



March 5, 2025

The Honorable Mike Freiberg  
State Representative  
Minnesota House of Representatives  
5th Floor Centennial Office Building  
St. Paul, MN 55155

The Honorable Sandra L. Pappas  
Chair, Capital Investment Committee  
Minnesota Senate  
2113 Minnesota Senate Bldg.  
St. Paul, MN 55155

Re: HF 1224 / SF 1962 (Foreclosure Consumer Protection Bill)

Dear Rep. Frieberg and Sen. Pappas:

The Minnesota Mortgage Association (MMA) respectfully writes in support of HF 1224 / SF 1962, your bill that clarifies that a borrower's right to postpone a foreclosure sale applies in judicial foreclosures. MMA is a member-driven organization, consisting of mortgage lenders and other professionals in the mortgage lending industry. MMA promotes the highest degree of professionalism in this industry by advocating for, connecting, and providing education and resources for our members.

During the Foreclosure Crisis, MMA worked alongside Legal Aid, the Minnesota Bankers Association, the Minnesota Credit Union Network, and others to provide legislators with ideas to combat the predatory lending practices that were driving the crisis. One of those proposals, enacted in 2009 and now law, was the postponement statute, giving homeowners more time to assemble the funds to reinstate.

That law is situated in Minnesota Statutes, section 580.07 and unquestionably applies to foreclosures by advertisement. However, it is unclear as to whether this tool is available to homeowners facing judicial foreclosure, whose statutory requirements are found in another chapter of law. While traditionally, there were few judicial foreclosures on residential properties, a recent court rule (Show Me State Premium Homes, LLC v. McDonnell) requires that a residential foreclosure be by action rather than advertisement if there is a federal tax lien on the property. Thus, more residential foreclosures are being done judicially.

The intent of the 2009 law was to make postponement available in any foreclosure. But that intent is not as clear as it needs to be. With more foreclosures being conducted judicially, your bill is timely and would ensure homeowners have the protections they need and the Legislature intended them to have.

Thank you for bringing HF 1224 / SF 1962 forward and for the opportunity to comment on this meritorious proposal. We urge its passage.

Sincerely,

Keenan Raverty  
Chair – Government Affairs Committee  
Minnesota Mortgage Association.

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