

2009 DRAFTING REQUEST

Assembly Amendment (AA-SB62)

Received: **02/18/2009**

Received By: **rnelson2**

Wanted: **As time permits**

Identical to LRB:

For: **Roger Roth (608) 266-7500**

By/Representing: **Jason**

This file may be shown to any legislator: **NO**

Drafter: **rnelson2**

May Contact:

Addl. Drafters:

Subject: **Courts - miscellaneous
Real Estate - landlord/tenant**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Roth@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Tenant protection in foreclosures

Instructions:

See attached-#4

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rnelson2 02/18/2009 pkahler 02/18/2009	csicilia 02/18/2009		_____			
/1			jfrantze 02/18/2009	_____	mbarman 02/18/2009	mbarman 02/18/2009	
/2	pkahler 02/18/2009	csicilia 02/18/2009	jfrantze 02/18/2009	_____	cduerst 02/18/2009	cduerst 02/18/2009	

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FE Sent For:

<END>

Nelson, Robert P.

From: Culotta, Jason
Sent: Wednesday, February 18, 2009 8:59 AM
To: Nelson, Robert P.; Kahler, Pam
Subject: mortgage-related amendments to LRB-1999/2

Attachments: Mortgage-Related Amendments to SB 62.doc



Mortgage-Related
Amendments to...

Bob and Pam,

Please feel free to call me at 6-7500 with questions on any of these. I am sorry about the late notice, but we weren't exactly given a lot of time to review the document.

Thanks,

Jason Culotta
Legislative assistant
Office of Representative Roger Roth

Amendments to the Mortgage-Related Provisions in SB 62 (LRB-1999/2)

February 18, 2009

Mortgage Regulations

1. Delete doubling of fee on mortgage loan originators from \$250 every two years to \$250 annually (and also delete the lapse of the \$750,000 this provision raises back to the General Fund)

Tenant Protection

2. Timing of implementation of tenant protection provisions
 - a. Amend the language as follows on p. 344, Lines 6-7: "tenant if a foreclosure action is ~~or has been~~ commenced against the real property containing the dwelling unit occupied by the tenant after the effective date of this subsection."
3. Date of Notification
 - a. Amend the language as follows on p. 344, Line 18: "1. No later than 5-15 days after the foreclosure action is filed, notice that the"

4. Method of notification

- a. Amend the language as follows on p. 345, Lines 1-2:

1. For residential real property consisting of a one- to 4-family residence, notice shall be served Bby personal service as provided in s. 801.11(1), by certified mail with return receipt requested.

2. For residential real property other than a one – to 4-family residence, notice may be given by personal service as provided in s. 801.11(1), Bby certified mail with return receipt requested, or by posting notice in an accessible common area of the property. If notice is sent by certified mail, Nnotice given under this

5. Require property owner to share current rent roll with bank 5 days after foreclosure is filed
 - a. Add the following as **new** section 846.35(1)(d) beginning on p. 345 after Line 10:

"(d) The owner of the residential rental property that is the subject of a foreclosure action is required to provide the plaintiff with a current rent roll beginning no later than 5 days after the foreclosure action is filed and at any time thereafter within 2 days when there is any change in the rent roll."

6. Time period of tenant possession of rental unit following foreclosure



State of Wisconsin
2009 - 2010 LEGISLATURE

LRBb0048/2

PJK:.....

ej5

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

ASSEMBLY AMENDMENT ,
TO 2009 SENATE BILL 62


1 At the locations indicated, amend the bill as follows:

2 **1.** Page 345, line 1: delete lines 1 to 6 and substitute:

3 ✓ "1. If the rental property is a one- to 4-family residence, by personal service
4 as provided in s. 801.11(1) or by certified mail with return receipt requested. ✓

5 2. If the rental property is other than a one- to 4-family residence, by personal
6 service as provided in s. 801.11(1), by certified mail with return receipt requested,
7 or by posting notice in an accessible common area of the property. ✓

8 (bm) Notice given under par. (b) by certified mail is considered completed when
9 it is mailed, unless the envelope enclosing the notice is returned unopened to the
10 plaintiff. All notices mailed under par. (b) by certified mail shall be mailed in
11 envelopes upon which the plaintiff's, or the plaintiff's attorney's, return address
12 appears, with a request to return to that address." ✓



1 **2.** Page 345, line 8: delete “(a) and (b)” and substitute “(a), (b), and (bm)”.

2 **(END)**

2-18

Tolson by phone

change notice method for other than 1-4 family residence to

① personal service
OR

② certified mail and posting notice



2
Stamps
revision

**ASSEMBLY AMENDMENT ,
TO 2009 SENATE BILL 62**

either of the following:
4 a.

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10 plaintiff. All notices mailed under par. (b) by certified mail shall be mailed in
11 envelopes upon which the plaintiff's, or the plaintiff's attorney's, return address
12 appears, with a request to return to that address."

along with
H b.

