SENATE DOCKET, NO. 986 FILED ON: 1/20/2011

SENATE . . . . . No. 830

The Commonwealth of Massachusetts

PRESENTED BY:

Michael O. Moore

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act clearing titles to foreclosed properties..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Michael O. Moore	
	☐ *[District]*
	☐

SENATE DOCKET, NO. 986 FILED ON: 1/20/2011

SENATE . . . . . No. 830

By Mr. Moore, a petition (accompanied by bill, Senate, No. 830) of Michael O. Moore for legislation to clear titles to foreclosed properties. The Judiciary.

The Commonwealth of Massachusetts

An Act clearing titles to foreclosed properties..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 15 of Chapter 244 of the General Laws is hereby amended by adding the following second paragraph:

Such affidavit shall be conclusive evidence in favor of a good faith purchaser for value at or subsequent to the foreclosure sale that the foreclosing party identified or referred to in such affidavit or the foreclosure deed to which it relates as the holder of the foreclosed mortgage is the holder of the mortgage for purposes of such foreclosure unless the holder of the equity of redemption under the mortgage files an action in Superior Court, Land Court or Housing Court to invalidate the sale for lack of title in the foreclosing party within 90 days from the date of recording of such affidavit and records a memorandum of lis pendens pursuant to chapter 184, section 15, within 30 days of the commencement of such action.

SECTION 2. The provisions of this act shall apply to such affidavits recorded before, on or after the effective date of this act, provided, however, that, as to such affidavits recorded before the effective date of this act, the holder of the equity of redemption shall have a period of 90 days from said effective date to commence such action.

SECTION 3. Notwithstanding any general or special law to the contrary, the division of banks shall adopt regulations to provide the holder of equity of redemption with notice of any rights granted pursuant to Section 1 of this Act.