HOUSE DOCKET, NO. 1827 FILED ON: 1/20/2011

HOUSE . . . . . No. 1193

The Commonwealth of Massachusetts

PRESENTED BY:

***Kay Khan*, (BY REQUEST)**

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:

An Act Jubille Act of 2011.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
David Snieckus	*99 CRESCENT STREET* *NEWTON, MA 02466*

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By Ms. Khan of Newton (by request), a petition (accompanied by bill, House, No. 1193) of David Snieckus relative to a moratorium on certain foreclosures of mortgages. Financial Services.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act Jubille Act of 2011.

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

AN ACT

A JUBILLE ACT

An Act Declaring Greater Responsibility in Lending and the Cancellation of Secured and/or Unsecured Debts Owed to Financial Institutions by the Homeowners of Massachusetts and For Other Purposes.

Be it Enacted by the Legislative Assembly of the State of Massachusetts:

Massachusetts General Laws is hereby amended by inserting _____ after section ____ the following:

SECTION 1. SHORT TITLE.

This Act may be Cited as the "Jubilee Act for Responsible Lending and Debt Cancellation of 2011".

SECTION 1A. An immediate moratorium on foreclosures of any mortgages that are, or ever were, registered at MERS, (Mortgage Electronic Registry Service).

SECTION. 2. FINDINGS.

17 I find the following:

18 (1) Many homeowners of various income levels have been struggling under the
19 burden of debts for many years without realizing the flaw in the system itself and the deception
20 created at closing.

21 (2) Our current monetary system based on Increasing Debt that creates increasing
22 interest payments that are UNPAYABLE is usurious, immoral and ultimately creates bankruptcy
23 and foreclosure by its very nature.

24 (3) In the past, any foreclosures were worked out with the original lender and
25 borrower and foreclosures were rare. Today just the opposite has happened.

26 (4) There are over 20,000 foreclosures in the past two years in Massachusetts.

27 (5) Securitization of Various Loans have occurred blurring ownership.

28 (6) Splitting the promissory Note from the Mortgage has occurred.

29 (7) Transparency and Fraud Issues have occurred in Ownership.

30 (8) Courts are backed up in litigation.

31 (9) Courts are under-funded.

32 (10) Land Courts are not common law courts

33 (11) There has been no clear Original Documentation produced in Court cases.

34 (12) Various State Legislators are suggesting, “squatting in your home.”

35 (13) Since MERS (Mortgage Electronic Registry Service) was created in 1977 more
36 than 66 million Mortgages have been registered.

37 (14) Massachusetts Supreme Court ruled on January 7, 2011 in the Ibanez case that the
38 mortgage servicers could not prove that the Trusts that supposedly owned the mortgages had any
39 standing.

40 (15) Massachusetts Attorney General Martha Coakley submitted briefs for amici
41 curiae in the Ibanez case.

42 • The Investment Trust must submit quarterly reports to the State Bank Commission. The
43 form and content of these reports will be developed by the founding Task Force.

44 • By December 1 of each year, the Commission must make a report to the Legislature on
45 the affairs of the trust, which should include any recommendations for legislative action.

OTHER PROVISIONS

• The Investment Trust is exempt from the requirements of the Public Deposit Protection Commission, exempt from all fees and taxes levied by the state or its subdivisions, and certain Bank records are exempt from public disclosure.

• Total compensation of employees of the Investment Trust may not exceed ten times the average salary of all state employees or 1000% of the federal poverty level