



Commonwealth of Massachusetts

SOUTHERN ESSEX DISTRICT REGISTRY OF DEEDS
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A division of the Secretary of the Commonwealth
WILLIAM FRANCIS GALVIN, SECRETARY

September 20, 2011

Mr. Edward M. Bloom
President
The Real Estate Bar Association
50 Congress Street, Suite 600
Boston, MA 02109-4075

Dear Mr. Bloom,

As you know I wrote to you on August 30, 2011 responding to your letter of August 8, 2011. I had asked that you forward my response to the REBA membership and post it on your web page. To date, I do not believe that you have done either. I would hope that you would understand the importance of your members receiving both sides of the story.

Did you happen to see the article in the National Mortgage News entitled "Tough Questions for the New CEO at Embattled MERS" that was written by Austin Kilgore? Ironically, I had an interview with Mr. Kilgore some months ago where I advocated that MERS be put out of business. Mr. Beckman, MERS CEO is quoted as saying "We did not have a robust process to make sure that all data on our system was accurate, timely and reliable." In addition when asked if he felt MERS was still a viable component of the mortgage industry, Beckman did not answer "yes", "of course" or even "absolutely" instead only snidely answered "What's the Alternative? Is the alternative to go back 20 years and start recording these things on paper again?" It is my very definite opinion, that if all lenders had recorded all "paper" documents at their local registry of deeds and MERS and its member-banks did not attempt to circumvent the "tried and true" registry system of paper recording that has been in existence here at the Southern Essex District Registry since our first recording in 1641, a public and reliable chain of title would exist today, alleviating many problems that the MERS systems have caused in this foreclosure crisis.

In addition, I call your attention to a story in the Wall Street Journal yesterday entitled "Mired in Foreclosures" that reports that court officials in Florida are requiring lenders to submit affidavits, swearing that all the information in their foreclosure lawsuits are true and correct. I find that interesting, since I have also asked for an affidavit when it comes to known robo-signers who have been part of a scheme by MERS and its member-banks in not only disgracing themselves, but damaging the sacred property rights of

homeowners across this great nation. Judge Rondolino in that article commented that "he didn't have any confidence that any of the documents the court is receiving on the mass foreclosures are valid." That is disturbing to me, and I hope to you too.

As your web page states "The integrity, reliability and consistency of the land records is a cornerstone of REBA'S mission." If you truly believe in that mission, then it should not be hard for you to change course and join me in urging that all registries across Massachusetts and the country follow my lead and fight the good fight to insure that the records that are contained therein are legitimate, reliable and consistent.

Sincerely,



John O'Brien
Register of Deeds
Southern Essex District