

August 31, 2020

Honorable Bob Hackett  
Chairman, Senate Insurance and Financial Institutions Committee  
Senate Building, One Capital Square  
Columbus, OH 43215

Re: Testimony regarding Sub. H.B. No. 38

Dear Chairman Hackett, Vice-Chair Hottinger, Ranking Member Craig and members of the Senate Judiciary Committee:

I am a consumer attorney whose law firm focuses on representing people facing foreclosure without bankruptcy.

While Sub.H.B. No. 38 was before the House Financial Institutions Committee, I provided testimony opposing the changes to R.C. Sec. 1349.72 regarding notice to debtors of second mortgage loans. I now support the version before you today.

My concerns regarding the changes to R.C. Sec. 1349.72 are alleviated with the changes indicated in the substitute bill before you. Specifically, the language in Section (A) clarifies the language necessary to preserve the consumer notice. With the change before this Committee, creditors will continue to need to send out the notice prior to commencing foreclosure, but not prior to that time if simply collecting on the debt. I believe this to be a fair compromise with the banking industry's concerns regarding when the need to provide disclosures would be triggered.

The ability for consumers to request information about their creditor under Section (C) as it exists now provides additional protection to consumers as well. These two sections, read in conjunction, enable me to offer my support to the changes to R.C. 1349.72 as it is before the committee.

Sincerely,



Troy J. Doucet, Esq.