

# House Research Act Summary

**CHAPTER:** 191

**SESSION:** 2014 Regular Session

**TOPIC:** Mortgage foreclosure provisions modified

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## Overview

This act modifies provisions on home foreclosures changing the definition of small servicer to a permanent definition and clarifying the statute of limitations for curative provisions for validating or invalidating a mortgage foreclosure.

### Section

- 1**      **Definitions.** Amends the definition of a small servicer to make permanent a definition intended to sunset August 1, 2014. This section provides an exemption to the dual tracking and loss mitigation provisions required by section 582.043 so that the provisions would not apply to mortgage servicers that conduct 125 or fewer foreclosure sales in the 12 month period. Without the sunset, after August 1, 2014, the requirements of section 582.043 would have applied to mortgage servicers that service less than 5,000 mortgages or a housing finance agency such as a local or state agency designed to provide housing and related facilities.

**Effective Date.** This section is effective the day following final enactment, May 2, 2014.
- 2**      **Section 582.25.** Clarifies the application of the statute of limitations for validating or invalidating a mortgage foreclosure to ensure that the statute of limitations to invalidate a foreclosure will apply regardless of a court decision requiring strict compliance with foreclosure procedure.

**Effective Date.** This section is effective the day following final enactment, May 2, 2014.