

AMENDMENT TO H.R. 384
OFFERED BY Ms. MATSUI OF CALIFORNIA AND
Ms. CASTOR OF FLORIDA

Page 32, after line 19 insert the following new section (and redesignate the subsequent section and conform the table of contents accordingly):

1 **SEC. 206. FORECLOSURE MORATORIUM RECOMMENDA-**
2 **TION.**

3 (a) FORECLOSURE DEFERMENT.—It is the sense of
4 the Congress that any institution which becomes an as-
5 sisted institution on or after the date of the enactment
6 of this Act should not initiate, or allow to continue, a fore-
7 closure proceeding or a foreclosure sale on any with re-
8 spect to any principal homeowner mortgage, until the ear-
9 liest of the following:

10 (1) The date by which the comprehensive plan
11 to prevent and mitigate foreclosures has been devel-
12 oped by the Secretary and the Federal Deposit In-
13 surance Corporation and approved by the Financial
14 Stability Oversight Board under section 201 and be-
15 come fully operational.

16 (2) The date by which the systematic fore-
17 closure prevention and mortgage modification plan

1 has been established by the Secretary in accordance
2 with section 204 and become fully operational.

3 (3) The end of the 9-month period beginning on
4 the date of the enactment of this Act.

5 (b) FHA-REGULATED LOAN MODIFICATION AGREE-
6 MENTS.—If an assisted institution to which subsection (a)
7 applies reaches a loan modification agreement with a
8 homeowner under the auspices of the Federal Housing Ad-
9 ministration before any plan referred to in paragraph (1)
10 or (2) of such subsection takes effect, subsection (a) shall
11 cease to apply to such institution as of the effective date
12 of the loan modification agreement.

13 (c) DUTY OF CONSUMER TO MAINTAIN PROPERTY.—
14 Any homeowner for whose benefit any foreclosure pro-
15 ceeding or sale is barred under subsection (a) from being
16 instituted, continued , or consummated with respect to any
17 homeowner mortgage may not, with respect to any prop-
18 erty securing such mortgage, destroy, damage, or impair
19 such property, allow the property to deteriorate, or commit
20 waste on the property.

21 (d) DUTY OF CONSUMER TO RESPOND TO REASON-
22 ABLE INQUIRIES.—Any homeowner for whose benefit any
23 foreclosure proceeding or sale is barred under subsection
24 (a) from being instituted, continued , or consummated
25 with respect to any homeowner mortgage shall respond to

- 1 reasonable inquiries from a creditor or servicer during the
- 2 period during which such foreclosure proceeding or sale
- 3 is barred.

