

# HOUSE . . . . . No. 5032

By Mr. Goyette of New Bedford, petition of Roger R. Goyette for legislation to allow a mortgagor to choose the mortgagee's attorney from a list in a mortgage transaction. Banks and Banking.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Five.

AN ACT TO ALLOW A MORTGAGOR TO CHOOSE THE MORTGAGEE'S ATTORNEY FROM A LIST IN A MORTGAGE TRANSACTION.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Section 70 of chapter 93 of the General Laws, as most recently  
2 amended by chapter 448 of the acts of 1980, is hereby further  
3 amended by striking out the first paragraph and inserting in place  
4 thereof the following: —

5 Whenever, in connection with the granting of any loan or credit  
6 to be secured by a mortgage on real estate improved with a dwelling  
7 designed to be occupied in whole or in part by not more than four  
8 families and occupied or to be occupied in whole or in part by the  
9 mortgagor, the mortgagor is required or agrees to pay or to be  
10 responsible for any fee or expense charged or incurred by any  
11 attorney acting for or on behalf of the mortgagee, the mortgagee  
12 shall provide the mortgagor with a list of attorneys from which to  
13 choose such attorney. The number of attorneys on such list shall  
14 not be fewer than five: the attorney chosen by the mortgagor shall  
15 render a certification of title to the mortgaged premises to the  
16 mortgagor and the mortgagee.

