

112TH CONGRESS  
1ST SESSION

# S. 222

To limit investor and homeowner losses in foreclosures, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JANUARY 27, 2011

Mr. WHITEHOUSE introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To limit investor and homeowner losses in foreclosures, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Limiting Investor and  
5 Homeowner Loss in Foreclosure Act of 2010”.

6 **SEC. 2. LOSS MITIGATION PROGRAMS.**

7 (a) IN GENERAL.—Section 105 of title 11, United  
8 States Code, is amended by adding at the end the fol-  
9 lowing:

1       “(e) Without limiting the court’s authority under  
2 subsection (d) or under any other statute or rule, the  
3 court, by local rule or order, may establish and maintain  
4 a loss mitigation program for the consideration and nego-  
5 tiation of consensual alternatives to avoid foreclosure be-  
6 tween an individual debtor and the holder of a claim se-  
7 cured by a security interest in real property that is the  
8 debtor’s principal residence.”.

9       (b) CONFORMING AMENDMENT.—Section 362(e) of  
10 title 11, United States Code, is amended by adding at the  
11 end the following:

12       “(3) If the party in interest requesting relief from  
13 the stay under subsection (d) of this section participates  
14 in a loss mitigation program maintained pursuant to sec-  
15 tion 105(e) of this title, the time periods specified in para-  
16 graphs (1) and (2) of this subsection shall be tolled during  
17 the time period commencing on the date on which such  
18 participation began and ending on the date on which no-  
19 tice of such termination is filed and served on the debt-  
20 or.”.

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