

**HOUSE . . . . . No. 3820**

**[LOCAL APPROVAL RECEIVED.]**

**The Commonwealth of Massachusetts**

PRESENTED BY:

**James J. O'Day**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act requiring judicial approval of foreclosures of residential mortgages in the city of Worcester .

PETITION OF:

| NAME:              | DISTRICT/ADDRESS:       |
|--------------------|-------------------------|
| James J. O'Day     | 14th Worcester District |
| Robert P. Spellane | 13th Worcester          |
| Vincent A. Pedone  | 15th Worcester          |
| John P. Fresolo    | 16th Worcester          |
| John J. Binienda   | 17th Worcester          |
| Michael O. Moore   | Second Worcester        |

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## AN ACT REQUIRING JUDICIAL APPROVAL OF FORECLOSURES OF RESIDENTIAL MORTGAGES IN THE CITY OF WORCESTER .

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

- 1 SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, all  
2 foreclosures of residential mortgage on 1-4 family owner-occupied property located in the city of  
3 Worcester can only be initiated by the filing of a foreclosure complain in the Superior or Housing Court  
4 for Worcester County. A residential mortgagor may raise any and all available defenses to the  
5 foreclosure and to the contract for the underlying mortgage loan, in law and in equity. The court shall  
6 have the authority to modify the mortgage or grant any other appropriate relief. Mortgagors shall have a  
7 right of redemption for six months after the entry of judgment.
- 8 SECTION 2. This act shall take effect upon passage and shall cease to have effect on December 31,  
9 2013.