

OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 18-53—SB 391
Banking Committee

AN ACT ELIMINATING THE REQUIREMENT THAT A MORTGAGOR REPRESENTED BY COUNSEL ATTEND THE FIRST FORECLOSURE MEDIATION SESSION IN PERSON

SUMMARY: This act eliminates the requirement that a mortgagor (i.e., debtor) participating in the state's foreclosure mediation program who is represented by counsel attend the first mediation session in person. (PA 16-65 eliminated this requirement for residential mortgage foreclosures with a return date from July 1, 2008 to June 30, 2009.)

The foreclosure mediation program is available to (1) owner-occupants of a one- to four-family residential real property who use it as their primary residence and (2) religious organizations. The property must be located in Connecticut, and the owner-occupant must be either the borrower under a mortgage on the property or a permitted successor-in-interest (i.e., a spouse or former spouse who, among other things, has title to the property due to events such as divorce, legal separation, property settlement, or the borrower's death).

The program, which seeks to avoid, expedite, or facilitate foreclosure, brings together judicial branch mediators; lenders; and borrowers or owner-occupants, as applicable. If an eligible borrower or owner-occupant files an appearance and requests mediation, the lender must participate. By law, the program ends on June 30, 2019 (CGS § 49-31).

EFFECTIVE DATE: October 1, 2018