

# MAINE STATE LEGISLATURE

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# 127th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2015

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Legislative Document

No. 643

S.P. 236

In Senate, March 3, 2015

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**An Act To Protect Veterans Returning from Active Duty from  
Losing Their Homes**

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Reference to the Committee on Insurance and Financial Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Heather J.R. Priest".

HEATHER J.R. PRIEST  
Secretary of the Senate

Presented by Senator DUTREMBLE of York.  
Cosponsored by Representative MAKER of Calais and  
Senators: MILLETT of Cumberland, PATRICK of Oxford, SAVIELLO of Franklin,  
Representatives: CHENETTE of Saco, NADEAU of Winslow.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 14 MRSA §6111, sub-§3-A**, as enacted by PL 2009, c. 402, §12, is  
3 amended to read:

4 **3-A. Information; Bureau of Consumer Credit Protection.** Within 3 days of  
5 providing written notice to the mortgagor as required by subsections 1 ~~and~~, 1-A ~~and~~ 6, the  
6 mortgagee shall file with the Department of Professional and Financial Regulation,  
7 Bureau of Consumer Credit Protection, in electronic format as designated by the Bureau  
8 of Consumer Credit Protection, information including:

9 A. The name and address of the mortgagor and the date the written notice required  
10 by subsections 1 ~~and~~, 1-A and 6 was mailed to the mortgagor and the address to  
11 which the notice was sent;

12 B. The address, telephone number and other contact information for persons having  
13 authority to modify a mortgage loan with the mortgagor to avoid foreclosure,  
14 including, but not limited to, the mortgagee, the mortgage servicer and an agent of the  
15 mortgagee; and

16 C. Other information, as permitted by state and federal law, requested of the  
17 mortgagor by the Bureau of Consumer Credit Protection.

18 **Sec. 2. 14 MRSA §6111, sub-§6** is enacted to read:

19 **6. Extended notice for veterans; payment.** Notwithstanding subsection 1, with  
20 respect to mortgages upon residential property located in this State when the mortgagor is  
21 a veteran of the United States Armed Forces or the Reserves of the United States Armed  
22 Forces who was on active duty during the previous 12 months and is occupying all or a  
23 portion of the property as the mortgagor's primary residence and the mortgage secures a  
24 loan for personal, family or household use, the mortgagee may not accelerate maturity of  
25 the unpaid balance of the obligation or otherwise enforce the mortgage because of a  
26 default consisting of the mortgagor's failure to make any required payment, tax payment  
27 or insurance premium payment, by any method authorized by this chapter, until at least 6  
28 months after the date that written notice pursuant to subsection 1-A is given by the  
29 mortgagee to the mortgagor and any cosigner against whom the mortgagee is enforcing  
30 the obligation secured by the mortgage at the last known addresses of the mortgagor and  
31 any cosigner that the mortgagor has the right to cure the default by full payment of all  
32 amounts that are due without acceleration, including reasonable interest and late charges  
33 specified in the mortgage or note as well as reasonable attorney's fees. If the mortgagor  
34 tenders payment of the amounts before the date specified in the notice, the mortgagor is  
35 restored to all rights under the mortgage deed as though the default had not occurred.

36 **SUMMARY**

37 This bill extends the time period for a right to cure a mortgage default from 35 days  
38 to 6 months for a veteran who served on active duty during the previous 12 months.