

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Brisé offered the following:

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3 **Amendment to Amendment 533109**

4
5 Remove line(s) 136-180 and insert:

6 cancel the agreement at any time until after the foreclosure-
7 rescue consultant has fully performed each and every service the
8 foreclosure-rescue consultant agreed to perform or represented
9 he or she would perform. The right to cancel may not be waived
10 by the homeowner or limited in any manner by the foreclosure-
11 rescue consultant. If the homeowner cancels the agreement, any
12 payments that have been given to the foreclosure-rescue
13 consultant must be returned to the homeowner within 10 days
14 after receipt of the notice of cancellation.

494651
3/25/2008 4:36 PM

Amendment No.

15 (c) An agreement for foreclosure-related rescue services
16 must be written in the same language as principally used by the
17 foreclosure-rescue consultant to describe his or her services or
18 to negotiate the agreement, must be dated and signed by the
19 owner of the residence at risk of loss, and must contain, in
20 immediate proximity to the space reserved for the owner's
21 signature, the following conspicuous statement in at least 14-
22 point boldfaced type if the agreement is printed, or in capital
23 letters if the agreement is typed:

24
25 You, the owner, may cancel this agreement at any time
26 until after the foreclosure-rescue consultant has
27 fully performed each and every service the
28 foreclosure-rescue consultant agreed to perform or
29 represented he or she would perform. See the attached
30 notice of cancellation form for an explanation of this
31 right.

32
33 (d) The agreement for foreclosure-related rescue services
34 and notice of cancellation must contain on the first page, in a
35 type size no smaller than that generally used in the body of the
36 document, each of the following:

37 1. The name and address of the foreclosure-rescue
38 consultant to whom the notice of cancellation is to be mailed or
39 otherwise delivered. A post office box must be accompanied by a
40 physical address at which the notice could be delivered by a
41 method other than mail.

494651
3/25/2008 4:36 PM

Amendment No.

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I hereby cancel this agreement.

...(Date)...

...(Owner's signature)...

(f) The foreclosure-rescue consultant shall provide the owner with a copy of the agreement and the attached notice of cancellation immediately upon execution of the agreement.

(g) If the foreclosure-rescue consultant contract fails to substantially comply with the provisions of this subsection, the agreement is void and unenforceable and any documents signed by the owner pursuant to the agreement are null and void.