



General Assembly

January Session, 2009

Raised Bill No. 619

LCO No. 2416

02416_____BA_

Referred to Committee on Banks

Introduced by:

(BA)

AN ACT CONCERNING MINOR CHANGES TO FORECLOSURE PROCEDURES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 49-31l of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2009*):

4 (a) Prior to July 1, 2010, when a mortgagee commences an action for
5 the foreclosure of a mortgage on residential real property with a return
6 date on or after July 1, 2008, the mortgagee shall give notice to the
7 mortgagor of the foreclosure mediation program established in section
8 49-31m by attaching to the front of the foreclosure writ, summons and
9 complaint that is served on the mortgagor: (1) A copy of the notice of
10 the availability of foreclosure mediation, in such form as the Chief
11 Court Administrator prescribes, and (2) a foreclosure mediation
12 request form, in such form as the Chief Court Administrator
13 prescribes.

14 Sec. 2. Subsection (a) of section 49-15 of the general statutes is
15 repealed and the following is substituted in lieu thereof (*Effective*

16 October 1, 2009):

17 (a) Any judgment foreclosing the title to real estate by strict
 18 foreclosure may, at the discretion of the court rendering the same,
 19 upon the written motion of any person having an interest therein, and
 20 for cause shown, be opened and modified, notwithstanding the
 21 limitation imposed by section 52-212a, upon such terms as to costs as
 22 the court deems reasonable; but no such judgment shall be opened
 23 after the title has become absolute in any encumbrancer, except that,
 24 upon agreement of all appearing parties, judgment may be opened not
 25 later than four months after title has become absolute in an
 26 encumbrancer.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2009	49-311(a)
Sec. 2	October 1, 2009	49-15(a)

Statement of Purpose:

To clarify that notice of the availability of foreclosure mediation must be provided on the face of a writ, summons and complaint; and to allow judgments of strict foreclosure to be re-opened, by agreement of all appearing parties, for a period of up to four months after judgment has entered.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]