## 2009 DRAFTING REQUEST

## Assembly Amendment (AA-SB62)

Received:	02/18/2009				Received By: rnel	son2	
Wanted: As time permits			Identical to LRB:				
For: Roger Roth (608) 266-7500			By/Representing: Jason				
This file n	nay be shown	to any legislator	r: <b>NO</b>		Drafter: rnelson2		
May Cont	act:				Addl. Drafters:		
Subject:		miscellaneous tate - landlord/			Extra Copies:		
Submit via	a email: YES						
Requester	's email:	Rep.Roth@	legis.wisco	nsin.gov			
Carbon co	py (CC:) to:						
Pre Topic	2*						
No specifi	c pre topic giv	ven					
Topic:		×				•	
Tenant pro	otection in for	eclosures					
Instruction	ons:						
See attach	ed-#4						
Drafting	History:						
Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	Required
/?	rnelson2 02/18/2009 pkahler 02/18/2009	csicilia 02/18/2009					f
/1			jfrantze 02/18/200	9	mbarman 02/18/2009	mbarman 02/18/2009	
/2	pkahler 02/18/2009	csicilia 02/18/2009	jfrantze 02/18/200	9	cduerst 02/18/2009	cduerst 02/18/2009	

**LRBb0048** 02/18/2009 01:45:09 PM Page 2

<u>Vers.</u> <u>Drafted</u> <u>Reviewed</u> <u>Typed</u> <u>Proofed</u> <u>Submitted</u> <u>Jacketed</u> <u>Required</u>

FE Sent For:

<END>

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May Cor	ntact:			Addl. Drafters:		
Subject:	Courts - miscellaneou Real Estate - landlord			Extra Copies:		
Submit v	via email: YES					
Requeste	er's email: Rep.Roth@	elegis.wisco	nsin.gov			
Carbon c	copy (CC:) to:					
Pre Top	ic:					
No speci	fic pre topic given					
Topic:						-
Tenant p	rotection in foreclosures					
Instruct	ions:					
See attac	hed-#4					
 Drafting	g History:			***		
Vers.	<u>Drafted</u> <u>Reviewed</u>	Typed	Proofed	Submitted	Jacketed	Required
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FE Sent	For:	1	18 178			

#### 2009 DRAFTING REQUEST

**Assembly Amendment (AA-SB62)** 

Received: 02/18/2009	Received By: rnelson2
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Identical to LRB: Wanted: As time permits

By/Representing: Jason For: Roger Roth (608) 266-7500

Drafter: rnelson2 This file may be shown to any legislator: NO

Addl. Drafters: May Contact:

Subject: Courts - miscellaneous Extra Copies: Real Estate - landlord/tenant

Submit via email: YES

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

Carbon copy (CC:) to:

No specific pre topic given

Topic:

Tenant protection in foreclosures

**Instructions:** 

**Pre Topic:** 

See attached-#4

/?

**Drafting History:** 

Required Drafted Reviewed Typed Submitted Jacketed Vers.

/1 g's 2/18 H

FE Sent For:

rnelson2

<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 B by 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 Misconsin 2009 - 2010 LEGISLATURE



# PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION ASSEMBLY AMENDMENT, TO 2009 SENATE BILL 62

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At the locations	marcatea,	amena me	um as	ionows.

- 1. Page 345, line 1: delete lines 1 to 6 and substitute:
- "1. If the rental property is a one- to 4-family residence, by personal service as provided in s. 801.11(1) or by certified mail with return receipt requested.
- 2. If the rental property is other than a one- to 4-family residence, by personal service as provided in s. 801.11(1), by certified mail with return receipt requested, or by posting notice in an accessible common area of the property.
- (bm) Notice given under par. (b) by certified mail is considered completed when it is mailed, unless the envelope enclosing the notice is returned unopened to the plaintiff. All notices mailed under par. (b) by certified mail shall be mailed in envelopes upon which the plaintiff's, or the plaintiff's attorney's, return address appears, with a request to return to that address."

2. Page 345, line 8: delete "(a) and (b)" and substitute "(a), (b), and (bm)".

2

(END)

# state of wisconsin – Legislative Reference Bureau

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

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# State of Misconsin 2009 - 2010 LEGISLATURE

LRBb0048/1.
PJK:cjs:jf

# ASSEMBLY AMENDMENT, TO 2009 SENATE BILL 62



At the locations indicated, amend the bill as follows:

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

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

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

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

2. Page 345, line 8: delete "(a) and (b)" and substitute "(a), (b), and (bm)".

2 (END)