Foreclosure Registration Requirements

Effective October 1, 2011; Amended Effective December 1, 2017

PA 11-201 (§§ 13-15), as amended by June 2017 Special Session PA 17-2, makes changes in several laws affecting banking and housing, including foreclosure. Among other things, the act requires anyone who commences a foreclosure action concerning a subject property to register the property with the town clerk in the municipality where the property is located. They must pay a land record filing fee and the municipality must maintain the registration separate from the land records.

The act requires anyone taking title to a subject property after foreclosure to register with the town clerk within 15 days of absolute title vesting in the person. It eliminates the option of registering with the Mortgage Electronic Registration Systems (MERS). If the registering owner was also the plaintiff in the foreclosure action, the person must update its prior registration rather than registering anew.

Prior law required those who register with a municipality, but not with MERS, to pay a $100 fee to the municipality. The act instead requires all registrants (including foreclosure plaintiffs updating their prior registration) to pay to the municipality a land record filing fee.

The act permits a municipality to issue a notice for violations of state laws or municipal ordinances on property repair or maintenance only for registrations after title has vested following foreclosure (including updated registrations by those previously registered as plaintiffs). It also makes other changes regarding these notices.

Note: This is an excerpt from the July 13, 2011, ***OLR Research Report for Town Clerks***, 2011-R-0243.
CGS Section 7-148ii, and amended by SS PA 17-2

Town Clerk Guidelines for Connecticut General Statutes Section 7-34a, Section 7-148ii, Public Act 11-201- Effective Oct. 1, 2011, as amended by June 2017 Special Session Public Act 17-2 – Effective December 1, 2017	
FORM 1	**Registration of Residential Property Being Foreclosed** *or* **Filing to Report Changes**
FORM 2	**Registration of Property Acquired through Foreclosure** *or* **Updated Registration for Property Acquired Through Foreclosure** *or* **Filing to Report Changes**

1. **Do not record any registration form on the land records.**
2. **Filing fee is $60.00** per registration or updated registration. See CGS §7-34a.
    a. No fee is required for a change in information made to a registration or an updated registration.
    b. Fees are payable to the town of registration.
        i. The fee is collected for filing the initial registration of FORM 1or FORM 2 or for an updated registration of FORM 2. Forms are available on the CTCA web site.
    c. Make monthly surcharge payments to the State Treasurer and the State Library on the same forms used for Land Record surcharge payments. Forms are available on the CTCA web site.

3. **File the registration form** in a loose-leaf binder, folder, or other secure filing system that is easily and readily available to the public, title searchers, attorneys, and other Town staff.
    a. Enter data in Foreclosure Registration Log by order of "date received." Enter property location next to the date received. Use separate columns for the street name and street number to help with sorting by street name. File the registrations by the date received. Make the Log available to searchers in order to save time and to preserve the integrity of the records. (The Log is a suggestion and not required.)

FORM 1

Registration **FORM 1** is filed by a Plaintiff who commences an action to foreclose a mortgage in a *Notice of lis pendens*. ($60.00 fee)

- The *Notice of lis pendens* is recorded on the land records, as in the past; and, (NEW) at the SAME time, the Plaintiff shall file a registration form with the Town Clerk entitled "Notice to Municipality: Registration of Residential Property Being Foreclosed."
- Initial registration is to be completed and filed by the Plaintiff at the time and place of the recording of the *Notice of lis pendens* on the land records.
- In a *Notice of lis pendens*, the Plaintiff gives notice of pending foreclosure against the property owner known as the Defendant. The Plaintiff (name is at the top) vs. the Defendant (name is below).
- Return the *Notice of lis pendens* as indicated on the document.
- Keep the registration form.
- A $60.00 fee is collected for a registration or an updated registration filing.

Or

Registration **FORM 1** is filed when there is a change to the information in FORM 1. (No fee)

- Change in information is to be filed not later than 30 days following the change(s).
- No fee is collected for filing a change in information.

FORM 2

Registration **FORM 2** is filed by the person who becomes vested in a property through a foreclosure action. ($60.00 fee)

- FORM 2 may be filed without a concurrent recording in the land records.
- Registration or updated registration is to be filed not later than 15 days after absolute title vests in such person.
- FORM 2 "registration" is filed by either (a) someone who was not the Plaintiff in the foreclosure action, or (b) a Plaintiff who commenced foreclosure action before October 1, 2011 (before FORM 1 was required).
- FORM 2 "updated registration" is filed by a Plaintiff who filed FORM 1 on or after October 1, 2011.
- A $60.00 fee is collected for a registration or an updated registration filing.

Or

Registration **FORM 2** is filed when there is a change to the information in FORM 2. (No fee)

- FORM 2 may be filed without a concurrent recording in the land records.
- Change in information is to be filed not later than 30 days following the change(s).
- No fee is collected for filing a change in information.

Foreclosure Registration Requirements

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The act requires anyone taking title to a subject property after foreclosure to register with the town clerk within 15 days of absolute title vesting in the person. It eliminates the option of registering with the Mortgage Electronic Registration Systems (MERS). If the registering owner was also the plaintiff in the foreclosure action, the person must update its prior registration rather than registering anew.

Prior law required those who register with a municipality, but not with MERS, to pay a $100 fee to the municipality. The act instead requires all registrants (including foreclosure plaintiffs updating their prior registration) to pay to the municipality a land record filing fee.

The act permits a municipality to issue a notice for violations of state laws or municipal ordinances on property repair or maintenance only for registrations after title has vested following foreclosure (including updated registrations by those previously registered as plaintiffs). It also makes other changes regarding these notices.

Note: This is an excerpt from the July 13, 2011, ***OLR Research Report for Town Clerks***, 2011-R-0243.
CGS Section 7-148ii, and amended by SS PA 17-2

FORM 1 To be filed by the Plaintiff who commences an action to foreclose a mortgage on residential property.
9/2011; Rev12/1/2017

NOTICE TO MUNICIPALITY:
REGISTRATION OF PROPERTY BEING FORECLOSED

$60.00 Registration Fee Is Payable to the Town of Registration.
Connecticut General Statutes Section 7-34a, Section 7-148ii, Public Act 11-201 - Effective October 1, 2011; as amended by June 2017 Special Session Public Act 17-2, Effective December 1, 2017

☐ **Initial filing of registration form** ($60.00 Fee) Place a check mark in the box to the left and use this registration form if you are the Plaintiff commencing an action to foreclose a mortgage on residential property. The form shall be mailed or delivered to the Town Clerk of the town in which the property being foreclosed is located at the time and place of recording the *Notice of lis pendens*.

☐ **Filing to report change(s) in the information provided on the initial registration form.** (No Fee) Place a check mark in the box to the left and use this form if you are reporting changes to the registration information that you previously provided in your capacity as the Plaintiff commencing an action to foreclose a mortgage on residential property. You must report any changes in your registration information no later than 30 days following the date of the change in information. The form shall be mailed or delivered to the Town Clerk of the town in which the property being foreclosed is located.

PROPERTY LOCATION: _____
NUMBER STREET UNIT

SECTION 1 The Plaintiff in the Foreclosure Action	
1a. Name of Plaintiff Entity or Individual(s)	
1b. Address of Plaintiff (if out of state, complete section 2)	_____ No. STREET CITY STATE ZIP
1c. Telephone Number of Plaintiff	(_____) _____ (AREA CODE)
1d. E-mail Address of Plaintiff	
1e. Contact me by:	First Class Mail ☐ Electronic mail ☐
1f. My preferred address(es):	
SECTION 2 If Plaintiff Resides Out-of-state, Direct Contact in Connecticut, if Available	
2a. Name of Direct Contact in Connecticut (if Plaintiff is out of state)	
2b. Address of Direct Contact in Connecticut	_____ No. STREET CITY STATE ZIP
2c. Telephone Number of Direct Contact	(_____) _____ (AREA CODE)
2d. E-mail Address of Direct Contact	
SECTION 3 Person, Local Property Maintenance Company or Other Entity Serving as the Plaintiff's Contact with the Municipality for Any Matters Concerning the Residential Property	
3a. Name of Person, Local Property Maintenance Company, or Other Entity	
3b. Address of Person, Company, or Entity	_____ No. STREET CITY STATE ZIP
3c. Telephone Number of Person, Company, or Entity	(_____) _____ (AREA CODE)
3d. E-mail Address of Person, Company, or Entity	

FORM 2 To be filed by a person in whom title to a residential property becomes vested through a foreclosure action.

NOTICE TO MUNICIPALITY:
REGISTRATION FOR PROPERTY ACQUIRED THROUGH FORECLOSURE
OR
NOTICE TO MUNICIPALITY:
UPDATED REGISTRATION FOR PROPERTY ACQUIRED THROUGH FORECLOSURE

$60.00 Registration Fee Is Payable to the Town of Registration.
Connecticut General Statutes Section 7-34a, Section 7-148ii, Public Act 11-201 - Effective October 1, 2011, as amended by June 2017 Special Session Public Act 17-2. Effective December 1. 2017

☐ **REGISTRATION FOR PROPERTY ACQUIRED THROUGH FORECLOSURE ($60. 00 Fee).** Place a check mark in the box to the left and use this registration form if you acquired the residential property through foreclosure and either (a) you were not the plaintiff in the foreclosure action, or (b) you were the plaintiff in the foreclosure action and an initial registration (FORM 1) has not been filed because the foreclosure action was commenced before October 1, 2011. The form shall be mailed or delivered to the Town Clerk of the town in which the foreclosed property is located. The form must be received no later than 15 days after absolute title vests in you as the new owner.

☐ **UPDATED REGISTRATION FOR PROPERTY ACQUIRED THROUGH FORECLOSURE ($60.00 Fee).** Place a check mark in the box to the left and use this form if you acquired the residential property through foreclosure and you were the plaintiff in the foreclosure action. This form will update the registration (FORM 1) that you originally filed as the foreclosing plaintiff. The form shall be mailed or delivered to the Town Clerk of the town in which the foreclosed property is located. The form must be received no later than 15 days after absolute title vests in you as the new owner.

☐ **FILING TO REPORT CHANGE(S) (No Fee).** Place a check mark in the box to the left and use this form if you are reporting changes to the registration information that you previously provided in your capacity as the owner of foreclosed residential property. You must report any changes in your registration information no later than 30 days following the date of the change in information. The form shall be mailed or delivered to the Town Clerk of the town in which the foreclosed property is located.

PROPERTY LOCATION: _____
NUMBER STREET UNIT

SECTION 1	**The Registrant, in Whom Title to a Residential Property Has Vested on or after October 1, 2011**
1a. Name of Registrant, Entity or Individual(s)	
1b. Address of Registrant (if out of state, complete section 2)	_____ No. STREET CITY STATE ZIP
1c. Telephone Number of Registrant	(_____)_____ (AREA CODE)
1d. E-mail Address of Registrant	
1e. Contact me by:	First Class Mail ☐ Electronic mail ☐
1f. My preferred address(es)	
SECTION 2	**If Registrant Resides Out-of-state, Direct Contact in Connecticut, if Available**
2a. Name of Direct Contact in Connecticut (if Registrant is out of state)	
2b. Address of Direct Contact in Connecticut	_____ No. STREET CITY STATE ZIP
2c. Telephone Number of Direct Contact	(_____)_____ (AREA CODE)
2d. E-mail Address of Direct Contact	
SECTION 3	**Date Title Vested in Registrant**
3a. Date on which absolute title was vested in the Registrant:	
SECTION 4	**Person, Local Property Management Company or Other Entity Responsible for the Security and Maintenance of the Residential Property**
4a. Name of Person, Local Property Maintenance Company, or Other Entity	
4b. Address of Person, Company, or Entity	_____ No. STREET CITY STATE ZIP
4c. Telephone Number of Person, Company, or Entity	(_____)_____ (AREA CODE)
4d. E-mail Address of Person, Company, or Entity	