Insurance **Loan# 105-3052233-703.**
- Proof of the Lender Taylor, Bean, & Whitaker asking to cancel the FHA Insurance **Loan# 105-3052233-703.**
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Thank you for your assistance on this matter.

Respectfully Submitted,

Keith Laverpool
863 Flat Shoals Rd S.E.
Suite C 105
Conyers, GA 30094

EXHIBIT C

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**U. S. Department of Housing and Urban Development
Regional Administrator
Region IV**

JUL 26 2017

Mr. Keith Laverpool
863 Flat Shoals Road SE
Suite C 105
Conyers, GA 30094

SUBJECT: Freedom of Information Act Request
FOIA Control No.: 17-FI-RO4-01352

Dear Mr. Laverpool:

This letter acknowledges receipt of your Freedom of Information Act (FOIA) request dated May 23, 2017. Your request was received in the Atlanta Regional Office on June 9, 2017.

An individual's request for information pertaining to him/her is processed under both the FOIA and the Privacy Act (PA), to afford maximum access to records. Because you have asked for copies of records about yourself, the Department of Housing and Urban Development must verify your identity to ensure that your personal information is not released to anyone other than you. The Department requires verification of your identity, including your full name, current address, date, and place of birth. **In addition, your request must be made in writing, contain your signature, and be notarized.** Because you have not provided this documentation, your request is not a proper FOIA request, and HUD is unable to initiate a search for responsive records.

For your convenience, enclosed are affirmation/declaration forms that must be completed to satisfy the requirements of a perfected FOIA request. You must return the form to this office before a search can be initiated for records. If HUD does not receive the completed form within 10 business days from the date of this letter, the Department will assume that you no longer require the records requested, and your request will be administratively closed.

The Department will comply with your request to the extent permissible by law. If you have any questions regarding your request, please contact me at (678) 732-2314 or johnnie.a.lattimore@hud.gov.

Thank you for your interest in the Department's programs and policies.

Sincerely,

A handwritten signature in cursive script that reads "Johnnie Lattimore".

Johnnie Lattimore
Georgia FOIA Coordinator

Enclosure

Create strong, sustainable, inclusive communities and quality, affordable homes for all.
Five Points Plaza • 40 Marietta Street • Atlanta, GA 30303-2806 • www.hud.gov • espanol.hud.gov

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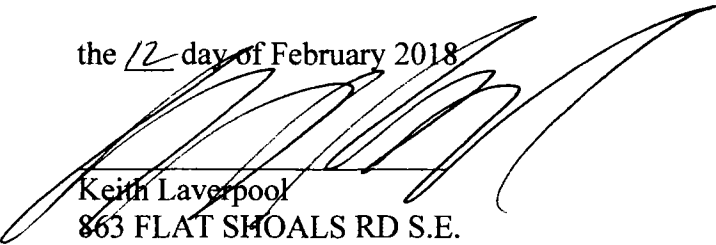
Case no: _____

DEFENDANT.

CERTIFICATE OF SERVICE

I Keith Laverpool, Pro'se certify that a true and correct copy of the foregoing
COMPLAINT FOR INJUNCTIVE RELIEF was served on the Defendants U.S. First Class Mail

the 12 day of February 2018



Keith Laverpool
863 FLAT SHOALS RD S.E.
SUITE C 105
CONYERS, GA 30094
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