

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
DEPARTMENT OF PROFESSIONAL  
AND FINANCIAL REGULATION  
BUREAU OF CONSUMER CREDIT PROTECTION  
35 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0035

Janet T. Mills  
GOVERNOR

Linda Conti  
SUPERINTENDENT

**TO: Joint Standing Committee on Health Coverage, Insurance and Financial Services**

**FROM: Linda Conti, Superintendent, Bureau of Consumer Credit Protection**

**RE: Foreclosure Assistance and Referral Program – 55th Periodic Report**

**DATE: December 1, 2023**

## Introduction

Title 14 M.R.S. § 6111 requires mortgage lenders and servicers to provide a “notice of right to cure” (also referred to herein as a “default notice”) to any homeowner in default, prior to commencing a foreclosure action in court. The section further requires the lender or servicer to notify the Bureau of Consumer Credit Protection of each homeowner’s name and address, so the Bureau can mail an informational letter to the homeowner, advising the homeowner of the availability of state resources to assist the homeowner with the pre-foreclosure and foreclosure process.

Title 14 M.R.S. § 6111(3-B) requires the Bureau to draft a quarterly report to the Joint Standing Committee on Insurance and Financial Services listing the number of default notices sent to Maine residents by their lenders. The report must include information on foreclosures filed by state-chartered banks, using information provided by the state’s Bureau of Financial Institutions, as well as information on what types of creditors are initiating foreclosures (*e.g.*, national banks, non-bank mortgage companies; investment trusts).

## Default Notices Mailed to Homeowners

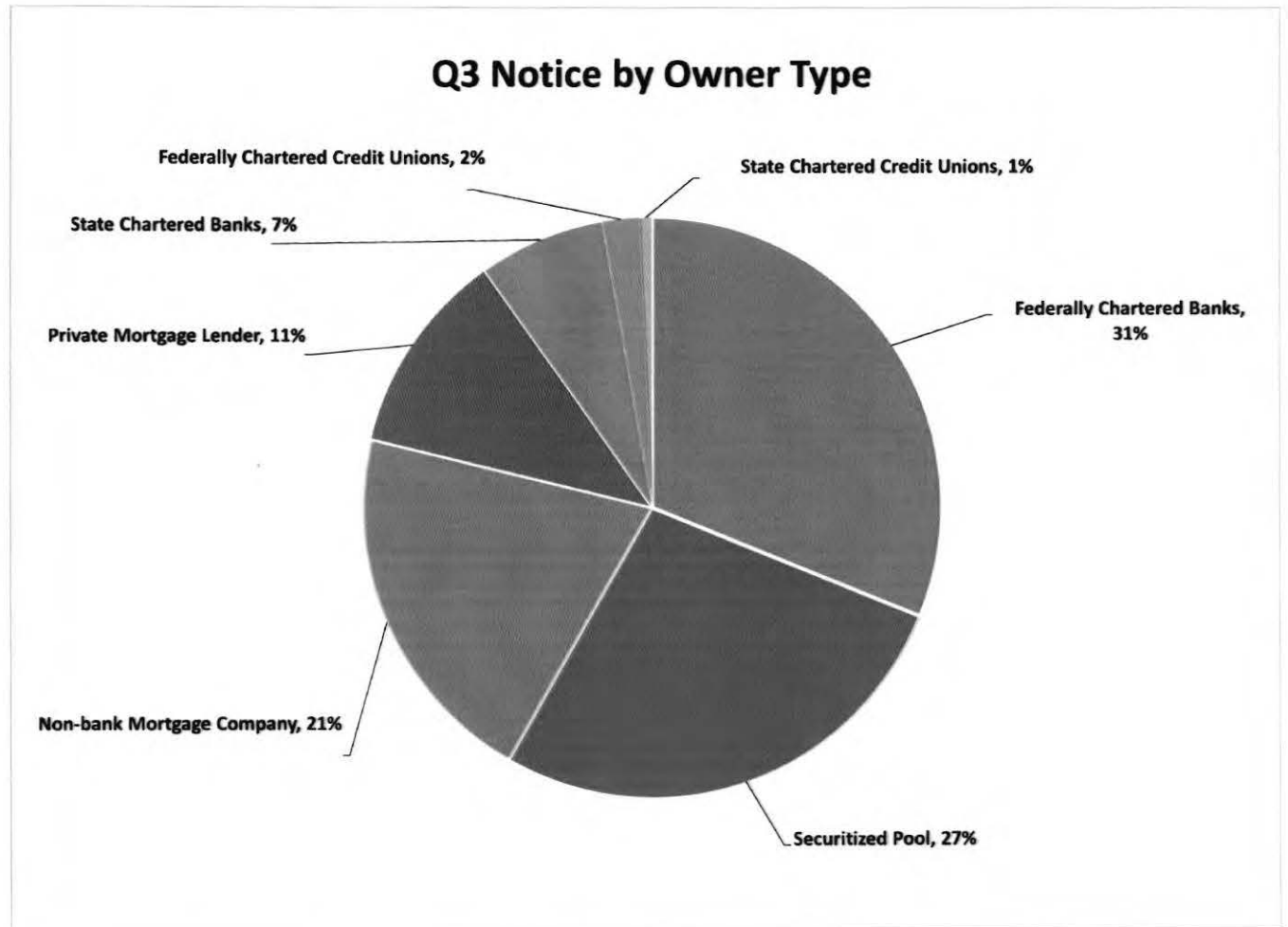
During the third quarter of 2023, the Bureau mailed 3,854 letters to homeowners who received notices of deficiency and right to cure from their lenders. The breakdown of such mailings by lender type is as follows:

Type	Jul-23	Aug-23	Sep-23
Federally Chartered Banks	444	449	420
Private Mortgage Lender	185	178	117
State Chartered Banks	106	105	86
Non-bank Mortgage Company	264	253	346
Federally Chartered Credit Unions	34	32	22
State Chartered Credit Unions	10	12	6
Securitized Pool	382	380	378
<b>Total:</b>	<b>1425</b>	<b>1409</b>	<b>1375</b>

The notices were broken down by county as follows:

County	Jul-23	Aug-23	Sep-23
Androscoggin	123	125	123
Aroostook	72	55	58
Cumberland	259	217	226
Franklin	39	23	27
Hancock	52	70	63
Kennebec	102	133	113
Knox	33	38	34
Lincoln	28	55	33
Oxford	116	78	98
Penobscot	127	167	154
Piscataquis	14	20	26
Sagadahoc	50	26	59
Somerset	58	70	65
Waldo	53	46	50
Washington	47	50	19
York	252	236	227
<b>Total</b>	<b>1425</b>	<b>1409</b>	<b>1375</b>

The pie chart which follows illustrates graphically the breakdown of notices filed by each type of lender.



## **FORECLOSURE FILINGS IN COURT**

The following chart shows the number of foreclosure actions filed in each court in the State of Maine from October 1, 2022 through September 30, 2023.

<b>Region/Court</b>	<b>4th Qtr Oct-Dec 2022</b>	<b>1st Qtr Jan-Mar 2023</b>	<b>2nd Qtr Apr-Jun 2023</b>	<b>3rd Qtr Jul-Sep 2023</b>	<b>TOTAL</b>
<b>STATEWIDE TOTAL</b>	<b>215</b>	<b>238</b>	<b>240</b>	<b>195</b>	<b>888</b>
Alfred Superior Court	5	9	5	8	<b>27</b>
Biddeford District Court	10	6	17	14	<b>47</b>
Springvale District Court	10	14	4	0	<b>28</b>
York District Court	2	5	0	0	<b>7</b>
<b>Region 1 Subtotal</b>	<b>27</b>	<b>34</b>	<b>26</b>	<b>22</b>	<b>109</b>
Bridgton District Court	8	13	11	5	<b>37</b>
Portland District Court	0	1	0	0	<b>1</b>
Portland Superior Court	23	21	23	12	<b>79</b>
<b>Region 2 Subtotal</b>	<b>31</b>	<b>35</b>	<b>34</b>	<b>17</b>	<b>117</b>
Auburn Superior Court	2	4	4	1	<b>11</b>
Farmington District Court	6	5	2	3	<b>16</b>
Farmington Superior Court	2	1	1	0	<b>4</b>
Lewiston District Court	21	19	25	15	<b>80</b>
Livermore Falls District Court	0	0	0	0	<b>0</b>
Rumford District Court	4	2	4	2	<b>12</b>
South Paris District Court	2	7	5	7	<b>21</b>
South Paris Superior Court	3	3	6	3	<b>15</b>
<b>Region 3 Subtotal</b>	<b>40</b>	<b>41</b>	<b>47</b>	<b>31</b>	<b>159</b>
Augusta District Court	8	9	15	3	<b>35</b>
Augusta Superior Court	2	0	2	6	<b>10</b>
Skowhegan District Court	10	8	5	3	<b>26</b>
Skowhegan Superior Court	2	2	2	3	<b>9</b>
Waterville District Court	5	11	10	4	<b>30</b>
<b>Region 4 Subtotal</b>	<b>27</b>	<b>30</b>	<b>34</b>	<b>19</b>	<b>110</b>
Bangor District Court	16	17	12	21	<b>66</b>

Bangor Superior Court	6	4	8	19	37
Dover Foxcroft District Court	1	1	3	0	5
Dover Foxcroft Superior Court	0	3	0	2	5
Lincoln/Millinocket District Court	3	3	3	1	10
Newport District Court	3	4	9	4	20
<b>Region 5 Subtotal</b>	<b>29</b>	<b>32</b>	<b>35</b>	<b>47</b>	<b>143</b>
Bath Superior Court	1	0	1	0	2
Belfast District Court	11	4	11	5	31
Belfast Superior Court	2	1	1	4	8
Rockland District Court	4	9	5	3	21
Rockland Superior Court	5	2	1	2	10
West Bath District Court	8	12	8	6	34
Wiscasset District Court	4	5	6	2	17
Wiscasset Superior Court	7	1	2	4	14
<b>Region 6 Subtotal</b>	<b>42</b>	<b>34</b>	<b>35</b>	<b>26</b>	<b>137</b>
Bar Harbor District Court	0	0	0	0	0
Calais District Court	1	2	0	2	5
Ellsworth District Court	4	7	6	9	26
Ellsworth Superior Court	3	2	1	0	6
Machias District Court	1	2	5	4	12
Machias Superior Court	1	3	1	3	8
<b>Region 7 Subtotal</b>	<b>10</b>	<b>16</b>	<b>13</b>	<b>18</b>	<b>57</b>
Caribou District Court	0	0	0	0	0
Caribou Superior Court	5	12	10	10	37
Fort Kent District Court	0	0	0	1	1
Houlton District Court	1	1	1	1	4
Houlton Superior Court	0	3	5	2	10
Madawaska District Court	0	0	0	0	0
Presque Isle District Court	3	0	0	1	4
<b>Region 8 Subtotal</b>	<b>9</b>	<b>16</b>	<b>16</b>	<b>15</b>	<b>56</b>

## **HOMEOWNER ASSISTANCE ACTIVITY**

The Bureau has ceased providing counseling services to homeowners through the outreach program because of funding constraints caused by fewer foreclosures being completed currently than during the foreclosure crisis of 2008 which was the impetus for the program. The Bureau's hotline for homeowners and mailing of informational packets to homeowners receiving notices of right to cure continues.

## **INFORMATION FROM OTHER SOURCES**

Corelogic, a global property information and analytics company, in its "*Loan Performance Insights-November, 2023*," containing information through September of 2023, reported that nationwide, the percentage of loans delinquent 30 days or more was 2.8% in September of 2023, unchanged from September of 2022. The percentages of loans 30 to 60 days in arrears increased slightly from 1.2% to 1.9%, while loans 60 to 90 and 90 to 120 days in arrears were unchanged from March of 2022 at .4% and .2% respectively. The percentage of loans 120 or more days in arrears dropped from 1.0% to 0.7%. Loans actually in foreclosure remained the same at 0.3%. Maine's 30 day+ delinquency rate was categorized as being 0% to .25% meaning unchanged to a slight decrease.