

HOMEOWNERSHIP EDITION

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REGISTRATION IS NOW
OPEN FOR THE ANNUAL
CONVENTION & GOLF
TOURNAMENT!

CHECK OUT PAGES
7 & 8 FOR ALL THE DETAILS
HOTEL ROOM BLOCK ENDS 9/3!

SIGN UP FOR

NYMBALERTS!

[CLICK HERE](#)

GET THE LATEST NEWS, UPDATES &
HAPPENINGS SENT RIGHT TO YOUR INBOX!

NYMBA alert
MORTGAGE BANKERS ASSOCIATION

SAVE THE DATE

JULY 19, 2023

MBA OF NENY ANNUAL TRACK DAY

SARATOGA RACE COURSE
STELLA ARTOIS SPA VERANDA
MBANENY.ORG/EVENTS

JULY 21, 2023

AFFORDABLE FRIDAY WEBINAR

WITH HABITAT FOR HUMANITY NEW YORK STATE'S MARY ROBINSON
[REGISTER HERE](#)

AUGUST 3, 2023

CENTRAL NY MBA GOLF TOURNAMENT & LOBSTERFEST DINNER

TO BENEFIT FRANCIS HOUSE HOSPICE CARE
POMPEY GOLF CLUB, JAMESVILLE, NY
CNYMORTGAGEBANKERS.COM

AUGUST 8-10, 2023

AARMR ANNUAL REGULATORY CONFERENCE & TRAINING

BALTIMORE, MARYLAND

AUGUST 18, 2023

AFFORDABLE FRIDAY WEBINAR

REVERSE MORTGAGES:
[REGISTER HERE](#)

AUGUST 28, 2023

BUFFALO-NIAGARA MBA GOLF TOURNAMENT

FOX VALLEY COUNTRY CLUB
LANCASTER, NY
BNMBA.ORG/EVENTS

SEPTEMBER 15, 2023

AFFORDABLE FRIDAY WEBINAR

WITH FANNIE MAE'S JOHN THIBAudeau
[REGISTER HERE](#)

SEPTEMBER 29-30, 2023

HABITAT FOR HUMANITY STATEWIDE BUILD DAY

WWW.HABITATNYS.ORG/NYMBA

OCTOBER 4-6, 2023

NYMBA ANNUAL CONVENTION & GOLF TOURNAMENT

TURNING STONE RESORT & CASINO
SHENENDOAH GOLF COURSE
VERONA, NY
NYMBA.ORG/EVENTS

OCTOBER 20, 2023

AFFORDABLE FRIDAY WEBINAR

WITH FANNIE MAE'S GREG MCDONALD
[REGISTER HERE](#)

Dear Members of the New York Mortgage Bankers Association,

NYMBA hosted HUD Philadelphia Homeownership Center Deputy Director Eric McDowel during June's National Homeownership Month in a member webinar.

NYMBA's commitment to sustainable homeownership remains strong and our Affordable Housing Committee has been delivering relevant content with their monthly webinar series, **Affordable Fridays**.

In case you missed it, we partnered with MBA in a recent presentation dedicated to NYMBA members highlighting the Mortgage Action Alliance (MAA) Action Week. Special thanks to NYMBA Vice President, Jeff Pinard and Board Member, Rich Jordan for participating and sharing how Paragon Home Loans and Freedom Mortgage (respectively) promotes MAA membership to their employees and encourages participation in advocacy efforts on state and federal issues. Our goal is to increase New York's membership in MAA—which is free—to represent as many individuals as we can.

NYMBA remains engaged with NYDFS on high priority topics including remote work flexibilities, cyber security/data privacy, climate change, and expanding CRA-type requirements to non-depository lenders. In partnership with MBA, and input from our members, NYMBA and MBA submitted joint comments on Proposed Guidance on Assessment of the Character and Fitness of Directors, Senior Officers, and Managers issued by the Department in May. We always appreciate members' input and feedback.

I encourage you to take a few minutes to read through this edition of our quarterly newsletter and learn more about all the great work happening at NYMBA and by our committees. Please make sure you visit our website www.NYMBA.org and register for the upcoming NYMBA Convention. Not only will there be great content and incredible speakers, the weather and scenery in Central New York in the fall is second to none. Save the Date October 4-6, I hope to see you there.

Wishing you all a safe and enjoyable summer.

Sincerely,



NYMBA President 2022-2023

Chief Client Officer
Insight One Solutions



NATIONAL HOMEOWNERSHIP MONTH



National Homeownership Month is celebrated each year in June! It focuses on celebrating the value that owning a home brings to families, communities, and neighborhoods across America. By becoming a homeowner, people get a step closer to the American dream. The month also shares the joys of being a homeowner, which can encourage others to achieve the same thing.

Option	Point of Contact	Hours Available	Comments
1 Website	www.hud.gov/answers	24/7/365	Website includes option to email questions.
2 Email	answers@hud.gov	24/7/365	
3 Telephone	1-800-CALL-FHA (1-800-225-5342) Persons with hearing or speech impairments may reach this number by calling the Federal Relay Service at 1-800-877-8339.	8:00 AM to 8:00 PM Eastern M-F (including all non -Federal holidays)	Voicemail is available after hours or during extended wait periods. FHAFAQs are available after hours.

FHA INFO emails: Frequent email notifications of new policies and training opportunities for anyone who signs up. Subscribe at: https://portal.hud.gov/portal/HUD?src=/program_offices/housing/sfh/FHA_INFO_subscribe



DID YOU KNOW?!

Most Americans had no way of really owning a home in the 1800s. Mortgages became common only after the U.S. banking system came into being after the 1860s National Bank Acts.

During the time of the Great Depression, the banks did not have any money to lend and the average borrower didn't have any cash. As a result, people couldn't afford to buy homes, while existing homeowners often failed to pay their debt. To stabilize the housing market, the U.S. government created the Home Owners' Loan Corporation in 1933, the Federal Housing Administration in 1934, and the Federal National Mortgage Association (now known as Fannie Mae) in 1938. All these institutions took homeownership to new heights and helped prevent a crash in the housing market.

HOUSING RESOURCES & HELPFUL LINKS

- For information on **Housing Counseling and to find a counselor**, go to the following HUD website: https://www.hud.gov/i_want_to/talk_to_a_housing_counselor or call HUD's interactive voice system at 1-800-569-4287
- You can locate **FHA approved lenders** at their registered branches using the HUD Lender List search at https://www.hud.gov/program_offices/housing/sfh/lender/lenderlist
- **FHA Single Family Housing:** https://www.hud.gov/program_offices/housing/sfh
- **Subscribe to FHA Info:** https://www.hud.gov/program_offices/housing/sfh/FHA_INFO_subscribe
- **Upcoming Single Family Housing Events and Training:** https://www.hud.gov/program_offices/housing/sfh/events
- **HUD's Client Information Policy Systems (HUDCLIPS) Handbooks, Mortgagee Letters:** https://www.hud.gov/program_offices/administration/hudclips
- **HUD Real Estate Owned (REO) Properties listed for sale on the HUD Home Store Website:** <https://www.hudhomestore.gov/home/index.aspx>

HOMEOWNERSHIP MONTH

AFFORDABLE HOUSING – FRIDAY WEBINARS

In July, Mary Robinson, CEO at Habitat for Humanity New York State will cover how lenders can be involved from a volunteer perspective, how we can financially support their work, the financing opportunities for Habitat purchase transactions, and future state-wide build days.

In August, John Luddy, SVP of Reverse Mortgage Lending, will teach us how to use reverse mortgages to help homeowners ages 62 and older tap into their home equity to preserve their financial freedom and stay in their homes, as there is no mortgage payment and the proceeds can be used to pay taxes, insurance, for home improvements, to cover home health care costs, to receive a regular monthly distribution and any other uses the homeowner chooses.

In September and October we will have two fantastic sessions with the Affordable Housing team at Fannie Mae, with John Thibaudeau, Vice President of Single Family Real Estate Asset Management who will talk about Fannie's repair and REO affordable housing initiatives and the Community First program. Greg McDonald from the Affordable Lending Team, will be talking about Fannie Mae's new affordable housing originations initiatives to increase access to homeownership in underserved populations.

As a reminder, Affordable Friday webinars are every month on the 3rd Friday at noon, with a new topic each month designed to raise awareness among industry professionals about the tools and resources available to help more individuals achieve their homeownership dream.

**AFFORDABLE HOUSING
WEBINARS ARE HELD ON THE
3RD FRIDAY OF EACH MONTH!**

HUD OFFICE OF HOUSING COUNSELING

Did you know that HUD has an Office of Housing Counseling? This incredible team works tirelessly to provide resources and support to HUD certified nonprofit housing counselors across the country. Studies have shown that borrowers who work with housing counselors prior to purchasing their home are more likely to have a successful experience.

From a lender's perspective, borrowers who go through housing counseling have already worked on their credit issues, been connected with any down payment assistance or other resources they may be eligible to receive, saved money, and done a budget to know exactly how much they can afford. They've gathered their documentation and their loans are much easier and less expensive to originate.

From the homebuyer's perspective, Nonprofit housing counselors provide the support they need to make informed decisions and succeed in homeownership. With a homeownership counselor on their side, they can:

- Learn what common mistakes to avoid in the homebuying process
- Save money by learning about special mortgage programs, grants, and down payment assistance
- Learn about the other professionals you'll need to engage in the purchase process
- Get a realistic idea about the true costs of owning a home
- Learn strategies for saving money for closing, and to pay for any needed home improvements
- Find out how to address credit problems and strengthen their credit score
- Make better, more informed decisions

The Dodd-Frank Act created a Housing Counseling Federal Advisory Committee to provide industry input into supporting the efforts of the HUD Office of Housing Counseling. NYMBA Secretary Sherri Eckles, was recently sworn into that Advisory Committee and is thrilled to share input from the NYMBA on how to support the important work of housing counselors in her new role!

To find a HUD certified housing counselor in your area, click the link below:

Find a Housing Counselor: <https://www.consumerfinance.gov/find-a-housing-counselor/>

2023 ADVOCACY CONFERENCE HIGHLIGHTS & LOBBY DAY RECAP

New York MBA's 2023 Advocacy Conference kicked off May 8th with a networking lunch at the Renaissance in Albany and welcoming remarks from Executive Director Christina Wiley and NYMBA President Jodi Gaines. A great time was had by all at the Conference's Legislative Networking Reception with NYS Legislators at the Fort Orange Club.

Advocacy is one of the pillars of New York MBA and was the number one priority and function when establishing the association for the benefit of all mortgage companies doing business in New York State.

There have been many legislative victories over the past 9 years and unfortunately a few losses. But even with a loss, NYMBA has been at the table, brought forward industry concerns and priorities, and there's evidence that our message has been heard.

This year NYMBA welcomed guest speaker **Assemblymember Pamela Hunter, Chair of the Assembly Banks Committee**, who shared current priorities of the Legislature, Bills in the Banks Committee and specific challenges her constituents face in Central New York.

BELIEVE IT OR NOT! More than 50 bills related to mortgage lending and servicing were proposed this year, and monitored by NYMBA's legislative and loan servicing committees. Key bills our attendees addressed in visits with lawmakers during this year's Advocacy Conference and Lobby Day can be found on the following page. We appreciate the time and talent of our committee members led by dedicated chairs Joe Wiley, Sherri Eckles, Chip Nolan and Adela Martinez. Thank you!

Conference attendees also learned of the impacts of the *Foreclosure Abuse Prevention Act (FAPA)* that was enacted at the beginning of the year. NYMBA is collecting real-time data on court decisions and details where FAPA has been raised. It is important to note one of the key issues of the Act is its retroactive application where previous foreclosure actions were deaccelerated by the lender. NYMBA purports that retroactivity is unconstitutional and urges lenders' and servicers' counsel to raise this in current cases so the unconstitutionality of FAPA can be addressed beginning in the lower courts.

NYMBA supports initiatives that provides more homeownership opportunities and increases housing stock in the state. We are engaging with legislators to sponsor bills that focus on these priorities:

- Property Tax Credit to benefit first time homebuyers by reducing cash required at closing needed to fund a tax escrow account
- Workforce development to increase skilled labor; construct new homes to address the shortage of affordable housing units for low and moderate income households; create new career opportunities that keep New York residents in New York; and to increase pathways to financial security.
- NYMBA promotes financial literacy for students to set them up for success and improve their economic future. Learning concepts like budgeting, establishing credit, the role of credit scores, housing payments and related expenses, loans and interest rates will benefit all students

During the conference, former NYMBA Presidents Mike Decker and Jim Bopp emphasized the critical role of Regional and Local MBAs in statewide Advocacy efforts. Important NYS legislative committee members and Chairs are from Rochester, Syracuse, and Buffalo. Regional and Local MBA members are urged to meet with their representatives in-district and establish local relationships. By doing this you make yourself a resource to lawmakers whenever they are faced with legislative or regulatory issues that they need to understand. If you are not familiar with an issue, NYMBA can provide the support you need to answer specific questions.

Additional ways to engage with representatives in district:

- Have state elected officials attend your MBA Events/Dinner Meetings as a guest speaker
- Invite them to visit your corporate office to see your company, your employees, and the good work you are doing to put people in homes

NEW YORK MORTGAGE BANKERS POLITICAL ACTION COMMITTEE (PAC)

As Mike and Jim noted, developing and maintaining relationships with key members of the legislature, both at home and in Albany is crucial in raising awareness of NYMBA and the vast number of jobs that our members employ throughout the state. Fundraising events are prime opportunities to meet and greet legislators and are key in the road to nurturing relationships. A well-funded PAC enables NYMBA to attend these events, have a seat at the table to provide subject matter expertise to lawmakers.



SCANTO
DONATE TO THE
PAC

MORTGAGE ACTION ALLIANCE (MAA)

The Mortgage Action Alliance (MAA) is the Mortgage Bankers Association's free grassroots advocacy network that allows real estate finance professionals to lend their voice to key issues impacting our industry. NYMBA utilizes MAA for statewide Call To Action campaigns when critical legislation and regulations are introduced. We need everyone to get involved to maintain a strong unified voice. Nationwide, only 20% of our industry is represented by MAA membership, and in New York, the percentage is alarmingly lower. If you are not yet a member, or would like to renew your membership, please **text "MAA" to 50457** to receive a link to sign-up.

We need your support to maintain MAA as a powerful resource for our industry, for the customers and communities we serve! We urge you to JOIN TODAY!

2023 ADVOCACY CONFERENCE HIGHLIGHTS & LOBBY DAY RECAP

LEGISLATION NYMBA SUPPORTS

<u>BILL NO.</u>	<u>SUMMARY OF THE BILLS</u>
A.1703/S.101	<ul style="list-style-type: none"> New York Land-Home Property Act"; Provides the much needed, long sought after mechanism to convert title for Manufactured Homes from Chattel to Real Property.
A1489	<ul style="list-style-type: none"> Relates to setting a maximum delinquent tax interest rate for payments due on owner occupied residential real property containing three or fewer dwelling units of seven and one half percent per annum.
A.5607	<ul style="list-style-type: none"> Provides for the distribution of surplus proceeds from a tax foreclosure sale; requires notice to a former property owner of the existence of a surplus.
A.5073	<ul style="list-style-type: none"> Prohibits mortgagees from requiring mortgagors of certain real property to purchase flood insurance exceeding a coverage amount that exceeds the outstanding mortgage thereon, or that includes coverage for contents.

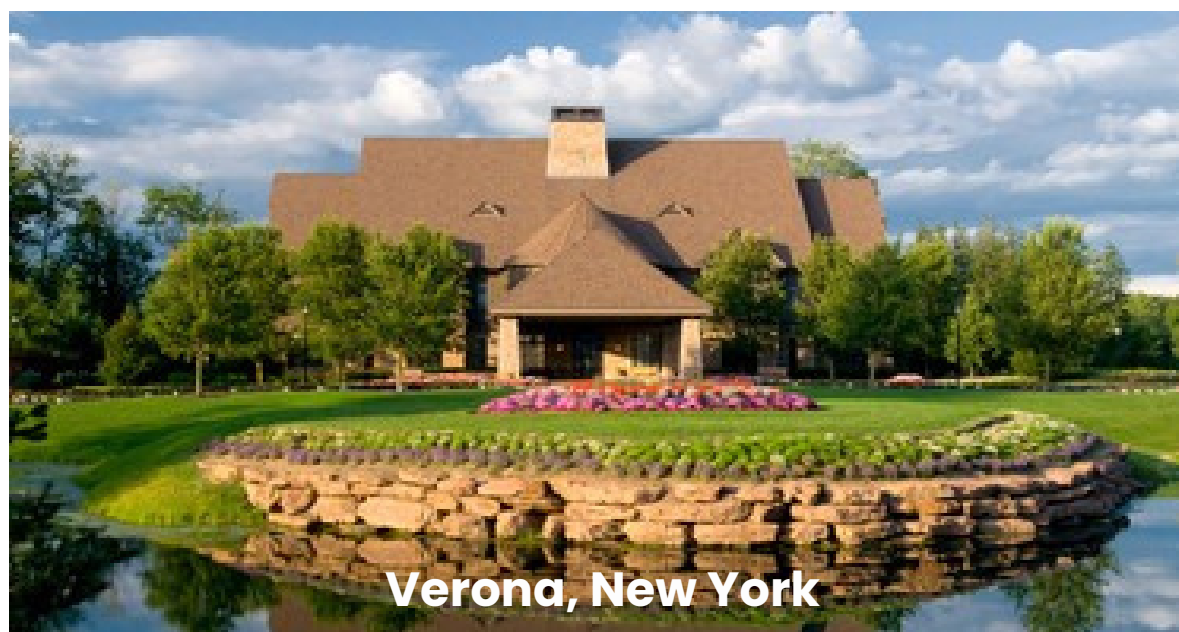
LEGISLATION NYMBA OPPOSES

<u>BILL NO.</u>	<u>SUMMARY OF THE BILLS</u>
A.2131A/ S.564A	<ul style="list-style-type: none"> Requires compliance with Part 419 and future mortgage servicing rules as a condition to commence foreclosure action and allows mortgagors to use non-compliance as a defense and to recover damages and reasonable attorney fees/costs. Also referred to as Private Right of Action.
A.4026/S.1634	<ul style="list-style-type: none"> Relates to penalties for failure to comply with maintenance and reporting of vacant and abandoned properties, and reporting and release of information; provides for the sharing of information between municipalities; provides for enforcement for failure to report on abandoned and vacant properties.
A.5841/S.5829	<ul style="list-style-type: none"> Relates to the language which must be included in mortgage foreclosure notices; requires lenders, assignees, and mortgage loan servicers to evidence strict compliance with such notice requirements (RPAPL § 1304). Also referred to as the "Anti-Kessler" bill.
A.2553/S.5838	<ul style="list-style-type: none"> Requires state-regulated entities to offer "automatic" forbearance upon oral or written affirmation of hardship from a borrower as a result of COVID-19. Applies to mortgages 60+ days delinquent after March 7, 2020. Forbearance may be up to but may not exceed 360 days. No negative credit reporting, fees, or penalties. Defers to NYSDFS.
A.1153A/S.1144A	<ul style="list-style-type: none"> Prohibits mortgage lenders from conducting business with any individual or entity which it knows or should have known is acting as a mortgage banker or a mortgage broker without being licensed or registered.
S.5121	<ul style="list-style-type: none"> Prohibits mortgagee from recovering foreclosure attorney fees/costs
A.1136	<ul style="list-style-type: none"> Relates to the rights of parties involved in foreclosure actions; allows the mortgagee, or mortgagor and borrower to recover attorney fees; makes conforming technical changes.
A.407/S.318	<ul style="list-style-type: none"> Requires the recording of mezzanine debt and preferred equity investments and includes mezzanine debt in the mortgage recording tax
A.4454/S.305	<ul style="list-style-type: none"> Prohibits eviction without good cause, a/k/a "Good Cause Eviction"

NYMBA ANNUAL CONVENTION & GOLF TOURNAMENT

OCTOBER 4 – 6, 2023 | VERONA, NEW YORK

Turning Stone[®]
RESORT | CASINO



Verona, New York

BUILDING BRIDGES

Shaping the Future of Mortgage Banking in New York

Welcome to the "Building Bridges: Shaping the Future of Mortgage Banking" convention, a premier event that brings together industry leaders, professionals, and innovators in the mortgage banking sector. This convention serves as a platform to foster collaboration, share knowledge, and explore emerging trends, ultimately shaping the future of the mortgage banking industry in New York and beyond.

SHENENDOAH COURSE



NYMBA 2nd Annual Golf Tournament

Wednesday, October 4, 2023

Player Registration	11:30 AM
Lunch	12:00 PM
Shotgun Start	1:00 PM

EVENT DISCOUNTS

- Registration Fee for NYMBA Members
- NEW! Future Leader Convention Registration
- Special Overnight Room Rates until 9/3
- Sponsorship/Registration Options

THIS YEAR'S CHARITY GOLF TOURNAMENT WILL BENEFIT HABITAT FOR HUMANITY & NYMBA PAC

CONVENTION & GOLF REGISTRATION IS OPEN!

EARLY BIRD SPECIAL!

SAVE \$100 when registered by August 7, 2023



scan to register

CONVENTION REGISTRATION

REGISTER BEFORE 8/7/2023

NYMBA Members	\$395
Future Members	\$595
Future Leaders*	\$195

REGISTRATIONS RECEIVED AFTER 8/7/2023

NYMBA Members	\$495
Future Members	\$695
MBA Board Members**	\$395

*Future Leaders will have a minimum of 3 years mortgage experience and demonstrated a commitment to a career in real estate finance through professional excellence and achievement. *NOTE: A full priced attendee from the same company is required for each future leader registration*

**Officers & Directors of New York state & local member associations receive discounted rates at time of registration.

HOTEL ACCOMMODATIONS

Special Hotel Convention Room Rate \$175/night (Tower) or \$145/night (Casino). Complimentary on-site parking.

Hotel room block guaranteed until Sept 3, 2023

GOLF REGISTRATIONS

\$175 per golfer or \$700 for a foursome (Includes green fees, cart, lunch, networking reception, prizes & much more!)

Golf prizes will be awarded for men's and women's closest to the pin; men's and women's longest drive; and winning team. All golf sponsors are invited to include a give away item in each golf bag.

EXHIBITORS

NYMBA Member	\$ 750	Includes 1 Convention Registration
Non-Member	\$1,000	Includes 2 Exhibitor badges

Exhibitors will be located in the same room as the main stage with 6' draped tables. Space is limited so register early!

ANNUAL CONVENTION

SPONSORSHIP OPPORTUNITIES FOR NYMBA ANNUAL CONVENTION & GOLF TOURNAMENT

CONVENTION SPONSORSHIP BENEFITS	PLATINUM \$3,500 (4 available)	GOLD \$2,500 (2 available)	SILVER \$1,500
# of Complimentary Convention Registrations	four	two	one
Logo on Signage Throughout Convention	Y	Y	Y
Logo on Sponsor PowerPoint	Y	Y	Y
Convention Exhibit Space (\$750 value)	Y	Y	
Gold Sponsorship at 2024 Advocacy Conference (\$200 value)	Y	Y	
# of Complimentary Registrations at 2024 Advocacy Conference	two	one	one
Year-round Logo on Website (\$1000 value)	Y	Y	
Year-round Logo on NYMBA Emails & Alerts	Y	Y	
Convention Session Sponsorship & Speaker Introduction	Y	Y	
Recognition in Convention Marketing Materials	Y	Y	
Ad in Convention Program (Digital)	Y	Y	
Golf & Sponsorship	Y	Y	
Includes Team of 4 & lunch (\$700 value)	Y	Y	
Includes Hole Sponsorship (\$150 value)	Y	Y	

2023 GOLF SPONSORSHIPS AVAILABLE

- Lunch Sponsor** **\$750** Signage displayed during lunch for all golfers (2 available)
- Beverage Cart Sponsor** **\$500** Signage on the beverage cart on course (2 available)
- Putting for Charity** **\$400** Signage displayed at putting green
- 50/50 Raffle Sponsor** **\$200** Signage displayed at event
- Longest Drive (M/W)** **\$200** 2 available - Men's & Women's Signage at tee
- Closest to Pin (M/W)** **\$200** 2 available - Men's & Women's Signage at green
- Tee Sponsor** **\$150** Sign with company logo

THIS YEAR'S CHARITY GOLF TOURNAMENT WILL BENEFIT
HABITAT FOR HUMANITY & NYMBA PAC

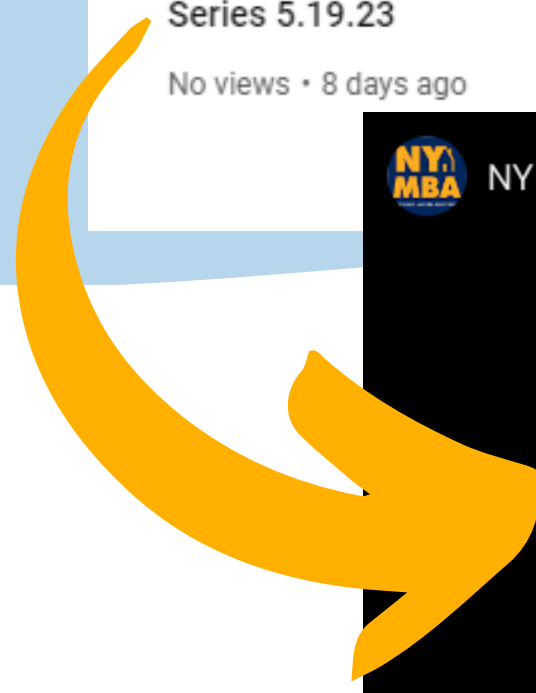
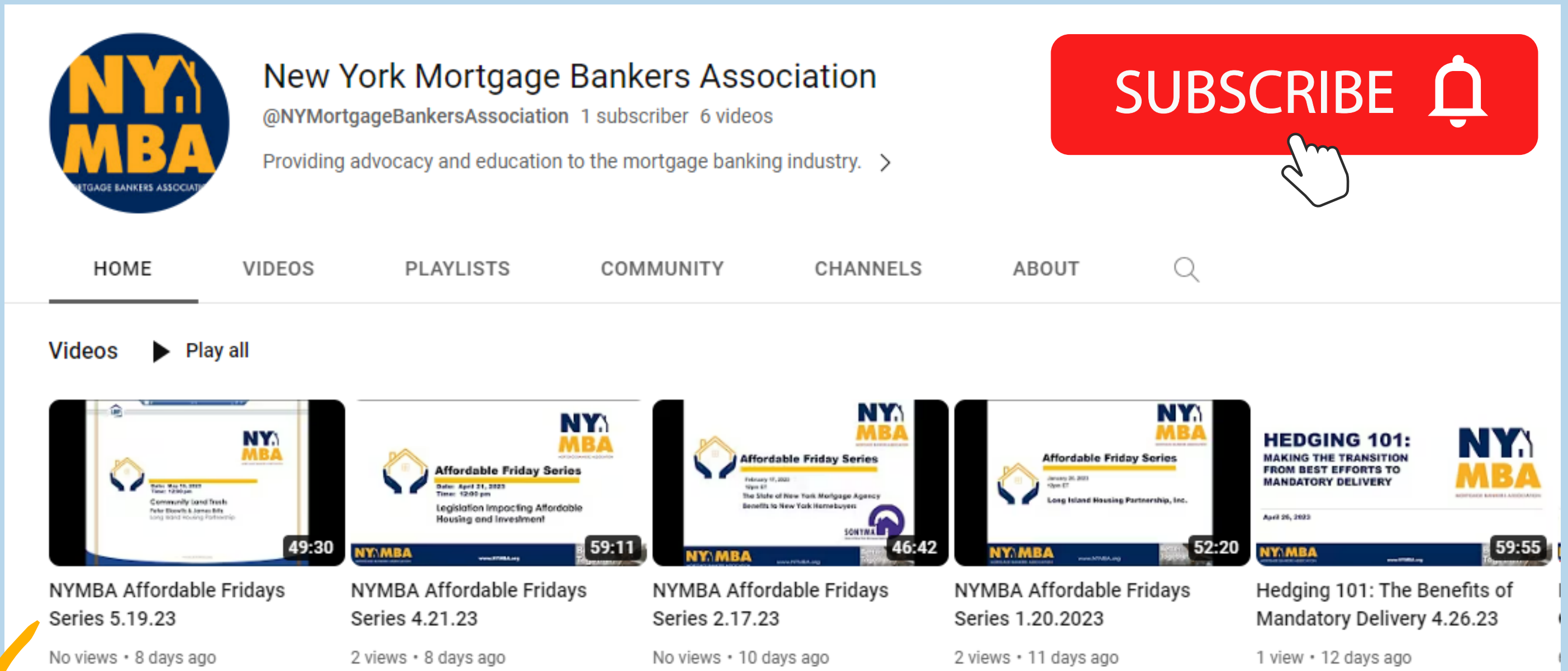
***Tee Bag donations are welcome! Please contact
Christina Wiley to arrange pick-up/delivery of your
company swag by September 30***

ANNUAL CONVENTION



We have a YouTube Channel!!

Follow us @NYMortgageBankersAssociation – we'll post webinars and much more!



Scan to connect



Do you follow us on LinkedIn?



SCAN WITH YOUR PHONE



STRENGTHENING RELATIONSHIPS BY BUILDING BRIDGES

Support the NYMBA Political Action Committee (PAC) which focuses on getting “a seat at the table” by attending events sponsored by legislators. New York is a state with robust legislative initiatives and PAC funds are an important component to accessing lawmakers and staying relevant in Albany.

CLICK DONATE TO THE PAC



SCAN TO DONATE TO THE PAC



**4 NEW MEMBERS JOINED
IN 2Q2023 – WELCOME!**
(DESIGNATED REPRESENTATIVE)

Compliability Solutions
(Michael Waldron)

Fay Servicing
(Mike Aiken)

Hladik, Onorato & Federman, LLP
(Stephen M. Hladik)

NeighborWorks Community
Partners
(Kelley Swann)

Additional Membership Applications in Process



Sherri Eckles SVP & Market Manager of Norcom Mortgage was sworn in as a member of the HUD's Housing Counselling Federal Advisory Committee in June.

Sherri is dedicated to helping homebuyers make educated financial decisions, and has made significant efforts throughout her career to increase minority homeownership and increase access to financial literacy education - Congratulations Sherri!!!

To read more about HUD's Housing Counselling Federal Advisory Committee see page 4!

NEW - Membership Benefits

We will be launching a Members-Only section on our website to host discount codes from vendors, a job postings board, the latest MBA news and other exciting content!

Earthvisionz is our first member to offer a special promotion for one of their products. Stay tuned for the email announcement with details coming to your inbox SOON!

If your company is interested in providing a benefit or discount to our members, please contact Sherri Eckles (518-852-9191).

**CALLING ALL MEMBERS
CONTRIBUTE TO THE
QUARTERLY NEWSLETTER!**

The Newsletter is the Voice of our Members and is ultimately Member driven. We need your help in submitting content (based on the themes above and industry hot topics). We also welcome your feedback on what you, our valued members want to see! Please reach out to Co-Chairs Natalie or Candice with content and ideas!

- Q3 – Membership Renewal & Annual Convention (submission deadline 10/6, publication date Mid-October)
- Q4 – Year In Review (submission deadline 12/31, publication date Mid-January)

Natalie Grigg - ngrigg@woodsdefaultservices.com
Candice Miller - cmiller@dglawny.com



NEW YORK MORTGAGE BANKERS ASSOCIATION
STATEWIDE

**habitat
build day**

September 29-30

**ACROSS NEW YORK STATE
VOLUNTEER & SPONSORSHIP
OPPORTUNITIES AVAILABLE!**

www.habitatnys.org/NYMBA

**Be part of the change
in New York!**

MEMBER SURVEY!

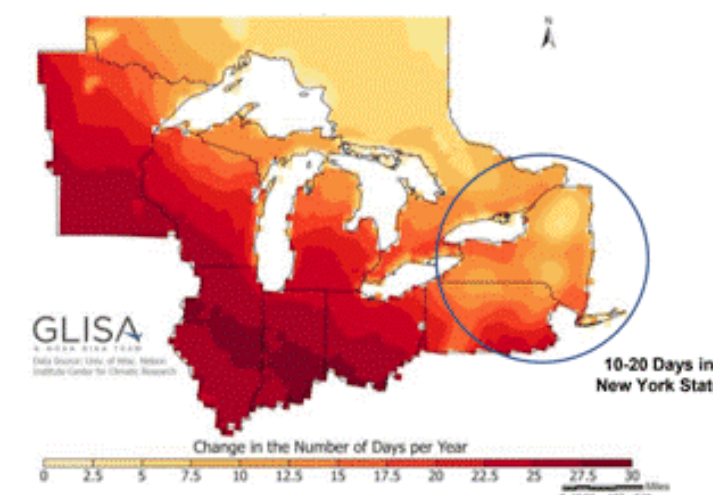
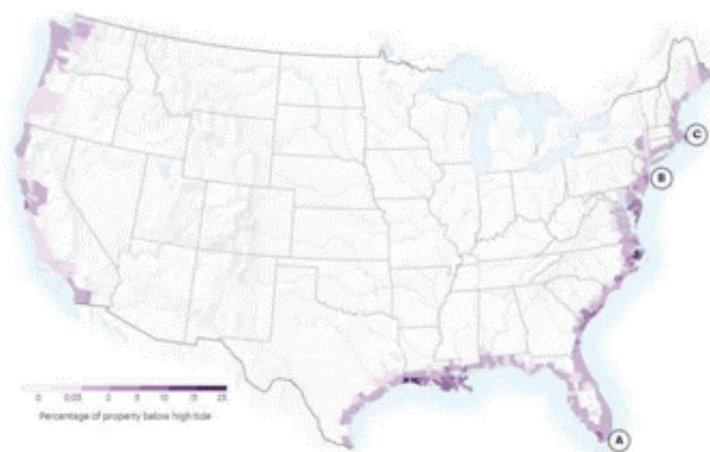
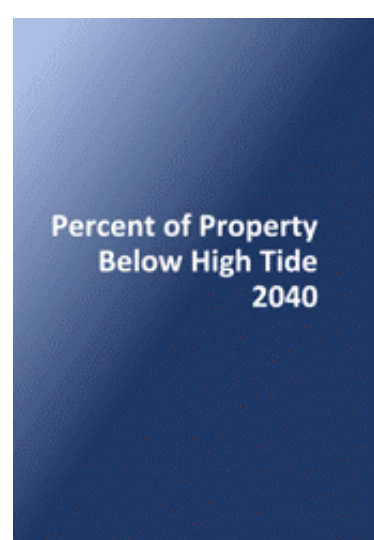
The Membership Committee continues to look for ways to add value to your MBA membership. Please complete this [company survey](#), if you haven't done so already. The information will be used to create a profile sheet for NYMBA to use when meeting with legislators for advocacy, and to direct our efforts where you most want them to be. We welcome your feedback!

IMPACTS FROM CLIMATE CHANGE TO REAL ESTATE WEBINAR RECAP



Visit the NYMBA [YouTube Channel](#) to view the full webinar [@NYMortgageBankersAssociation](#)

NYMBA hosted a webinar on 6/14 in partnership with **MSI** and **Earthvisionz**. The webinar centered around the Real Estate industry's renewed focus on understanding how changes in the climate are affecting real estate trends across the industry. Speakers included NYMBA President Jodi Gaines, CEO of MSI Baker Breedlove, and Earthvisionz CEO Carla Johnson, as they discussed how severe weather threats impact insurance, finance, and real estate across the nation. The webinar was very well attended. Here is a highlight for those not able to attend.



As seen above, roughly 10% of coastline property is going to be below high tide by 2040, and by 2050, New York is going to see a significant increase in the number of days over 90 degrees. There are many other impacts from increasing severe weather that lending institutions and real estate managers need to stay informed about. Vendors and servicers also need to be top of mind as to what events are damaging properties in real time, as well as trends regarding major CAT's like hurricanes and coastal flooding.

"New mapping and real time visualization technologies are enhancing operational processes including automated alerts that trigger inspections and property preservation. These tools are helping finance companies and real estate managers prepare for, respond to and recover from severe weather events. Mitigating losses and ensuring business resilience in disaster stricken areas is the mission of innovative investors. We need to all be armed with critical information to support the decision making process," said Carla Johnson, CEO of Earthvisionz and a renowned environmental engineer and hydrologist.

"Climate change could fundamentally change how and where we choose to live. As a company deeply involved in property management and mortgage services, we are at the forefront of mitigating these challenges. The onus is on us to use cutting-edge technology and up-to-date risk assessments to protect our investments and the communities we serve," said Baker Breedlove, President and CEO of MSI.

If you would like a personalized Q&A session with either Earthvisionz or MSI, please see the contact information below. NYMBA is working to form a task force to keep members up to date on issues of climate change and severe weather loss mitigation. Stay tuned!

BAKER BREEDLOVE



CEO - MSI
baker.breedlove@msionline.com

CARLA JOHNSON



CEO - EARTHVISIONZ
carla@earthvisionz.com

JODI GAINES



NYMBA President 2022-2023
Jodi.Gaines@lonesolutions.com

A CLASS ACTION AGAINST KINGS COUNTY JUDGES

The Foreclosure Settlement Conference Part was created by the New York Legislature through the enactment of Section 3408 of the Civil Practice Law and Rules (“CPLR”) in 2008. The purpose of the statute was to “provide assistance to homeowners at risk of losing their homes by providing additional protections and foreclosure prevention opportunities.” Section 3408(b) states that if any defendant appears at the initial settlement conference without counsel, the defendant will be deemed to have made a motion to proceed as a poor person, and the court shall determine if it should appoint free counsel to the defendant. If counsel is appointed, the conference must be adjourned so that the newly-appointed counsel for defendant may appear.

Two such defendants recently filed a Verified Class Petition and Memorandum of Law with the Second Judicial Department of the Appellate Division alleging that two Kings County judges, Justices Lawrence Knipel and Cenceria Edwards, and the Office of Court Administration have failed to implement the protections that are afforded to homeowners pursuant to CPLR 3408. Justice Knipel is named as a defendant in the action because he is the Administrative Judge for all civil matters filed in Supreme Court, Kings County, and he presides over a portion of the residential foreclosure matters. Justice Edwards is named as a defendant because she also presides over a large portion of residential foreclosure cases, including the cases of the class action plaintiffs.

Within the petition, the petitioners allege that the courts throughout New York State, and specifically in Kings County, have ignored the process set forth within CPLR 3408(b), by failing to deem unrepresented homeowners as having made a “poor person motion,” and by failing to determine whether the Court should appoint counsel. The petitioners also allege that the defendants violated Section 3408(e) of the CPLR by failing to send a notice to all parties advising them of the time and place of the settlement conference, the purpose of the conference, and the requirements of CPLR 3408.

The process of determining if a defendant is entitled to “poor person” status is governed by CPLR 1101, which states that the moving party must provide the amount and sources of his or her income and a listing of his or her property with its associated value. The moving defendant must also state that he or she is unable to pay the costs, fees and expenses necessary to prosecute or defend the action.

As their proposed relief, the class action petitioners request that the Court: (i) direct Judges Knipel and Edwards to “re-conduct” the initial settlement conferences for all class members and determine whether each qualifies for poor person status and appointed counsel, (ii) direct Judges Knipel and Edwards to comply with CPLR 3408(b) in all future matters, (iii) directing the Office of Court Administration to comply CPLR 3408(e) going forward, and (iv) awarding attorneys’ fees and costs to the class action petitioners.

If this class action is successful, it will lead to significant delays in the settlement conference process and overall timeline. If a defendant appears without an attorney at the initial conference, the Court Referee will have to refer the matter to a judge or conduct an evaluation to determine if the defendant qualifies as a poor person pursuant to CPLR 1101. If such determination is made, the initial conference will automatically be adjourned to a later date. This will result in lengthened timelines and increased costs for the foreclosure plaintiff. As with every matter in New York which affects our clients, we remain available to assist at any time.



PROVIDED BY:
BRIAN GOLDBERG
SUPERVISING ATTORNEY
GROSS POLOWY, LLC

The 2023 Legislative Session may be remembered as much for what did not happen as for what did. In November 2022, Democratic Governor Kathy Hochul was elected for the first time in her own right, having taken office initially due to the resignation of the previous governor. After the 2022 elections, the Legislature remained firmly in Democratic control, with supermajorities in both chambers.

Early in the 2023 Session, however, the relationship between the Governor and the Legislature frayed, most notably with the Senate rejecting the Governor's pick for Chief Judge of the New York Court of Appeals, the state's highest court. Further, after many years of "on-time" budgets that were passed on or about the state's budget deadline of April 1, the Legislature and Governor could not come to an agreement on the Fiscal Year 2024 budget until early May, five weeks past the Constitutional requirement. The budget did contain some notable provisions, including an increase to the minimum wage and the eventual end to the installation of fossil fuel-burning equipment in most new construction.

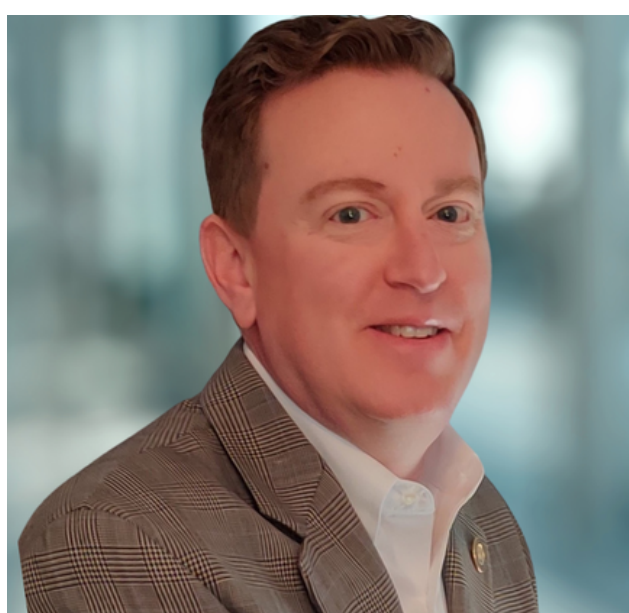
Overall, 896 bills passed both houses and will be delivered to the governor sometime before the end of 2023. Over 600 of these bills were passed in the last month of the session in June after the budget had been finalized. The most notable bill to be delivered to and considered by the governor this year was the "Clean Slate Act" which would automatically seal most felony convictions eight years after incarceration is completed, with a three-year period for misdemeanors. The Legislature, however, could not agree on legislation to address New York's severe affordable housing shortage, permit the Seneca Nation to open a new casino in the Rochester area, nor allow NYC to lower its speed limit to prevent traffic fatalities.

The Legislative Committee of the NYMBA has been tracking over 60 bills since January of this year and some did pass the legislature. Senate bill 6577 was passed in June to protect victims of real property theft. Also, a bill (A1153A) was passed to tighten penalties for unlicensed or unregistered mortgage brokers and bankers.

Two bills were enacted which had the support of NYMBA: a bill to ensure that veterans receive counseling services when applying for a loan under the "Servicemen's Readjustment Act of 1944", and a bill to modify the procedures a locality may use to seize title to an abandoned commercial or industrial property.

Sadly, NYMBA did not see its top legislative priority passed this year: the "New York Land-Home Property Act", a bill which will create a process for converting manufactured housing to real property. NYMBA will be pushing very hard for this bill to become law in 2024.

State legislators will be in their districts for the remainder of 2023. As they are not up for re-election until 2024, we encourage you to meet with your local legislators in the fall in their district offices to discuss our priorities and the important role you play in your communities. We hope that you will get involved in our legislative and political efforts in 2024 and continue to advance the interests of and knowledge about our industry.



PROVIDED BY:

JOSEPH WILEY

CEO, NEXTSTEP FEDERAL CREDIT UNION

LEGISLATIVE COMMITTEE CO-CHAIR

ON BEHALF OF THE ASSOCIATION

Thank you for your continued support!

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