

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.

LegiList

CONGRESS, MADE CLEAR.

Search Every Federal Bill, Law, and Vote

LegiList is the fastest way to research Congress. Track any bill from introduction to enactment, see how every legislator voted, follow committee activity, and read the full text of every bill — all in one place, always up to date.

legilist.com

Free Course: Learn How Congress Actually Works

LegiList Learn is a free, self-paced course that walks through the entire legislative process — from drafting a bill to a presidential signature. Seven modules, plain language, no politics. Earn a certificate when you finish.

legilist.com/learn

Developer API: Build Apps on Legislative Data

The LegiList API gives developers direct access to bills, votes, legislators, committees, and more. Start free with 1,000 requests per day — no credit card required. Upgrade to Pro when you need to scale.

legilist.com/api

Public data belongs to the public. — legilist.com