

Session 120 - (2013-2014)

H 4534 General Bill, By Stavrinakis, McCoy, Sottile and Merrill

Summary: Cause of action for foreclosure

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 29-3-635 SO AS TO PROVIDE NO CAUSE OF ACTION FOR FORECLOSURE OF A REAL ESTATE MORTGAGE MAY BE COMMENCED IF THE ALLEGED DEFAULT WAS BASED SOLELY ON A FAILURE TO PURCHASE OR MAINTAIN FLOOD INSURANCE COVERING THE MORTGAGED PROPERTY; TO PROVIDE NO CAUSE OF ACTION EXISTS FOR FORECLOSING A REAL ESTATE MORTGAGE WHEN THE ALLEGED DEFAULT WAS BASED SOLELY ON A FAILURE TO PURCHASE OR MAINTAIN FLOOD INSURANCE COVERING THE MORTGAGED PROPERTY; TO PROVIDE REMAINING PROVISIONS IN A MORTGAGE REMAIN IN FULL FORCE AND EFFECT DESPITE A FAILURE TO PURCHASE OR MAINTAIN FLOOD INSURANCE COVERING THE MORTGAGED PROPERTY; AND TO PROVIDE COMPLIANCE WITH THESE PROVISIONS DOES NOT CONSTITUTE A WAIVER OF ANY OTHER RIGHTS OR TERMS OF A MORTGAGE AND DOES NOT ESTOP A MORTGAGOR OR MORTGAGEE FROM ASSERTING THOSE OTHER RIGHTS.

01/22/14 House Introduced and read first time (House Journal-page 12)

01/22/14 House Referred to Committee on Judiciary (House Journal-page 12)