

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

- Stuhlberg 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)