

New law provides for residential lessee's right to notification of foreclosure actions.

Provides that, prior to entering into a lease agreement and during the term of a lease agreement for a residential dwelling, the lessor shall disclose in writing to the prospective lessee any pending foreclosure action to which the residential dwelling is subject, and the right of the lessee to receive notification of a foreclosure action pursuant to new law.

Provides that, within seven calendar days after being served pursuant to CCP Article 2293 with a notice of seizure in a foreclosure action, a lessor of a residential dwelling subject to a notice of seizure in a foreclosure action shall provide written notice of the seizure to all lessees of the premises.

Provides that the written disclosure required under new law shall be signed by the lessor and shall include the name of the district court in which the foreclosure action is pending, the case name and docket number and the following statement:

"This is not a notice to vacate the premises. This notice does not mean ownership of the building has changed. All lessees are still responsible for payment of rent and other obligations under the rental agreement. The lessor is still responsible for his obligations under the rental agreement. You will receive additional notice if there is a change in owner"

Provides that, if a lessee in a civil legal proceeding against a lessor establishes that a violation of new law occurred, the lessee shall be entitled to recover \$200 in damages, in addition to any other damages or remedies and costs to which the lessee may also be entitled.

Further provides that the requirements of new law shall apply to all lessors in residential leases, including lessors who are leasing residential dwellings subject to a federally-related mortgage loan, as defined by 12 USC 2602, or who have entered into a housing assistance payments contract with the public housing agency to receive housing subsidies on behalf of a lessee, and to all lessees in residential leases, including such lessees receiving vouchers or housing assistance pursuant to Section 8 of the United States Housing Act of 1937.

Provides that the new law notice requirements shall not apply to a federally insured financial institution which is asserting its rights as an assignee of a lessor whose property is under foreclosure or as a mortgage holder.

Effective August 1, 2013.

(Adds R.S. 9:3260.1)