STATE OF NEW YORK

671

2021-2022 Regular Sessions

IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sen. SANDERS -- read twice and ordered printed, and when printed to be committed to the Committee on Banks

AN ACT to amend the banking law, in relation to modifying delinquent home loans and single point of contact

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The banking law is amended by adding a new section 6-o to read as follows:

§ 6-o. Single point of contact for modifying delinquent home loans. 1. A lender shall provide to a borrower who is sixty or more days delinquent on his or her home loan with such lender and who chooses to pursue a loan modification or other foreclosure prevention alternative, a single point of contact for the borrower to reach the lender regarding pursuing a loan modification. The borrower shall make his or her request for such contact information in writing or by electronic communication to his or her lender and such lender shall provide the contact information required herein within ten business days of receiving such borrower's request. If at any time the contact information provided to the borrower changes, a notification of such change shall be provided by the lender to the borrower within five business days of such change. The duties imposed on a lender by this section may also be performed by a mortgage servicer acting on behalf of such lender.

2. The single point of contact required by this act shall be responsible for the following:

(a) communicating information regarding options the borrower may have for modifying his or her delinquent home loan;

(b) assisting the borrower with identifying documents necessary for pursuing a loan modification; and

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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(c) providing accurate information regarding the status of a borrower's loan modification application should such borrower choose to apply for a modification.

3. The single point of contact required by this section shall remain assigned to the borrower's account until such time as the lender determines that all loss modification options have been exhausted or until the borrower's account becomes current.

4. For the purposes of this section, "home loan" shall have the same meaning as defined in paragraph (e) of subdivision one of section six-l of this article.

§ 2. This act shall take effect on the sixtieth day after it shall have become a law and shall apply to home loans entered into on or after such effective date.