



TD SERVICE COMPANY

Date: March 12, 2010

Dear Customer:

RE: 2923.5 and 2923.52 CA CC/Penalty of Perjury

Due to some recent decisions by local judges in connection with whether or not a declaration pursuant to California Civil Code section 2923.5 and 2923.52 must be signed under penalty of perjury, we offer the enclosed declaration. The declaration also reflects changes to section (5), bankruptcy exemption and changes in accordance with CA SB 306. Please review this document with your legal department to determine if a change in policy by signing under penalty of perjury is a decision you want to adopt.

We have been advised by our attorneys that trial court cases appear to be running roughly 70/30 in favor of the interpretation that the declaration does NOT need to be signed under penalty of perjury. However, there is some uncertainty in the statute. While the United Trustee Association works with legislators to clean up this statute, we are faced with each court interpreting the statute differently. One point to be made is that some of the judicial decisions have dismissed the penalty of perjury argument finding that there is no private right of action. Copies of the statutes are attached.

If you elect to execute a declaration that is not signed under penalty of perjury please use the amended declaration #2 attached which reflects changes to section (5), bankruptcy exemption and changes in accordance with CA SB 306.

If you have any questions concerning these declarations, please don't hesitate to contact me or the Operations Supervisor assigned to your account as listed below:

Linda Kidder	Sr. V.P.	714-480-5640	lkidder@tdsf.com
Patricia Randall	Units C, D & L	714-480-5630	prandall@tdsf.com
Michelle Pino	Units B, H & K	714-480-5413	mpino@tdsf.com
Sandie Armenta	Unit V	714 480-5677	sarmenta@tdsf.com
Fran DePalma	Units A & F	714 480-5522	fdepalma@tdsf.com

We appreciate your continued support of T.D. Service Company

Linda Kidder
Senior Vice President

Attachments: NOD Declaration signed under POP
NOD Declaration
CA SB 306