

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

Brittany M. Chandler v. LoanCare, LLC; Lakeview Loan Servicing, LLC; and Trustee Corps

Chandler v. LoanCare · No. 3:25-cv-2311-SI · Decided January 12, 2026

SUMMARY

The United States District Court for the District of Oregon grants Brittany M. Chandler’s ex parte motion for a temporary restraining order against LoanCare, LLC and Trustee Corps. The order enjoins foreclosure proceedings against her Beaverton home based on serious questions concerning disability discrimination under the Fair Housing Act and the likelihood of irreparable harm from loss of the property. The court directs the parties to submit a proposed schedule concerning renewal of the TRO or a preliminary injunction.

CASE DETAILS

COURT	United States District Court for the District of Oregon
WRITING FOR THE COURT	Michael H. Simon
JURISDICTION	United States District Court for the District of Oregon
DECIDED	January 12, 2026
DOCKET	3:25-cv-2311-SI
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff, proceeding pro se, sought an ex parte temporary restraining order preventing LoanCare and Trustee Corps from initiating foreclosure proceedings and auctioning her home. The federal court granted the motion without prejudice to later consideration of the merits.
STANDARD OF REVIEW	A temporary restraining order is evaluated under substantially the same factors as a preliminary injunction. The court applied the Winter preliminary-injunction factors and the Ninth Circuit's serious-questions test.
PRECEDENTIAL VALUE	nonprecedential interlocutory district-court order
PARTIES	Brittany M. Chandler v. LoanCare, LLC, Lakeview Loan Servicing, LLC, Trustee Corps

TOPICS

injunctions foreclosure ada / disability civil procedure remedies

PRACTICE AREAS

civil procedure real estate fair housing foreclosure civil rights

QUESTIONS PRESENTED

1. Whether Chandler satisfied the standard for issuance of an ex parte temporary restraining order preventing foreclosure proceedings.
2. Whether Chandler raised serious questions on the merits of her Fair Housing Act disability-discrimination claim.
3. Whether the balance of hardships, likelihood of irreparable injury, and public interest supported temporary injunctive relief.

HOLDINGS

1. A temporary restraining order should issue because Chandler satisfied the Ninth Circuit's serious-questions test by raising serious questions on the merits, showing a likelihood of irreparable injury, demonstrating that the balance of hardships tipped sharply in her favor, and establishing that an injunction was in the public interest.
2. Chandler raised serious questions as to whether LoanCare discriminated against her on the basis of disability by offering or extending financial assistance to Creger but not to her after learning of her disability.

KEY QUOTATIONS

“A preliminary injunction is an “extraordinary remedy that may only be awarded upon a clear showing that the plaintiff is entitled to such relief.”” (Order at 2)

“a preliminary injunction may issue where ‘serious questions going to the merits were raised and the balance of hardships tips sharply in plaintiff’s favor’ if the plaintiff ‘also shows that there is a likelihood of irreparable injury and that the injunction is in the public interest.’” (Order at 2)

“This Order is without prejudice to the Court considering the merits of parties’ arguments in later motions.” (Order at 3)

FACTUAL BACKGROUND

LoanCare serviced Chandler's mortgage on a Beaverton, Oregon home, and Trustee Corps acted as LoanCare's foreclosure vendor. Chandler, who is disabled, alleged that after she disclosed her disability, LoanCare refused her financial assistance while offering assistance to her co-owner and former boyfriend, Chadau Creger, for the same property. She asserted that foreclosure would cause her to lose her home and become homeless, worsening her physical and mental illnesses, while defendants would suffer little harm from postponing the auction.

PROCEDURAL HISTORY

Chandler filed claims for wrongful foreclosure, fraud, and alleged federal-law violations, including disability discrimination under the Fair Housing Act, in Oregon state court. Defendants removed the action to the United States District Court for the District of Oregon. Chandler then moved for a temporary restraining order before the scheduled foreclosure auction.

DISPOSITION

other

CASES CITED

- *Stuhlbarg Int'l Sales Co. v. John D. Brush & Co.*, 240 F.3d 832, 839 n.7 (9th Cir. 2001)
- *Winter v. Natural Resources Defense Council, Inc.*, 555 U.S. 7, 20, 22 (2008)
- *Alliance for the Wild Rockies v. Cottrell*, 632 F.3d 1127, 1131-32, 1135 (9th Cir. 2011)
- *Planned Parenthood Great Northwest, Hawaii, Alaska, Indiana, Kentucky v. Labrador*, 122 F.4th 825, 844 (9th Cir. 2024)
- *Garcia v. First Franklin*, 2025 WL 2631533, at *2 (C.D. Cal. Aug. 4, 2025)
- *Varrato v. Specialized Loan Servicing LLC*, 2022 WL 845194, at *3 (D. Ariz. Mar. 22, 2022)
- *Amodo v. Homeq Servicing Corp.*, 2010 WL 347730, at *1 (E.D. Cal. Jan. 22, 2010)
- *Park Village Apartment Tenants Ass'n v. Mortimer Howard Trust*, 636 F.3d 1150, 1159 (9th Cir. 2011)
- *Keene v. City & County of San Francisco*, 2025 WL 341831, at *3 (9th Cir. Jan. 30, 2025) (unpublished)
- *Albermarle Paper Co. v. Moody*, 422 U.S. 405, 417-18 (1975)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON BRITTANY M. CHANDLER, Case No. 3:25-cv-2311-SI Plaintiff, ORDER GRANTING TEMPORARY RESTRAINING ORDER v. LOANCARE, LLC; LAKEVIEW LOAN SERVICING, LLC; and TRUSTEE CORPS, Defendants. Michael H. Simon, District Judge. Brittany Chandler, representing herself, sued Defendants LoanCare, LLC (“LoanCare”), Lakeview Loan Servicing, LLC, and Trustee Corps in Oregon state court for wrongful foreclosure, fraud, and various violations of federal law, including the Fair Housing Act, 42 U.S.C. § 3601 et seq.

Defendants removed the case to federal court. Ms. Chandler now seeks a temporary restraining order (“TRO”) enjoining LoanCare and Trustee Corps from auctioning her home after private foreclosure proceedings on January 13, 2026. ECF 7.

For the reasons explained below, the Court grants the motion. LoanCare is the mortgage servicer for Ms. Chandler’s Beaverton, Oregon home. Trustee Corps is LoanCare’s foreclosure vendor. Ms. Chandler and her ex-boyfriend, Mr. Chadau Creger, both appear on the deed to the Beaverton home.

In June 2022, Ms. Chandler obtained a court order preventing Mr. Creger from interfering with her ability to refinance or sell the home. Ms. Chandler is disabled. Among other physical ailments, she suffers from a neuromuscular, autoimmune disease that causes severe muscle weakness. Ms. Chandler also lives with depression, anxiety, and suicidal thoughts, all of which exacerbate her physical disabilities.

Due to an injury in late 2022, Ms. Chandler was temporarily unable to pay her mortgage. In April 2023, Ms. Chandler recovered and contacted LoanCare regarding her mortgage balance, telling LoanCare about her disability in the process. LoanCare allegedly refused financial assistance to Ms. Chandler, but offered it to Mr. Creger for the same property.

In deciding whether to grant a motion for TRO, courts look to substantially the same factors that apply to a court's decision on whether to issue a preliminary injunction. See *Stuhlbarg Int'l Sales Co. v. John D. Brush & Co.*, 240 F.3d 832, 839 n.7 (9th Cir. 2001). A preliminary injunction is an "extraordinary remedy that may only be awarded upon a clear showing that the plaintiff is entitled to such relief." *Winter v. Nat.*

Res. Def. Council, Inc., 555 U.S. 7, 22 (2008). A plaintiff seeking a preliminary injunction generally must show that: (1) she is likely to succeed on the merits; (2) she is likely to suffer irreparable harm in the absence of preliminary relief; (3) the balance of equities tips in her favor; and (4) that an injunction is in the public interest. *Id.* at 20.

The Ninth Circuit also uses the "serious questions" test. See *All. for the Wild Rockies v. Cottrell*, 632 F.3d 1127, 1131-32 (9th Cir. 2011). Under this approach, "a preliminary injunction may issue where 'serious questions going to the merits were raised and the balance of hardships tips sharply in plaintiff's favor' if the plaintiff 'also shows that there is a likelihood of irreparable injury and that the injunction is in the public interest.'" *Planned Parenthood Great Nw., Haw., Alaska, Ind., Ky. v. Labrador*, 122 F.4th 825, 844 (9th Cir.

2024) (quoting *All. for the Wild Rockies*, 632 F.3d at 1135). A TRO is appropriate here because Ms. Chandler satisfies the serious questions test. Courts in the Ninth Circuit typically hold that the balance of hardships tips sharply in the plaintiff's favor when, absent a TRO, a plaintiff will lose her home.¹ That is true for Ms. Chandler. Additionally, Ms. Chandler represents that she will become homeless if her home is foreclosed upon, which would exacerbate her mental and physical illnesses.

Defendants, on the other hand, will suffer little harm from postponing their auction. Ms. Chandler also has shown a likelihood of irreparable injury and that the injunction is in the public interest.² Further, the Court finds that Ms. Chandler has raised serious questions as to the merits of her claims for disability discrimination under the Fair Housing Act by alleging that LoanCare extended or offered to extend financial assistance to Mr. Creger, but not to her, after it learned

about her disability.³ The Court GRANTS ex parte Plaintiff's Motion for Temporary Restraining Order, ECF 7.

IT IS HEREBY ORDERED that LoanCare and Trustee Corps are enjoined from initiating foreclosure proceedings on the Beaverton home, located at 14050 SW Wilson Dr., 1 See, e.g., *Garcia v. First Franklin*, 2025 WL 2631533, at *2 (C.D. Cal. Aug. 4, 2025); *Varrato v. Specialized Loan Servicing LLC*, 2022 WL 845194, at *3 (D. Ariz. Mar. 22, 2022); *Amodo v. Homeq Servicing Corp.*, 2010 WL 347730, at *1 (E.D.

Cal. Jan. 22, 2010). 2 "It is well-established that the loss of an interest in real property constitutes an irreparable injury." *Park Vill. Apartment Tenants Ass'n v. Mortimer Howard Tr.*, 636 F.3d 1150, 1159 (9th Cir. 2011).

The public interest is served by enforcement of federal anti-discrimination laws. See, e.g., *Keene v. City & Cnty. of San Francisco*, 2025 WL 341831, at *3 (9th Cir. Jan. 30, 2025) (unpublished) (citing *Albermarle Paper Co. v. Moody*, 422 U.S. 405, 417-18 (1975) for the proposition that "[e]nforcing anti-discrimination statutes is in the public's interest... under federal law.").

3 Ms. Chandler has also raised serious questions as to the merits of her other claims, but the Court need not reach those to issue the TRO. Beaverton, OR 97008. This Order is without prejudice to the Court considering the merits of parties' arguments in later motions.

The parties are directed to confer and submit a proposed briefing schedule and hearing date for either a motion for renewal of the TRO for another 14 days' or for a preliminary injunction, or both. IT IS SO ORDERED. DATED this 12th day of January, 2026 at 3:30 p.m. Ex. LEI H. Simon United States District Judge * The duration of a TRO issued without notice may not exceed 14 days but may be extended by a court once for an additional 14 days for good cause, provided that the reasons for the extension are entered in the record.

Fed. R. Civ. P. 65(b)(2). PAGE 4 — ORDER