

1 A bill to be entitled
 2 An act relating to notice to homeowners in mortgage
 3 foreclosure actions; creating s. 702.13, F.S.;
 4 requiring the foreclosing mortgagee in a residential
 5 action to provide notice to the mortgagor; providing
 6 notice requirements; providing an effective date.

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 8 Be It Enacted by the Legislature of the State of Florida:

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 10 Section 1. Section 702.13, Florida Statutes, is created to
 11 read:

12 702.13 Notice to homeowners in mortgage foreclosure
 13 actions.-

14 (1) The foreclosing mortgagee in an action involving
 15 residential real property shall provide the notice required
 16 under this section to a mortgagor if the action relates to real
 17 property, including individual units of condominiums and
 18 cooperatives, designed principally for occupation by from one to
 19 four families.

20 (2) The notice to a mortgagor required under this section
 21 shall be delivered with the summons and complaint. The notice
 22 shall be on a separate page and printed on colored paper that is
 23 different than the color of the summons and complaint and the
 24 title shall be in bold, 20-point type.

25 (3) The notice shall be in substantially the following

26 form:

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28 HELP FOR HOMEOWNERS IN FORECLOSURE

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30 You are in danger of losing your home. If you fail to
31 respond to the summons and complaint in this
32 foreclosure action, you may lose your home. Please
33 read the summons and complaint carefully. You should
34 immediately contact an attorney or your local legal
35 aid office to obtain advice on how to protect
36 yourself.

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38 Under certain circumstances, the U.S. Bankruptcy Code
39 may be able to provide relief from foreclosure. Filing
40 chapter 13 bankruptcy stays a foreclosure proceeding
41 and allows a mortgagor to construct a repayment plan
42 that provides for the payment of mortgage arrearages
43 over the life of the plan, while maintaining current
44 payments as they become due. Additionally, the
45 mortgagor maintains possession of the home during the
46 process.

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48 The state encourages you to become informed about your
49 options in foreclosure. In addition to seeking
50 assistance from an attorney or legal aid office, there

51 are government agencies and non-profit organizations
52 that you may contact for information about possible
53 options, including trying to work with your lender
54 during this process. For more information about such
55 entities, please visit the Consumer Protection
56 Division on the website of the Attorney General at
57 www.myfloridalegal.com.

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59 Section 2. This act shall take effect July 1, 2019.