THE HOMEOWNER'S MORTGAGE CHALLENGE TOOLKIT

How to Verify, Challenge & Dispute
the Validity of Your Mortgage Loan

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A COMPLETE GUIDE FOR ANY HOMEOWNER

With Step-by-Step Instructions, Fillable Templates & Mail Tracker

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IMPORTANT DISCLAIMER

This document is provided strictly for private educational and informational purposes. It does not constitute legal advice and does not create an attorney-client relationship. Laws vary by jurisdiction. Users are solely responsible for verifying the legal effect of any document they choose to send, sign, file, or record

This toolkit is designed for homeowners who wish to exercise their lawful right to demand proof of claim, verify the legitimacy of their mortgage, and challenge any deficiencies in the loan documentation or chain of title. Every homeowner has the right to know who holds their note, who funded their loan, and whether the parties collecting payments have lawful authority to do so.

WHO THIS TOOLKIT IS FOR

This guide is for ANY homeowner who wants to:

- Verify that their mortgage is legally valid and properly documented
- Find out who actually owns their loan (not just who collects payments)
- Demand a full accounting of their mortgage from origination to present
- Challenge a broken chain of title or missing assignments
- Dispute unauthorized fees, force-placed insurance, or servicing errors
- Investigate whether their loan was securitized without disclosure
- Build a documented record to protect their property rights
- Prepare a legal foundation in case of future disputes or foreclosure

You do NOT need to be in foreclosure to use this toolkit. You do NOT need to be behind on payments. Any homeowner with an active mortgage has the right to demand proof of claim and verify the legitimacy of the parties enforcing their loan.

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PART I

STEP-BY-STEP GUIDE

This guide gives you a clear, sequential process to challenge the validity of your mortgage. Whether you're current on payments, behind, or simply want to verify your loan is legitimate — these steps apply to you. The strategy is simple: demand proof, document everything, and build your record.

STEP 1 — GATHER YOUR COMPLETE LOAN FILE

Before you challenge anything, you need to know exactly what you signed and what's on record. Collect every document related to your mortgage:

- Promissory Note (front and back — look for endorsements and allonges)
- Mortgage or Deed of Trust
- Closing Disclosure / HUD-1 Settlement Statement
- Complete payment history from origination to present
- All recorded Assignments of Mortgage (from your County Clerk/Recorder)
- MERS information (if your loan is tracked through MERS)
- All servicer transfer notices you've received
- Your most recent monthly mortgage statements
- Any correspondence from your servicer or lender

WHY THIS MATTERS:

If you don't have these documents — or if your servicer can't produce them — that's your first indication that something may be wrong with your loan.

STEP 2 — VERIFY WHO ACTUALLY OWNS YOUR LOAN

Most homeowners assume the company they send payments to owns their loan.

In most cases, that's wrong. Your servicer is just a middleman.

You need to identify:

- The Servicer — the company collecting your payments

- The Investor / Owner — the entity that actually owns your note
- The Trustee — if your loan is in a trust
- The Securitization Trust — if your note was bundled and sold to investors

HOW TO CHECK:

- Ask your servicer directly (they are required to tell you)
- Check MERS (Mortgage Electronic Registration Systems) if applicable
- Search SEC EDGAR for securitization trusts by your loan origination date
- Pull all recorded assignments from your county land records

If ownership is unclear, conflicting, or undocumented — that becomes a key part of your challenge.

STEP 3 — DEMAND VALIDATION OF THE DEBT

You have the right to demand that anyone claiming you owe a debt proves it. This is your first formal action. Send a Debt Validation Letter (Template 1) demanding:

- Production of the original wet-ink Promissory Note
- Proof that the party collecting is the holder in due course
- The complete chain of assignments from origination to present
- Proof of lawful consideration (that they actually funded the loan)
- Proof of the source of funds used to originate the loan
- A full accounting of all payments, credits, fees, and third-party payments
- Identity of the current note owner and any trust it was placed into
- The Pooling and Servicing Agreement (if securitized)

IMPORTANT:

Send this by Certified Mail, Return Receipt Requested. They have 30 days to respond. If they fail to respond or provide incomplete information, that failure becomes part of your record.

STEP 4 — SEND A QUALIFIED WRITTEN REQUEST (QWR)

A Qualified Written Request is a formal demand under federal law — specifically RESPA (12 U.S.C. § 2605(e)) and Regulation X (12 C.F.R. § 1024.36). Your servicer is legally required to respond. Use Template 2 to request:

- Complete life-of-loan transaction history
- Identity and contact information of the current note owner
- Copies of the Note, Mortgage, and all assignments
- All endorsements and allonges
- Securitization trust name, CUSIP, and PSA
- Any insurance claims, credit default swaps, or third-party payments received
- All internal collection notes and communication logs
- Force-placed insurance records and escrow analyses
- All parties claiming a beneficial interest in the loan

Send this the same day as your Validation Letter. Together, these two documents create maximum pressure and a comprehensive demand for proof.

STEP 5 — ANALYZE THEIR RESPONSE (OR NON-RESPONSE)

After 30 days, evaluate what you received. You're looking for:

- Did they produce the original note — or just a copy?
- Is the chain of assignments complete and unbroken?
- Did they identify the actual owner of the loan?
- Is the accounting complete and accurate?
- Did they respond at all?
- Are there any contradictions between what they sent and the public record?
- Were any documents robosigned or backdated?

COMMON RED FLAGS:

- No original note produced — only a photocopy
- Assignments recorded after the securitization trust closing date
- MERS listed as beneficiary with no actual ownership
- Servicer claims ownership but has no recorded assignment
- No response within the legal timeframe
- Incomplete or evasive answers

STEP 6 — ISSUE A NOTICE OF DEFAULT (AGAINST THEM)

If they failed to validate, failed to respond to your QWR, or provided incomplete/defective documentation, you now issue a Private Notice of Administrative Default (Template 3). This document states:

- They were given lawful notice and opportunity to respond
- They failed to produce the required documentation
- Their failure constitutes an administrative default
- They have admitted (by silence) that no enforceable claim exists
- They must cease collection, release the lien, and correct credit reporting

Give them 10 days to cure. If they don't, you proceed to the next step.

STEP 7 — PREPARE A SWORN AFFIDAVIT

Now you create a formal, notarized Affidavit of Mortgage Challenge (Template 4). This is a sworn statement that goes on the record declaring:

- You demanded validation and it was not provided
- The alleged creditor failed to prove standing
- The mortgage is disputed for lack of consideration, broken chain of title, and/or fraud
- The security instrument is challenged as void or unenforceable
- The affidavit stands as truth unless rebutted point-for-point under oath within 30 days

This must be signed before a Notary Public. It becomes sworn evidence you can use in any future proceeding.

STEP 8 — ASSERT YOUR RIGHTS ON THE PUBLIC RECORD

File a Notice of Reservation of Rights and Land Integration (Template 5) to put the world on notice that:

- You reserve all rights, title, and interest in your land
- Your interest in the land is separate from any commercial security instrument
- No party may transfer, assign, or foreclose without proving lawful authority
- This notice serves as constructive notice to all parties

Where allowed, record this at your County Recorder along with your Affidavit and Notice of Default. This creates a public cloud on any party's claim against your property.

STEP 9 — DECLARE YOUR AUTHORITY OVER THE ESTATE

File a Declaration of Oversight and Trust Intervention (Template 6). This places all parties on notice that:

- You are the lawful authority over any trusts or accounts connected to your loan
- No action affecting your estate may be taken without your written authorization
- Any unauthorized transfer, sale, or foreclosure is a trespass and breach of duty
- You demand a full accounting of all trusts and instruments tied to your loan

STEP 10 — FILE REGULATORY COMPLAINTS

Escalate by filing formal complaints with:

- Consumer Financial Protection Bureau (CFPB) — consumerfinance.gov
- Your State Attorney General — Consumer Protection Division
- Your State Department of Banking
- HUD — if you have an FHA-insured loan
- OCC (Office of the Comptroller of the Currency) — if a national bank is involved

Attach copies of your Validation Letter, QWR, and any non-response documentation. Regulatory complaints often produce faster results than letters alone.

STEP 11 — TAKE LEGAL ACTION (IF NEEDED)

If the servicer/lender continues to ignore your demands, or if foreclosure proceedings begin, you can file a lawsuit. Use Template 7 as a skeleton for:

- Quiet Title Action — to clear the lender's claim from your property
- Declaratory Judgment — asking the court to declare the mortgage void
- Injunction — to stop foreclosure proceedings
- Slander of Title — if false claims have been recorded against your property
- RESPA / TILA / FDCPA Violations — federal consumer protection claims
- Fraud / Constructive Fraud — if misrepresentations were made

Your prior steps — the validation demand, QWR, notice of default, affidavit, and recorded documents — all become your evidence. This is why the paper trail matters.

EXECUTION TIMELINE

Follow this timeline to stay organized. Adjust dates based on when you start.

Day	Action	Template	Notes
Day 0	Send Debt Validation Letter	Template 1	Certified Mail
Day 0	Send Qualified Written Request	Template 2	Certified Mail
Day 30	Evaluate response or non-response	—	Document everything
Day 31	Send Notice of Administrative Default	Template 3	Certified Mail
Day 41	Notarize Affidavit of Mortgage Challenge	Template 4	Get notarized
Day 41	Record Reservation of Rights	Template 5	County Recorder
Day 41	Record Declaration of Oversight	Template 6	County Recorder
Day 45	File CFPB / AG / Banking complaints	—	Online + mail
Day 60+	Consult attorney / file Quiet Title	Template 7	If needed

KEY RULES:

- ALWAYS send by Certified Mail, Return Receipt Requested
- ALWAYS keep copies of everything you send and receive
- ALWAYS note dates — deadlines matter
- NEVER make phone calls instead of writing — paper trail is everything
- NEVER ignore their responses — analyze and document each one

PART II

FILLABLE TEMPLATES

Each template below contains fillable fields. Fill in your information, print, sign, and where indicated, notarize. Send all correspondence by Certified Mail, Return Receipt Requested. Keep originals and copies of every page.

TEMPLATE 1

Debt Validation Letter

YOUR INFORMATION

Full Legal Name

____

Mailing Address

____

City, State, ZIP

____

Date

____

Certified Mail Tracking #

____

SEND TO (SERVICER / ALLEGED CREDITOR)

Company / Servicer Name

____

Mailing Address

____

City, State, ZIP

____

YOUR LOAN

Loan Number

____

Property Address

____

NOTICE OF DEMAND FOR VALIDATION OF ALLEGED DEBT

This is a formal demand for validation of the alleged debt referenced above, issued pursuant to 15 U.S.C. § 1692g, applicable state law, and common-law right to demand proof of claim.

You are required to produce, within thirty (30) days, the following:

1. The original wet-ink Promissory Note, with all endorsements and allonges.
2. Documentary evidence that you are the holder in due course.
3. The complete, unbroken chain of assignments of the Note and Mortgage from origination to present.
4. Proof that lawful consideration was given by your institution — that you lent actual money, assets, or credit.
5. Proof of the source of funds used to fund the alleged loan.
6. Full accounting from origination to present, including all credits, debits, fees, insurance payments, securitization proceeds, and any third-party payments received on this account.
7. The identity of the current owner of the Note and any trust into which it was deposited.
8. A copy of the Pooling and Servicing Agreement (PSA), if the loan was securitized.

Failure to validate within thirty (30) days shall constitute:

- Admission that no valid, enforceable debt exists,
- Waiver of any right to collect, enforce, or foreclose,
- Tacit agreement that the alleged security instrument is void.

This is not a refusal to pay a lawful debt. This is a lawful demand for proof of claim. Until validation is provided, you are on notice that the debt is disputed.

All rights reserved.

Signature

____

Printed Name

____

Without prejudice.

TEMPLATE 2

Qualified Written Request (RESPA)

YOUR INFORMATION

Full Legal Name

____

Mailing Address

____

City, State, ZIP

____

Date

____

Certified Mail Tracking #

____

SEND TO (SERVICER — QWR / CUSTOMER RESEARCH DEPARTMENT)

Servicer Name

____

Department (Customer Research / QWR Dept.)

____

Mailing Address

____

City, State, ZIP

____

YOUR LOAN

Loan Number

____

Borrower Name

____

Property Address

____

QUALIFIED WRITTEN REQUEST, COMPLAINT, AND DISPUTE OF DEBT

This is a Qualified Written Request under Section 6 of the Real Estate Settlement Procedures Act (RESPA), 12 U.S.C. § 2605(e), and Regulation X, 12 C.F.R. § 1024.36.

Please provide the following within the statutory timeframes:

9. A complete life-of-loan transaction history from origination to present.
10. The identity, address, and telephone number of the current owner/holder of the Note.
11. Copies of the Promissory Note, Mortgage/Deed of Trust, and all recorded assignments.
12. All endorsements and allonges to the Note.
13. The name of the securitization trust, CUSIP number, and Pooling and Servicing Agreement (if applicable).
14. Any title or mortgage insurance claims paid relating to this loan.
15. Any credit default swap payments or other third-party payments received on this loan.
16. All internal collection notes, communication logs, and servicing records.
17. Records of any force-placed insurance, escrow analyses, and fee assessments with supporting documentation.
18. Identification of all parties claiming a beneficial interest in the loan.

I dispute the amount and validity of this debt. Until your complete written response is received and verified, no further collection activity should occur. Any adverse credit reporting during the dispute period will be considered a violation of federal law.

Signature

____

Printed Name

____

TEMPLATE 3

Notice of Administrative Default

Constructive Fraud & Demand for Remedy

YOUR INFORMATION

Full Legal Name

____

Mailing Address

____

City, State, ZIP

____

Date

____

Certified Mail Tracking #

____

SEND TO

Servicer / Lender Legal Name

____

Attn: Office of the President / General Counsel

____

Mailing Address

____

City, State, ZIP

____

YOUR LOAN

Loan / Account Number

____

Property Address

____

Date You Sent the Validation Letter

____

Date You Sent the QWR

____

PRIVATE NOTICE OF ADMINISTRATIVE DEFAULT,

CONSTRUCTIVE FRAUD, AND DEMAND FOR REMEDY

NOTICE TO AGENT IS NOTICE TO PRINCIPAL. NOTICE TO PRINCIPAL IS NOTICE TO AGENT.

On the dates referenced above, you were served with lawful demands requiring validation of the alleged debt and full disclosure of loan-level records. You have failed and/or refused to:

- Produce the original wet-ink Promissory Note,
- Prove lawful consideration and the source of funds,
- Establish a complete, unbroken chain of title and assignments,
- Identify the true holder in due course of the Note,
- Provide a complete, verified accounting.

By your silence and non-performance, you have:

- Administratively defaulted on your obligation to prove your claim,
- Admitted that no valid, enforceable debt exists,
- Created a record of constructive fraud and unclean hands,
- Waived any right to collect, enforce, or foreclose on the alleged security instrument.

DEMAND FOR REMEDY — within ten (10) calendar days you shall:

19. Cease all collection activity on this account,
20. Release the lien/encumbrance on the above-referenced property,
21. Return the original Promissory Note marked "PAID IN FULL / CANCELLED,"
22. Notify all credit reporting agencies to delete any adverse entries related to this account,
23. Record a full satisfaction, release, or reconveyance with the County Recorder.

Failure to cure within the stated period constitutes your acceptance of these terms and your consent to the recording of an Affidavit of Mortgage Challenge in the public record.

All rights reserved. Without prejudice.

Signature

____

Printed Name

____

TEMPLATE 4

Affidavit of Mortgage Challenge

Sworn Declaration of Dispute

STATE OF ________________________________

) ss.

COUNTY OF ______________________________

AFFIDAVIT OF MORTGAGE CHALLENGE AND DECLARATION OF DISPUTE

I, ____, being competent to testify and having firsthand knowledge, declare under penalty of perjury:

PROPERTY & LOAN INFORMATION

Property Address

____

Parcel / APN Number

____

Original Lender Name

____

Loan Origination Date

____

Current Servicer Name

____

Recording Reference (Book/Page or Instrument #)

____

Date Validation Was Demanded

____

Date QWR Was Sent

____

SWORN STATEMENTS OF FACT

24. I am the Affiant in this matter and the principal party regarding the above-referenced property.
25. On or about the origination date listed above, I executed documents identified as a Promissory Note and Mortgage/Deed of Trust in favor of the Original Lender named above.
26. Upon investigation, I have reason to believe the alleged lender did not lend its own money, assets, or credit, but instead monetized my signature and promissory note as the source of funds, without full disclosure.
27. No disclosure was made at closing regarding: (a) securitization of the Note, (b) sale of the Note prior to or at closing, (c) receipt of insurance, credit default swap, or third-party payments on the loan, (d) the true source of funds.
28. On the dates listed above, I served lawful demands for validation and a Qualified Written Request. The alleged creditor/servicer has failed to validate the debt, failed to produce the original Note, and failed to establish standing as the holder in due course.
29. By their failure to respond and/or their incomplete response, the alleged creditor/servicer has administratively defaulted and has failed to prove any enforceable claim.
30. The alleged Mortgage/Deed of Trust is hereby challenged and disputed as: potentially void for lack of consideration; potentially void for fraud in the factum and inducement; defective for broken chain of title; and unenforceable for failure to validate.
31. This Affidavit stands as truth in commerce and law unless rebutted, point-for-point, under sworn oath, within thirty (30) days of receipt.

Further Affiant sayeth naught.

Affiant Signature

____

Printed Name

____

NOTARY JURAT

Subscribed and sworn before me this ______ day of ____________________, 20____.

Notary Signature

____

Notary Printed Name

____

Commission Expires

____

Notary Seal / Stamp Area

____

____

____

TEMPLATE 5

Notice of Reservation of Rights

And Land Integration

YOUR INFORMATION

Full Legal Name

____

Mailing Address

____

Date

____

PROPERTY INFORMATION

Property Address

____

Legal Description (copy from your Deed)

____

____

____

____

Parcel / APN

____

Original Recording Reference (Book/Page or Instrument #)

____

NOTICE OF RESERVATION OF RIGHTS AND LAND INTEGRATION

I, the above-named principal and beneficial owner of the land and estate situated at the property address listed above, hereby give public notice:

32. I reserve all rights, title, and interest in the land, soil, and estate, separate and distinct from any commercial security instrument or administrative claim.

33. Any prior recorded instrument purporting to encumber said land is subject to challenge and is not consented to beyond its lawful scope.
34. No party holds authority to transfer, assign, securitize, or foreclose upon the land without first producing lawful proof of claim and establishing standing.
35. This Notice is to be recorded in the public record as constructive notice to all parties, successors, and assigns.

Reserving all rights. Without prejudice.

Signature

____

Printed Name

____

NOTARY ACKNOWLEDGMENT

State / County

____

Date Acknowledged

____

Notary Signature

____

Commission Expires

____

TEMPLATE 6

Declaration of Oversight

Trust Intervention & Lawful Authority

YOUR INFORMATION

Full Legal Name (Living Principal)

____

Legal Name as it appears on loan documents

____

Mailing Address

____

Date

____

LOAN / PROPERTY INFORMATION

Loan Number

____

Property Address

____

Servicer / Lender Name

____

DECLARATION OF OVERSIGHT, TRUST INTERVENTION,

AND LAWFUL AUTHORITY BY RIGHT AND OBLIGATION

I, the living principal and authorized representative over the estate and trust associated with the legal name listed above (in all capacities), hereby declare:

36. I intervene as the lawful authority over any and all trusts, accounts, or instruments created in connection with the alleged loan and property referenced above.
37. All agents, servicers, trustees, and third parties are hereby noticed that no action affecting the estate may be taken without my express, written authorization.

38. Any unauthorized transfer, assignment, sale, or foreclosure constitutes trespass against the estate and a breach of fiduciary duty.
39. I demand a full accounting of all trusts, sub-accounts, and instruments tied to the above-referenced loan and property.

This Declaration is effective immediately and remains in force until revoked in writing by me.

Signature

____

Printed Name, Principal / Authorized Representative

____

NOTARY ACKNOWLEDGMENT

State / County

____

Date Acknowledged

____

Notary Signature

____

Commission Expires

____

TEMPLATE 7

Quiet Title Complaint

(Skeleton — Customize per Your State's Court Rules)

COURT INFORMATION

State Court Name

____

County / Judicial District

____

Case Number (assigned by court at filing)

____

PARTIES

Plaintiff (Your Full Legal Name)

____

Defendant 1 — Lender Name

____

Defendant 2 — Servicer Name

____

Defendant 3 — Trustee Name (if applicable)

____

Defendant 4 — MERS (if applicable)

____

Additional Defendants / Unknown Claimants

____

PROPERTY

Property Address

____

Legal Description

____

____

____

____

Loan Origination Date

____

Original Lender

____

Recording Reference (Book/Page or Instrument #)

____

VERIFIED COMPLAINT FOR QUIET TITLE,

DECLARATORY JUDGMENT, AND INJUNCTIVE RELIEF

Plaintiff alleges:

40. Plaintiff is the lawful owner of the real property described above.
41. On the date listed above, Plaintiff executed a Promissory Note and Mortgage/Deed of Trust in favor of the Original Lender.
42. Defendants claim an interest in the property by way of one or more purported assignments recorded at the reference listed above.
43. Plaintiff has served lawful demands for validation and a Qualified Written Request. Defendants have failed to produce the original Note, prove standing, or provide a complete accounting.
44. The chain of title is broken; recorded assignments are defective, incomplete, and/or void.
45. Defendants lack standing to enforce the alleged security instrument against Plaintiff's property.

COUNTS

- COUNT I — Quiet Title
- COUNT II — Declaratory Judgment (Mortgage Void / Unenforceable)
- COUNT III — Injunction Against Foreclosure or Collection
- COUNT IV — Slander of Title
- COUNT V — Violations of RESPA / TILA / FDCPA
- COUNT VI — Fraud / Constructive Fraud

PRAYER FOR RELIEF

- Quiet title in Plaintiff, free and clear of Defendants' claims,
- Declare the Mortgage/Deed of Trust void and unenforceable,
- Enjoin Defendants from any foreclosure or collection activity,
- Order Defendants to release the lien and record a satisfaction,
- Award Plaintiff actual and statutory damages, costs, and attorney's fees,

- Grant such other and further relief as the Court deems just and proper.

VERIFICATION

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated

____

Plaintiff Signature

____

Printed Name

____

Address

____

Phone Number

____

PART III

CERTIFIED MAIL TRACKER

Use this log to track every certified mailing. Attach your green return-receipt cards to this page. This becomes part of your evidence file.

#	Date Sent	Document	Sent To	Tracking #	Response Received
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					

PART IV

QUICK-START CHECKLIST

Use this checklist to track your progress. Check off each item as you complete it.

PREPARATION

☐ Collected all loan documents (Note, Mortgage, HUD-1, statements)

☐ Pulled all recorded assignments from County Clerk/Recorder

☐ Identified Servicer, Alleged Owner, Trustee, and any MERS involvement

☐ Searched SEC EDGAR for securitization trust (if applicable)

☐ Made copies of everything for your records

PHASE 1 — DEMAND & DOCUMENT

☐ Completed Template 1 — Debt Validation Letter

☐ Completed Template 2 — Qualified Written Request

☐ Sent both by Certified Mail, Return Receipt Requested

☐ Logged tracking numbers in Certified Mail Tracker

☐ Calendared 30-day response deadline

PHASE 2 — EVALUATE & ESCALATE

☐ Received and analyzed response (or documented non-response)

☐ Identified deficiencies, missing documents, or red flags

☐ Completed Template 3 — Notice of Administrative Default

☐ Sent by Certified Mail

☐ Calendared 10-day cure deadline

PHASE 3 — RECORD & PROTECT

☐ Completed and notarized Template 4 — Affidavit of Mortgage Challenge

☐ Completed and notarized Template 5 — Reservation of Rights

☐ Completed and notarized Template 6 — Declaration of Oversight

☐ Recorded documents at County Recorder (where allowed)

☐ Filed complaint with CFPB

☐ Filed complaint with State Attorney General

☐ Filed complaint with State Banking Department

PHASE 4 — LEGAL ACTION (IF NEEDED)

☐ Consulted with attorney

☐ Customized Template 7 — Quiet Title Complaint for your state

☐ Filed complaint with court

☐ Served all defendants

REMEMBER

Every homeowner has the right to know who holds their note, who funded their loan, and whether the parties collecting payments have lawful authority to do so.

Your power is in the paper trail. Document everything. Send everything certified. Keep copies of everything. Stay consistent. Stay organized.

END OF TOOLKIT