

Document Retrieval Result

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35 P.S. § 1681.5

§ 1681.5. Effect of noncompliance with notice requirements in the Homeowner's Emergency Mortgage Assistance Program

35 P.S. § 1681.5

Purdon's Pennsylvania Statutes and Consolidated Statutes [Currentness](#)

Title 35 P.S. Health and Safety ([Refs & Annos](#))

Chapter 18. Housing ([Refs & Annos](#))

Homeowner Assistance Settlement Act

→ **§ 1681.5. Effect of noncompliance with notice requirements in the Homeowner's Emergency Mortgage Assistance Program**

The following provisions shall apply relating to the Homeowner's Emergency Mortgage Assistance Program:

(1) If there has been a failure to comply with the notice requirements of sections 402-C and 403-C of the act of December 3, 1959 (P.L. 1688, No. 621), [\[FN1\]](#) known as the Housing Finance Agency Law, and such failure has been properly raised in a legal action, including an action in foreclosure, for money due under the mortgage obligation or to take possession of the mortgagor's security, the court may dismiss the action without prejudice, order the service of a corrected notice during the action, impose a stay on any action or impose other appropriate remedies in the action to address the interests, if any, of the mortgagor who has been prejudiced thereby.

(2) The failure of a mortgagee to comply with the requirements of sections 402-C and 403-C of the Housing Finance Agency Law must be raised in a legal action before the earlier delivery of a sheriff's or marshal's deed in the foreclosure action or delivery of a deed by the mortgagor.

(3) The failure of a mortgagee to comply with the requirements of sections 402-C and 403-C of the Housing Finance Agency Law shall not deprive a court of jurisdiction over any legal action, including an action in foreclosure, for money due under the mortgage obligation or to take possession of the mortgagor's security.

(4) The failure of a mortgagee to comply with the requirements of sections 402-C and 403-C of the Housing Finance Agency Law shall not impair the conveyance or other transfer of land and the title of property subject to a mortgage obligation covered under the Housing Finance Agency Law.

CREDIT(S)

2012, June 22, P.L. 648, No. 70, § 5, imd. effective.

[\[FN1\]](#) 35 P.S. §§ 1680.402c, 1680.403c.

HISTORICAL AND STATUTORY NOTES

Act 2012-70 legislation

Section 7 of 2012, June 22, P.L. 648, No. 70, provides that "[t]he provisions of section 5 [35 P.S. § 1681.5] shall apply retroactively to June 5, 1999."

35 P.S. § 1681.5, PA ST 35 P.S. § 1681.5

Current through Regular Session Act 2013-72, except 72 P.S. §§ 1 to 4680 current through Act 2013-86

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