



IMBA Legislative Successes

A critical part of membership in IMBA surrounds the legislative activities of the organization and its success in working effectively with the Indiana State legislature and regulators to ensure lenders' ability to conduct business with minimal government intrusion. Member dues, IMBA PAC support, and membership volunteers, provide the resources for this and is greatly appreciated!

Recent historical successes IMBA has had in supporting residential mortgage lending include:

2013

Abandoned Properties – IMBA successfully opposed legislation that would have permitted cities and towns to sue a lender to start a foreclosure. IMBA also supported legislation that gave local government more tools to address abandoned housing.

Land Banks and Tax Sales – IMBA took an active role in assisting community groups in their consideration of land banks. In addition, IMBA successfully opposed tax sale legislation that would have been to the detriment of mortgage lenders

2012

Abandoned Properties – IMBA successfully supported legislation permitting the foreclosure period to be shortened for abandoned properties

Clean Energy Financing Liens – IMBA prevailed for the second year in preventing legislation that would have established super-priority liens for clean energy improvements. Super-priority liens would have had a priority over existing and new mortgages and could not have been prepaid.

Strict Foreclosures – IMBA successfully supported the establishment of a statutory strict foreclosure remedy following an Indiana Supreme Court decision that limited the Common Law strict foreclosure remedy.

Tax Sales – IMBA successfully opposed a reduction in the property tax sale redemption period.

2011

Foreclosure Counseling – Legislation was introduced that would have changed the current ‘opt-in’ system for borrowers to an ‘opt-out’ system. An opt-out system would have required counseling unless the borrower(s) elected not to participate.

IMBA successfully lobbied for this bill to be defeated.

Maintenance of Foreclosure Properties – This legislation, supported by IMBA, obtained immunity for mortgage lenders/servicers from claims by borrowers and neighbors resulting from maintenance of grounds of foreclosure properties.

Clean Energy Financing Liens – Legislation was introduced that would have established super-priority liens for clean energy improvement loans. These liens would have had priority over existing and new mortgages, and, could not have been prepaid.

IMBA successfully lobbied to have this bill defeated.

Non-Judicial Foreclosures – Successfully able to get the legislature to agree to a study committee to consider non-judicial foreclosures

2010

Maintenance of Foreclosure Property – This legislation was introduced and would have required that lenders be responsible for the maintenance of properties in foreclosure.

IMBA successfully got legislators to drop this requirement in return for giving local governmental units the right to schedule a sheriff’s sale if a lender has not asked for a sale within 180 days after entry of judgment!

Inclusion of PMI Companies in Foreclosure Conferences – Legislation was introduced that would have mandated PMI companies attend foreclosure conferences.

IMBA successfully lobbied against this legislation!

Finally, legislative efforts continue to be at all-time highs in recent years as a result of the increased public focus on mortgage lending. With these efforts likely to continue, IMBA’s involvement in the Indiana General Assembly will continue to be very pro-active in supporting real estate lending. The Association has been the industry’s voice for decades and the above is just a small sample of IMBA’s support of the mortgage banking industry, your company, and you!