

ASSEMBLY BILL

No. 1599

**Introduced by Assembly Members Feuer and Fong
(Principal coauthor: Assembly Member Eng)
(Coauthors: Assembly Members Cedillo and Dickinson)**

February 6, 2012

An act to add Section 2923.3 to the Civil Code, relating to mortgages.

LEGISLATIVE COUNSEL'S DIGEST

AB 1599, as introduced, Feuer. Mortgages and deeds of trust: foreclosure: languages.

Existing law requires that, upon a breach of the obligation of a mortgage or transfer of an interest in property, the mortgagee, trustee, or beneficiary record a notice of default in the office of the county recorder where the mortgaged or trust property is situated and mail the notice of default to the mortgagor or trustor. Existing law specifies other requirements and procedures for completion of a foreclosure sale. Existing law requires, under specified circumstances, that a summary of mortgage terms be provided to the borrower in one of 5 specified languages.

This bill would require a mortgagee, trustee, beneficiary, or authorized agent to provide all documents to a mortgagor or trustor relating to a delinquency, default, loan modification, foreclosure proceeding, or foreclosure sale concerning that mortgage or deed of trust in the primary language spoken by the mortgagor or trustor.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 2923.3 is added to the Civil Code, to
2 read:

3 2923.3. A mortgagee, trustee, beneficiary, or authorized agent
4 shall provide all documents that are required to be sent to the
5 mortgagor or trustor related to a delinquency, default, loan
6 modification, foreclosure proceeding, or foreclosure sale
7 concerning that mortgage or deed of trust in the primary language
8 spoken by the mortgagor or trustor.

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