



General Assembly

February Session, 2018

***Raised Bill No. 485***

LCO No. 2347



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

***AN ACT CONCERNING THE PROVISION OF A PAYOFF STATEMENT  
BY A JUDGMENT LIENHOLDER.***

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

1 Section 1. (NEW) (*Effective October 1, 2018*) (a) A judgment  
2 lienholder or an attorney who has filed an appearance on behalf of  
3 such judgment lienholder, shall, upon written request of the debtor,  
4 debtor's attorney or authorized representative for the current owner of  
5 the property which is subject to the lien, provide a payoff statement, in  
6 writing, to the person requesting the payoff statement on or before the  
7 date specified in such request, provided such request date is not less  
8 than twenty-one business days after the date of receipt of the written  
9 request.

10 (b) If the judgment lienholder or an attorney who has filed an  
11 appearance on behalf of such judgment lienholder does not provide  
12 the payoff statement on or before the date specified in the request, the  
13 judgment lienholder or attorney who has filed an appearance on behalf  
14 of such judgment lienholder shall be liable for damages to any person  
15 aggrieved at the rate of two hundred dollars for each week of failure to

16 provide such a payoff statement, up to a maximum of three thousand  
17 dollars, or in an amount equal to the loss sustained by such aggrieved  
18 person as a result of the failure of the judgment lienholder or attorney  
19 to provide such a payoff statement, whichever is greater, plus costs  
20 and reasonable attorney's fees.

21 (c) The judgment lienholder or attorney shall not impose any fee or  
22 charge for the first payoff statement requested within a calendar year,  
23 unless the judgment debtor or the judgment debtor's attorney or other  
24 authorized agent requests expedited delivery of such statement, agrees  
25 to pay a fee for such expedited delivery and the payoff statement is  
26 provided by the agreed upon date.

|   |                        |             |
|---|------------------------|-------------|
| This act shall take effect as follows and shall amend the following sections: |                        |             |
| Section 1   | <i>October 1, 2018</i> | New section |

**Statement of Purpose:**

To establish the time frame applicable to a judgment lienholder's response to a request for a payoff statement from a judgment debtor or an agent acting on behalf of such judgment debtor.

*[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.]*