

SB1979



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB1979

Introduced 2/7/2008, by Sen. Rickey R. Hendon

SYNOPSIS AS INTRODUCED:

New Act

Creates the Illinois Homeowner's Emergency Assistance Program Act. Contains provisions concerning the powers and duties of the Illinois Housing Development Authority with respect to the Act. Contains provisions concerning the eligibility of a homeowner for assistance under the Act. Contains provisions concerning the assistance payments for eligible homeowners. Contains provisions concerning funding for the program. Provides that the Act is repealed on January 1, 2010. Effective immediately.

LRB095 18777 MJR 44900 b

FISCAL NOTE ACT
MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Illinois Homeowner's Emergency Assistance Program Act.

6 Section 5. Illinois Housing Development Authority; powers;
7 duties.

8 (a) The Illinois Housing Development Authority shall have
9 the power to issue grants to residents of Illinois eligible for
10 assistance described in this Act.

11 (b) The Authority shall implement and administer the
12 program established by this Act.

13 (c) The Authority shall adopt all rules necessary for the
14 implementation and administration of this Act.

15 (d) The Authority shall provide a representative of the
16 Authority to assist the homeowner with any renegotiations under
17 this Act.

18 Section 10. Definitions. For purposes of this Act:

19 "Authority" means the Illinois Housing Development
20 Authority.

21 "Lender" means a natural or artificial person who
22 transfers, deals in, offers, or makes a home loan. "Lender"

1 includes, but is not limited to, creditors and brokers that
2 transfer, deal in, offer, or make home loans.

3 "Good faith" means honesty in fact in the conduct or
4 transaction concerned.

5 Section 15. Eligibility for assistance.

6 (a) No assistance may be given to a person pursuant to this
7 Act unless:

8 (1) The property securing the mortgage is residential
9 real estate.

10 (2) The person is a resident of this State and his or
11 her property is being foreclosed due to failure to make
12 mortgage payments.

13 (3) The lender agrees to halt foreclosure proceedings
14 once payment under this Act is made by the State.

15 (4) The mortgage lender agrees to renegotiate in good
16 faith the terms of the mortgage being foreclosed once
17 payment under this Act is made by the State.

18 (5) A representative of the Authority shall assist the
19 homeowner during the renegotiation process with the
20 lender.

21 (b) Upon a determination that the conditions of eligibility
22 described in this Act have been met, and funds for assistance
23 are available, the homeowner shall become eligible for the
24 assistance described in Section 20 of this Act.

1 Section 20. Assistance payments.

2 (a) If the Authority determines that a person is eligible
3 for assistance under this program, the Authority shall pay
4 directly to each lender payments on behalf of the person
5 seeking assistance under the program. This amount shall
6 include, but not be limited to, delinquencies of principal,
7 interest, taxes, assessments, ground rents, and hazard
8 insurance, mortgage insurance, and credit insurance premiums.

9 (b) An eligible applicant may not receive a grant in excess
10 of \$6,000, or the sum of 3 monthly mortgage payments on the
11 property, whichever is less.

12 Section 25. Program funding.

13 (a) The Authority shall use only funds specifically
14 appropriated by the General Assembly for the purposes of this
15 Act. Assistance under this Act shall not be available at any
16 time the Authority does not have funds currently available to
17 approve applications for emergency mortgage assistance.

18 (b) This Act is subject to appropriation; however, at no
19 time shall the cumulative amount of grants issued under this
20 program exceed \$3,000,000 in a calendar year.

21 Section 30. Repealer. This Act is repealed on January 1,
22 2010.

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.