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WHY THEY LIE

Posted on August 5, 2011 by Neil Garfield

SEE [BARRY FAGAN v WELLS FARGO BANK VERIFIED RESPONSES #9 RPD AND #4 REQUEST FOR ADMISSIONS](#)

It is always the same. The pretenders will say whatever they want to satisfy their needs at the moment. In Court, they don't care whether it is true or not, they just say it because the Judge expects them to say it. The reason they do it is because they can: up until recently the representations of counsel in Court proceedings were taken as gospel by Judges on the bench ALL OF THE TIME. Now, with clear evidence of forgery and fabrication all over the media, the pretenders are getting their way MOST OF THE TIME.

What will it take to have Judges actually require evidence? More time, I suppose. Meanwhile, people are being terrorized by a group of individuals and companies who have nothing but complete disdain for the American homeowner and would just as soon foreclose on him as look at him, regardless of whether or not he is up to date on his payments.

Here is a clear case in point, which is repeated all over the country. I get more reports about these discrepancies with Wells Fargo but it is apparent from the reports that all the banks are doing it. They deny the loan was securitized if they filed the action in the name of a bank, especially if the bank is the same one who originated the loan. They admit that the loan was securitized when they are seeking some relief that can only be obtained by stating that an asset-backed pool exists (even if it doesn't) and that the subject loan is in the pool (even if it isn't).

But the main culprit here is myth and ideology. Based upon a double-standard that defies rational explanation, it is perfectly OK for a business to cram down or discharge a lien that was never perfected. That's OK. But it isn't OK for a homeowner to do the exact same thing for the same reasons — the original deal didn't work out. In this case the original deal didn't work out because it couldn't and nobody except the borrower wanted it to work out. The investor had no idea what was being done with investor money.

The bottom line that is dragging our economy into a ditch deeper than the one that Bush gave us, is that we would **rather have banks collect taxpayer money and get ownership of homes on which they advanced no funds**, than to give the collateral benefit of defects in the loan and transfer procedures to the borrower. It's either the **bank gets a free house or the homeowner gets a lien-free house and then still owes money**. Somehow, everyone seems to be in agreement that it is better to give the banks a free house than to allow the operation of existing law.

And somehow, the banks have succeeded in controlling the narrative such that it appears as though the homeowner is seeking a free home, not the banks. Neither Judges nor even homeowners can quite grasp the idea that the bank has no financial interest in their loan transaction. Most people walk away handing the keys to complete strangers. If anyone else asked for the keys they would sent packing, but somehow the homeowner presumes that the bank wouldn't be there if it didn't own the loan. It just isn't so, and saying it doesn't make it so either.

