



**Testimony of Connecticut Fair Housing Center
In SUPPORT of Senate Bill 320**

Senator Lesser, Representative Scanlon, Senator Kelly, Representative Pavalock-D'Amato, distinguished members of the Committee: thank you for the opportunity to submit this testimony. My name is Jeff Gentes. I manage the fair lending and foreclosure prevention work at the Connecticut Fair Housing Center¹ and co-supervise the Housing Clinic at Yale Law School. I submit this testimony to convey the Center's **support for S.B. 320**, an Act Concerning Real Estate Closings and Attorneys and Law Firms Preferred by Mortgage Lenders.

To the extent this bill would stop the practice of unlicensed attorneys practicing in Connecticut, or luring Connecticut consumers into believing a closing was legitimate just because "an attorney" was present, albeit not a Connecticut attorney, we support it. In our experience, you need a closing attorney who's not only familiar with Connecticut law but also county-specific customs and practice (such as standard contract forms and the like). Allowing out-of-state attorneys to participate in Connecticut closings helps no one.

We would recommend one further change: require lenders to use attorneys other than the ones used by their borrowers. Too often under the current system, lenders use the same attorneys and require their borrowers to sign a "disclosure" that, in the event of a conflict between a lender and borrower, the attorney will act on the lender's behalf, not the borrower's. Such a rule does nothing to protect consumers, nor does it reflect well on either the mortgage industry or the legal profession.

Thank you again for the opportunity to submit this testimony.

¹ The Connecticut Fair Housing Center is the only statewide nonprofit that represents homeowners facing foreclosure. We have reached constituents in every single town in Connecticut through materials to help homeowners represent themselves and in-person or individualized advice for homeowners facing foreclosure. We provided in-person or individualized assistance to more than 1,000 homeowners facing foreclosure in 2018 alone.