

Massachusetts Alliance Against Predatory Lending

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Democrats Vote Unanimously to Create a Court to Clear Title and Remedy Foreclosures

Saturday, September 19, 2015 – Thousands of Democratic Party delegates to the 2015 State Party Convention in Springfield passed a resolution for “A Court to Clear Title and Remedy Foreclosures in This Ongoing Crisis” (see full text below).

“We had an overwhelming, positive support from Democrats – garnering 280 petition signatures and then sharing the resolution with Convention participants,” explained Bonnie MacCracken, Delegate from Amherst, NAACP member, and herself a title examiner. “I got involved in this effort because I see the damage to my neighbors and the damage in our property records, and it must be fixed to protect the integrity of our land records and the titles to all our homes. There must be justice and accountability.”

Retired federal prosecutor and Amherst delegate, Sarah McKee, elaborated, “Confronted with the many thousands of illegal foreclosures in Massachusetts, the loss of billions of dollars to our Commonwealth, and the need for swifter, fairer, and less costly access to justice for both foreclosed homeowners and post-foreclosure buyers, delegates saw a Court specifically for this purpose as the clear answer. Delegates’ overwhelming, unopposed endorsement is gratifying.”

“Senator Elizabeth Warren’s clarion call to hold banks accountable inspired us to challenge the wrongful and improper foreclosure of our home. We are grateful for the SJC decision that reversed our foreclosure, but obtaining justice was stressful and costly, and has eluded thousands of others who have lost their homes in our Commonwealth, especially those on the margins. We are heartened that the Democratic State Convention wisely voted to endorse the establishment of a Foreclosure Review Court to more timely and effectively address our foreclosure crisis. We encourage our legislature and judicial leaders to move swiftly toward this goal,” said Convention Delegates, Linda Pinti and Lesley Phillips.

For more information or to speak with homeowners or advocates, please contact MAAPL at 508-630-1686 or maaplinfo@yahoo.com.

(END)

Full text of Resolution:

“A Court to Clear Title and Remedy Foreclosures in this Ongoing Crisis

Whereas more than 68,000 Massachusetts homeowners have been foreclosed since 2005 and hardest hit have been homeowners of color and women targeted for predatory mortgages with high fees and interest rates and foreclosures have increased again substantially;

And whereas these foreclosures have pulled up to \$40 billion out of the Mass. economy, mostly to “foreign” banks, destabilizing our neighborhoods and undermining municipal tax bases; the majority of these foreclosures being illegal, e.g., the foreclosing party did not own the mortgage;

And whereas illegal foreclosures cloud titles to foreclosed properties, jeopardizing the investment of anyone who later buys a foreclosed home;

And whereas these cases are complex and time-consuming, clogging the dockets of existing courts, and can require filing the same case in different venues to resolve the matter fully;

Therefore be it resolved that the 2015 State Convention of the Massachusetts Democratic Party supports establishing a statewide court venue to review foreclosures; to clear titles to illegally foreclosed homes more rapidly, fairly and at a lower cost to the Commonwealth; to restore foreclosed families to their homes where possible while ensuring that post-foreclosure purchasers recover all damages for being sold property with clouded titles; and this court will have a five year renewable term,

And be it further resolved that we affirm and support a bill to this effect, presently filed whose lead sponsors are the Honorable Senator Thomas McGee and Honorable Representative Aaron Vega,

And be it further resolved that this resolution be distributed to all appropriate media.”

- Passed September 19th, 2015; 2015 State Convention of Massachusetts Democratic Party