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STATE OF MAINE

SENATE

130TH LEGISLATURE

FIRST SPECIAL SESSION

COMMITTEE AMENDMENT “ ” to S.P. 334, L.D. 1066, “An Act To Clarify the Definition of "Mortgage Servicer" in the Laws Governing Mortgage Foreclosures”

Amend the bill in section 1 in §6113 in subsection 1 in paragraph C in the last line (page 1, line 21 in L.D.) by inserting after the following: "1" the following: 'and includes a mortgage deed even if the debt secured by the mortgage deed has been discharged in bankruptcy'

Amend the bill in section 1 in §6113 in subsection 1 in paragraph F in the first line (page 1, line 31 in L.D.) by striking out the following: "combination" and inserting the following: '~~combination~~ one or more'

Amend the bill in section 1 in §6113 in subsection 1 in paragraph F in subparagraph (6) in the 2nd line (page 2, line 6 in L.D.) by inserting after the following: "enforcement of" the following: 'the rights of the loan owner arising under'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment makes 3 changes to the bill.

It clarifies that a mortgage deed is included in the definition of "obligation." A mortgage deed is considered an obligation even if the debt secured by the mortgage deed has been discharged in bankruptcy.

It clarifies that the definition of "servicing" can include engaging in one or more of the 6 actions listed.

It clarifies that the actions covered by the definition of "servicing" include any action that relates to the enforcement of the rights of the loan owner that arise under the obligation.

COMMITTEE AMENDMENT