

## S 489

### Preserving Homes and Communities Act of 2011

**Congress:** 112 (2011–2013, Ended)

**Chamber:** Senate

**Policy Area:** Housing and Community Development

**Introduced:** Mar 3, 2011

**Current Status:** Read twice and referred to the Committee on Banking, Housing, and Urban Affairs. (text of measure as

**Latest Action:** Read twice and referred to the Committee on Banking, Housing, and Urban Affairs. (text of measure as introduced: CR S1233-1235) (Mar 3, 2011)

**Official Text:** <https://www.congress.gov/bill/112th-congress/senate-bill/489>

### Sponsor

**Name:** Sen. Reed, Jack [D-RI]

**Party:** Democratic • **State:** RI • **Chamber:** Senate

### Cosponsors (18 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Durbin, Richard J. [D-IL]	D · IL		Mar 3, 2011
Sen. Franken, Al [D-MN]	D · MN		Mar 3, 2011
Sen. Leahy, Patrick J. [D-VT]	D · VT		Mar 3, 2011
Sen. Merkley, Jeff [D-OR]	D · OR		Mar 3, 2011
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Mar 3, 2011
Sen. Sanders, Bernard [I-VT]	I · VT		Mar 8, 2011
Sen. Brown, Sherrod [D-OH]	D · OH		Mar 15, 2011
Sen. Schumer, Charles E. [D-NY]	D · NY		Mar 28, 2011
Sen. Mikulski, Barbara A. [D-MD]	D · MD		Apr 7, 2011
Sen. Begich, Mark [D-AK]	D · AK		Apr 12, 2011
Sen. Blumenthal, Richard [D-CT]	D · CT		Apr 14, 2011
Sen. Levin, Carl [D-MI]	D · MI		May 9, 2011
Sen. Murray, Patty [D-WA]	D · WA		May 10, 2011
Sen. Akaka, Daniel K. [D-HI]	D · HI		May 12, 2011
Sen. Kerry, John F. [D-MA]	D · MA		May 18, 2011
Sen. Boxer, Barbara [D-CA]	D · CA		Jun 28, 2011
Sen. Menendez, Robert [D-NJ]	D · NJ		Feb 7, 2012
Sen. Lautenberg, Frank R. [D-NJ]	D · NJ		Feb 13, 2012

### Committee Activity

Committee	Chamber	Activity	Date
Banking, Housing, and Urban Affairs Committee	Senate	Referred To	Mar 3, 2011

## Subjects & Policy Tags

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### Policy Area:

Housing and Community Development

### Related Bills

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Bill	Relationship	Last Action
112 HR 1477	Identical bill	<b>May 2, 2011:</b> Referred to the Subcommittee on Insurance, Housing and Community Opportunity.

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### Summary (as of Mar 3, 2011)

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Preserving Homes and Communities Act of 2011 - Prohibits a covered mortgagee from initiating either a nonjudicial or a judicial foreclosure against a covered mortgagor that is otherwise authorized under state law unless the covered mortgagee has: (1) used its best efforts to determine whether the mortgagor is eligible for a qualified loan modification, and to offer one if the mortgagor is eligible; and (2) made available to an ineligible mortgagor certain documentation of a loan modification calculation or net present value calculation, the loan origination, any pooling and servicing agreement, the mortgagor's payment history, and the specific alternatives to foreclosure considered by the mortgagee, including qualified loan modifications, workout agreements, and short sales.

Requires a covered mortgagee to use its best efforts to suspend any foreclosure proceeding initiated before enactment of this Act, and to toll any deadlines limiting the mortgagor's rights. Prohibits any sale of the property under the mortgage or the entry of judgment against the mortgagor.

Requires the mortgagee to reevaluate an eligible mortgagee's application for a qualified loan modification and offer one.

Requires the Secretary of the Treasury, the Secretary of Housing and Urban Development (HUD), and the Bureau of Consumer Financial Protection (CFPB) Director to ensure that any home loan modification protocol includes a dispute resolution procedure to resolve any application disputes.

Declares any sale of property in violation of this Act void.

Makes failure to comply with this Act a bar to foreclosure under state law.

Prohibits loan modification fees and sets forth rules governing foreclosure-related fees.

Directs the Secretary of HUD to: (1) establish a grant program to make competitive grants to state and local governments to establish mediation programs that assist mortgagors facing foreclosure, and (2) develop and implement a plan to monitor conditions and trends in home ownership and the mortgage industry and the effectiveness of public and private efforts to reduce mortgage defaults and foreclosures.

Directs the Secretary of the Treasury, out of funds received or to be received from the sale of warrants under the Emergency Economic Stabilization Act of 2008, to transfer and credit \$1 billion to the Housing Trust Fund established under the Federal Housing Enterprises Financial Safety and Soundness Act of 1992.

### Actions Timeline

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- **Mar 3, 2011:** Introduced in Senate
- **Mar 3, 2011:** Sponsor introductory remarks on measure. (CR S1232-1233)
- **Mar 3, 2011:** Read twice and referred to the Committee on Banking, Housing, and Urban Affairs. (text of measure as introduced: CR S1233-1235)