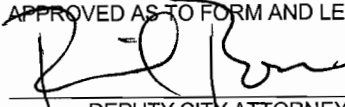


OFFICE OF THE CITY CLERK
OAKLAND

2008 MAY 29 PM 7:51

APPROVED AS TO FORM AND LEGALITY:


DEPUTY CITY ATTORNEY

OAKLAND CITY COUNCIL

RESOLUTION NO. 81382 C. M. S.

INTRODUCED BY COUNCILMEMBER _____

RESOLUTION TO SUPPORT SB 1137 (PERATA) TO MODIFY AND ESTABLISH NEW PROCESSES FOR HOME LOAN FORECLOSURE PROCEDURES

WHEREAS, the City of Oakland has experienced a very high rate of home mortgage foreclosures, particularly for subprime and non-traditional loans; and

WHEREAS, delinquent borrowers are often not contacted by lenders or their agents prior to the filing of a notice of default; and

WHEREAS, lenders, trustees, beneficiaries and other entities often do not contact borrowers in an effort to resolve defaults and avoid foreclosure; and

WHEREAS, many borrowers are unaware of the availability of housing counseling assistance;

WHEREAS, it is often difficult for borrowers to reach a live representative of the lender or to obtain information regarding options to avoid foreclosure and specific instructions on steps to take to explore these options; and

WHEREAS, adequate notice of a pending sale, in appropriate languages, is often not provided to either owner-occupants or renters of foreclosed homes; and

WHEREAS, foreclosed homes are often neglected and poorly maintained, which can then become nuisances, attract criminal activity, and lead to deterioration of the surrounding neighborhood;

WHEREAS, Senator Don Perata has introduced Senate Bill 1137, which would modify and establish new processes for home loan foreclosure procedures through provisions that would: require greater communication with and notice to borrowers in delinquency or default; provide borrowers with information about the availability of assistance from certified counseling agencies; require lenders to provide a way for borrowers to contact the lender via a toll-free telephone number with access to a live representative during business hours; require lenders to post specific information on their web sites to advise borrowers of options and procedures to avoid foreclosure; require that notices of pending foreclosure sales be provided, in appropriate languages, to owner-occupants and renters occupying foreclosed properties and require that

tenants of such properties be provided with at least 60 days written notice of eviction; make owners of vacant residential property that had been subject to foreclosure liable for failure to adequately maintain the property; and declare that servicers of loans are acting in the best interest of all parties to a mortgage loan pool if they agree to or implement loan modifications or workouts; and declare the intent of the Legislature that lenders will offer borrowers loan modifications or workouts plans; now, therefore, be it

RESOLVED: That the City Council of the City of Oakland hereby supports SB 1137 (Perata) to provide for changes to the procedures and requirements for mortgage foreclosures; and be it

FURTHER RESOLVED: That the City Council hereby authorizes and directs the City Administrator, and/or her designee, to work actively for the passage of SB 1137.

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 17 2008, 2008

PASSED BY THE FOLLOWING VOTE:

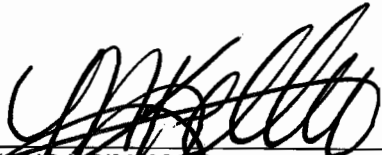
AYES - BRUNNER, BROOKS, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT DE LA FUENTE - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:


LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California