May 19, 2008

H 2230. HFA/ EXPAND HOME PROTECTION PROGRAM. Filed 5/19/08. *TO CONTINUE AND EXPAND THE NORTH CAROLINA HOUSING FINANCE AGENCY'S HOME PROTECTION PROGRAM TO EVERY COUNTY IN NORTH CAROLINA*.

Directs the North Carolina Housing Finance Agency (HFA) to continue, develop, implement, and administer a program to assist North Carolina workers who have lost jobs as a result of changing economic conditions in the state and are in need of assistance to avoid losing their homes to foreclosure. Requires the HFA to engage in prescribed activities, including providing access to loans and developing and administering procedures under which workers in the state may qualify for assistance to avoid losing their homes to foreclosure. Directs the HFA to report by April 1, 2009, to the Chairs of the Appropriations Committees of the Senate and House of Representatives on its effectiveness in accomplishing its purposes. Provides definitions for terms as applied in the section.

Notwithstanding the provisions of GS Chapters 23, 24, and 45 or any other provision of law, provides that upon the proper filing by a homeowner of an application for loan assistance under the section, the mortgagee is restricted for 120 days from beginning any legal action, including foreclosure, accelerating the maturity of the mortgage obligation, or taking any actions to take or initiate the taking of possession of the homeowner's property. These restrictions do not apply if the home owner receives notice that his or her application has been denied. Provides for injunctive relief for a homeowner against whom the mortgagee attempts to engage in any of the restricted actions. Provides guidelines regarding the providing of notice by the HFA of the homeowner's filing for loan assistance to the mortgagee.

Provides that the HFA is exempt from the rule making requirements of GS Chapter 150B, Article 2A, with respect to the adoption of procedures under which property owners may qualify for assistance. Delineates rulemaking procedure for the HFA to use in adopting or amending its procedures for foreclosure assistance.

Appropriates $3 million in recurring funds for 2008-09 from the General Fund to the North Carolina HFA. Provides that appropriated funds that are not spent or encumbered do not revert but remain available for use by the HFA for the North Carolina Home Protection Program.

Effective July 1, 2008.

Intro. by Goforth. APPROP