Foreclosure Registration Requirements

Effective October 1, 2011

PA 11-201 (§§ 13-15) makes changes in several laws affecting banking and housing, including foreclosure. Among other things, the act requires anyone who commences a foreclosure action concerning a subject property to register the property with the town clerk in the municipality where the property is located. They must pay a land record filing fee and the municipality must maintain the registration separate from the land records.

The act requires anyone taking title to a subject property after foreclosure to register with the town clerk within 15 days of absolute title vesting in the person. It eliminates the option of registering with the Mortgage Electronic Registration Systems (MERS). If the registering owner was also the plaintiff in the foreclosure action, the person must update its prior registration rather than registering anew.

Prior law required those who register with a municipality, but not with MERS, to pay a \$100 fee to the municipality. The act instead requires all registrants (including foreclosure plaintiffs updating their prior registration) to pay to the municipality a land record filing fee.

The act permits a municipality to issue a notice for violations of state laws or municipal ordinances on property repair or maintenance only for registrations after title has vested following foreclosure (including updated registrations by those previously registered as plaintiffs). It also makes other changes regarding these notices.

Note: This is an excerpt from the July 13, 2011, *OLR Research Report for Town Clerks*, 2011-R-0243. CGS Section 7-148ii

,	Town Clerk Guidelines for
	Connecticut General Statutes Section 7-34a, Section 7-148ii, Public Act 11-201. Effective October 1, 2011
FORM 1	Registration of Residential Property Being Foreclosed <u>or</u> Filing to Report Changes
FORM 2	Registration of Property Acquired through Foreclosure <u>or</u> Updated Registration for Property Acquired Through Foreclosure <u>or</u> Filing to Report Changes

- 1. Do not record any registration form on the land records.
- 2. Filing fee is \$53.00 per registration or updated registration. See CGS §7-34a.
 - a. No fee is required for a change in information made to a registration or an updated registration.
 - b. Fees are payable to the town of registration.
 - i. The fee is collected for filing the initial registration of FORM 1<u>or</u> FORM 2 <u>or</u> for an updated registration of FORM 2. Forms are available on the CTCA web site.
 - c. Make monthly surcharge payments to the State Treasurer and the State Library on the same forms used for Land Record surcharge payments. Forms are available on the CTCA web site.
- 3. **File the registration form** in a loose-leaf binder, folder, or other secure filing system that is easily and readily available to the public, title searchers, attorneys, and other Town staff.
 - a. Enter data in Foreclosure Registration Log by order of "date received." Enter property location next to the date received. Use separate columns for the street name and street number to help with sorting by street name. File the registrations by the date received. Make the Log available to searchers in order to save time and to preserve the integrity of the records. (The Log is a suggestion and not required.)

FORM 1

Registration FORM 1 is filed by a Plaintiff who commences an action to foreclose a mortgage in a Notice of lis pendens. (\$53.00 fee)

- The Notice of lis pendens is recorded on the land records, as in the past; and, (NEW) at the SAME time, the Plaintiff shall file a registration form with the Town Clerk entitled "Notice to Municipality: Registration of Residential Property Being Foreclosed."
- Initial registration is to be completed and filed by the Plaintiff at the time and place of the recording of the *Notice of lis pendens* on the land records.
- In a *Notice of lis pendens*, the Plaintiff gives notice of pending foreclosure against the property owner known as the Defendant. The Plaintiff (name is at the top) vs. the Defendant (name is below).
- Return the *Notice of lis pendens* as indicated on the document.
- Keep the registration form.
- A \$53.00 fee is collected for a registration or an updated registration filing.

Or

Registration FORM 1 is filed when there is a change to the information in FORM 1. (No fee)

- Change in information is to be filed not later than 30 days following the change(s).
- No fee is collected for filing a change in information.

FORM 2

Registration FORM 2 is filed by the person who becomes vested in a property through a foreclosure action. (\$53.00 fee)

- FORM 2 may be filed without a concurrent recording in the land records.
- Registration or updated registration is to be filed not later than 15 days after absolute title vests in such person.
- FORM 2 "registration" is filed by either (a) someone who was not the Plaintiff in the foreclosure action, or (b) a Plaintiff who commenced foreclosure action before October 1, 2011 (before FORM 1 was required).
- FORM 2 "updated registration" is filed by a Plaintiff who filed FORM 1 on or after October 1, 2011.
- A \$53.00 fee is collected for a registration or an updated registration filing.

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Registration FORM 2 is filed when there is a change to the information in FORM 2. (No fee)

- FORM 2 may be filed without a concurrent recording in the land records.
- Change in information is to be filed not later than 30 days following the change(s).
- No fee is collected for filing a change in information.

FORM 1 To be filed by the Plaintiff who commences an action to foreclose a mortgage on residential property.

NOTICE TO MUNICIPALITY: REGISTRATION OF PROPERTY BEING FORECLOSED

\$53.00 Registration Fee Is Payable to the Town of Registration.

Connecticut General Statutes Section 7-34a, Section 7-148ii, Public Act 11-201 - Effective October 1, 2011

you are the Plaintiff commencing	g an action to foreclose	a mortgage on residentia	to the left and use this registration form if al property. The form shall be mailed or cated at the time and place of recording the
mark in the box to the left and uprovided in your capacity as the P	use this form if you are a laintiff commencing an ad information no later than	reporting changes to the rection to foreclose a mortga 30 days following the da	stration form. (No Fee) Place a check egistration information that you previously ge on residential property. You must report te of the change in information. The form g foreclosed is located.
NUMB	ER STREET		UNIT
SECTION 1 The Plaintiff in the I	Foreclosure Action		
1a. Name of Plaintiff Entity or Individual(s)			
1b. Address of Plaintiff			
(if out of state, complete section 2)	No. STREET	CITY	STATE ZIP
1c. Telephone Number of Plaintiff	(AREA CODE)		
1d. E-mail Address of Plaintiff			
1e. Contact me by:	First Class Mail	Electronic mail	
1f. My preferred address(es):			0.11
	out-oi-state, Direct Cont	tact in Connecticut, if Av	allable
2a. Name of Direct Contact in Connecticut (if Plaintiff is out of state)			
2b. Address of Direct Contact in			
Connecticut	No. STREET	CITY	STATE ZIP
2c. Telephone Number of Direct	()		
Contact	(AREA CODE)		
2d. E-mail Address of Direct Contact			
SECTION 3 Municipality for Any	rty Maintenance Comp Matters Concerning th	-	ving as the Plaintiff's Contact with the
3a. Name of Person, Local Property Maintenance Company, or Other Entity			
3b. Address of Person, Company, or			
Entity	No. STREET	CITY	STATE ZIP
3c. Telephone Number of Person, Company, or Entity			_
3d. E-mail Address of Person,	(AREA CODE)		
Company, or Entity			

FORM 2 To be filed by a person in whom title to a residential property becomes vested through a foreclosure action.

NOTICE TO MUNICIPALITY: REGISTRATION OF PROPERTY ACQUIRED THROUGH FORECLOSURE OR

NOTICE TO MUNICIPALITY: UPDATED REGISTRATION FOR PROPERTY ACQUIRED THROUGH FORECLOSURE

\$53.00 Registration Fee Is Payable to the Town of Registration.

Connecticut General Statutes Section 7-34a, Section 7-148ii, Public Act 11-201 - Effective October 1, 2011

The left and use this registration form if you foreclosure action, or (b) you were the pleasure of the left and use this registration form if you foreclosure action was commenced before foreclosed property is located. The form in the UPDATED REGISTRATION FOR mark in the box to the left and use this foreclosure action. This form will update mailed or delivered to the Town Clerk of after absolute title vests in you as the new of the state of the town information information that you previous changes in your registration information in delivered to the Town Clerk of the town in	ou acquired the saintiff in the form of you accept the registration the town in which owner. The provided in the saintiff in the form of you accept the registration the town in which owner. The provided in the saintiff in the formatter in the saintiff in the sai	residential property oreclosure action at 1. The form shall no later than 15 d Y ACQUIRED quired the resident (FORM 1) that the foreclosed purchased that is the your capacity as the days following the resident of the foreclosed purchased purchased part of the foreclosed purchased part of the foreclosed purchased purchased purchased purchased part of the foreclosure of the	y through foreclosure and eith and an initial registration (FOI) be mailed or delivered to the ays after absolute title vests in THROUGH FORECLOS tial property through foreclos you originally filed as the for property is located. The form is box to the left and use this for the owner of foreclosed reside the date of the change in infor	er (a) you were not the p RM 1) has not been filed. Town Clerk of the town you as the new owner. SURE (\$53.00 Fee). Pure and you were the player are losing plaintiff. The famust be received no later form if you are reporting cleantial property. You mu	laintiff in the because the in which the lace a check aintiff in the form shall be than 15 days hanges to the st report any
PROPERTY LOCATION:					
NUMBER	STREET		UNIT	····	· · ·
	Whom Title t	o a Residential	Property Has Vested on o	r after October 1, 201	1
1a. Name of Registrant, Entity or Individual(s)					
1b. Address of Registrant					
(if out of state, complete section 2)	No. STREE	ET	CITY	STATE Z	ZIP .
1c. Telephone Number of Registrant	(AREA CODE)				
1d. E-mail Address of Registrant	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,				
1e. Contact me by:	First Class I	Mail 🗆	Electronic mai	I	
1f. My preferred address(es)					
SECTION 2 If Registrant Resid	les Out-of-sta	te. Direct Conta	ect in Connecticut, if Avai	lable	
2a. Name of Direct Contact in		.,	· · · · · · · · · · · · · · · · · · ·		
Connecticut (if Registrant is out of state)					
2b. Address of Direct Contact in					
Connecticut	No. STR	EET	CITY	STATE ZIP	
2c. Telephone Number of Direct Contact	()		5		
	(AREA CODE)				
2d. E-mail Address of Direct Contact	(AREA CODE)				
	- Daminton				
SECTION 3 Date Title Vested i	n Registrant				
3a. Date on which absolute title was vested in the Registrant:					
	norty Monor	tomont Compa	ny or Other Entity Resp	oneible for the Secu	rity and
SECTION 4 Person, Local Fit Maintenance of the			ny of Other Entity Kesp	ousible for the secu	itty allu
4a. Name of Person, Local Property		Порегіз	<u> </u>	<u> </u>	
Maintenance Company, or Other Entity					İ
4b. Address of Person, Company, or			**		
Entity	No. STR	EET	CITY	STATE 2	ZIP
4c. Telephone Number of Person,	()	normal E	OII t	5./11L	
Company, or Entity	(AREA CODE)				
4d. E-mail Address of Person, Company.	(AREA CODE)				

or Entity