

HR 3789

Regulation of Mortgage Servicing Act of 2012

Congress: 112 (2011–2013, Ended)

Chamber: House

Policy Area: Housing and Community Development

Introduced: Jan 18, 2012

Current Status: Referred to the Subcommittee on Financial Institutions and Consumer Credit.

Latest Action: Referred to the Subcommittee on Financial Institutions and Consumer Credit. (Feb 9, 2012)

Official Text: <https://www.congress.gov/bill/112th-congress/house-bill/3789>

Sponsor

Name: Rep. DeLauro, Rosa L. [D-CT-3]

Party: Democratic • **State:** CT • **Chamber:** House

Cosponsors (4 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Filner, Bob [D-CA-51]	D · CA		Feb 7, 2012
Rep. Blumenauer, Earl [D-OR-3]	D · OR		Feb 14, 2012
Rep. Schakowsky, Janice D. [D-IL-9]	D · IL		Feb 14, 2012
Rep. Bonamici, Suzanne [D-OR-1]	D · OR		Mar 6, 2012

Committee Activity

Committee	Chamber	Activity	Date
Financial Services Committee	House	Referred to	Feb 9, 2012

Subjects & Policy Tags

Policy Area:

Housing and Community Development

Related Bills

Bill	Relationship	Last Action
112 HR 3595	Related bill	Jan 12, 2012: Referred to the Subcommittee on Insurance, Housing and Community Opportunity.
112 S 967	Related bill	May 12, 2011: Read twice and referred to the Committee on Banking, Housing, and Urban Affairs.

Regulation of Mortgage Servicing Act of 2012 - Requires a mortgage servicer to assign one case manager to each borrower that seeks a mortgage loan modification or an alternative to foreclosure.

Requires the case manager to: (1) manage the communication between the servicer and the borrower, and (2) make decisions about the borrower's eligibility for a loan modification or an alternative to foreclosure.

Prohibits a servicer from initiating a covered foreclosure action against a borrower unless the servicer has performed specified tasks related to offering the borrower, if eligible, a loan modification or an alternative to foreclosure.

Requires a servicer to suspend a covered foreclosure action initiated before the enactment of this Act until such tasks have been performed.

Prohibits a servicer, during the suspension period, from: (1) sending the borrower a notice of foreclosure, (2) conducting or scheduling a sale of the real property securing the mortgage, or (3) causing final judgment to be entered against the borrower.

Prescribes requirements a servicer must meet in order to be deemed to have made a reasonable effort to obtain necessary information to determine a borrower's eligibility for a loan modification or an alternative to foreclosure.

Requires a servicer, before notifying a borrower of his or her ineligibility for a loan modification or an alternative to foreclosure, to obtain the services of an independent reviewer to review the borrower's file and determine whether or not the borrower is eligible.

Makes a violation of this Act a bar to a covered foreclosure action. Allows a servicer in compliance with this Act, however, to bring or proceed with a foreclosure action, regardless of any prior violation.

Makes any servicer that fails to comply with any requirement of this Act liable to a borrower in the same manner that a creditor who fails to comply with any requirement is liable to a person.

Actions Timeline

- **Feb 9, 2012:** Referred to the Subcommittee on Financial Institutions and Consumer Credit.
- **Jan 18, 2012:** Introduced in House
- **Jan 18, 2012:** Referred to the House Committee on Financial Services.