



Massachusetts Alliance Against Predatory Lending

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For Immediate Release

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Massachusetts Homeowners Forge a Milestone Victory at Supreme Judicial Court

July 29, 2022 – Homeowners in the second decade of fighting predatory, prohibited loans, celebrate first breakthrough recognition by Massachusetts Supreme Judicial Court when Friday, July 22, the Massachusetts Supreme Judicial Court affirmed that a predatory loan and its foreclosure are prohibited and reversed the Housing Court eviction judgment in that case. A Brockton senior black couple argued their way to the Massachusetts Supreme Judicial Court and got the first victory recognizing that even after a supposed foreclosure courts must address and reverse where a mortgage is predatory and illegal from origination.

“We proved it; they broke every law there was and still no one got arrested. I’m so excited that the SJC heard our case,” one of the homeowner, Mr. Tommy L. Morris, who took unique and visionary leadership arguing his own case as a non-lawyer at key points in the many step process (including sharing time in oral argument at the Supreme Judicial Court itself) shares this important message, especially for other Massachusetts homeowners, “Now everyone knows that what they did was illegal and was always illegal. And people have to never give up. People need to work together to make sure that they get the justice that they should have gotten years ago.”

“Those homeowners facing injustice from predatory loans are reminded that they have 20 years under our laws to fight that injustice. Like in the long road to end legalized segregation took a series of milestone decisions from the US Supreme Judicial Court, this Massachusetts SJC

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decision represents such a milestone to reversing this 16 year long unprecedented period of home foreclosures,” said Grace Ross, Coordinator of 14-year old coalition, the Massachusetts Alliance Against Predatory Lending, “justice is just beginning; the homeowner fighters of Massachusetts will be back to our top state court!”

““The SJC delivered a vital win to Massachusetts homeowners victimized by the illegal foreclosure crisis who’ve been deprived of the right to assert mortgage origination violations. The *Morris* decision is a warning to unscrupulous mortgage lenders that predatory mortgage loans cannot be laundered simply by selling them off to other banks,” commented Brian Wasser Esq, as early private bar attorney entrant into homeowner foreclosure defense legal work in 2008.

After Homeowners fighting their ways through repeated barriers of unequal access finally got a case all the way up to the Massachusetts Supreme Judicial Court with the issue before the Court: a prohibited origination violation. The first predatory lending foreclosures hit their earliest victims with foreclosure beginning in 2004-2005 in communities of color. After cumulative predictable foreclosures crashing the world markets and continuing to escalate in pure foreclosure numbers into the second decade of this century, foreclosures are rebounding to continue of unprecedented numbers of foreclosures originated in that same time period (2002-2008) through to today.

“In a meticulously crafted opinion, the SJC determined that the Legislature precisely intended our Predatory Home Loan Practices Act to protect Massachusetts families from grasping lenders such as victimized Mr. and Mrs. Morris and countless others. This is a win for hardworking families who were similarly impoverished, and terrorized, by the foreclosure of predatory mortgage loans that had been illegal from the moment when borrowers signed the papers,” Sarah McKee, retired Federal Prosecutor from Amherst, Ma. and was Governor Patrick’s Appointee to the Registry Modernization Commission.

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