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## **Facts about SB321, Nevada's new Homeowner's Bill of Rights**

The Nevada Association of REALTORS® (NVAR) offers the following facts about SB321, the Homeowner's Bill of Rights law that takes effect in Nevada on Oct. 1, 2013.

[SB321](#) was sponsored by state Sen. Justin Jones. It passed the state Senate and Assembly unanimously and was signed into law June 3 by Nevada Gov. Brian Sandoval.

### **What SB321 does:**

- A key aspect of this law prohibits banks from “dual-tracking,” or trying to foreclose on a home at the same time they are working toward a short sale with the homeowner.
- By preventing “dual-tracking,” SB321 should promote and protect short sales as a more beneficial alternative to foreclosure for many Nevada homeowners.
- The law largely mirrors the 2012 national mortgage settlement between the nation's largest banks and attorneys general throughout the nation.
- SB321 places some restrictions on mortgage lenders, as well as on borrowers.
- For instance, SB321 offers distressed homeowners “one bite at the apple” when seeking various types of mortgage relief from their lender. Once an initial request has been resolved and options exhausted, lenders are free to foreclose when foreclosure is warranted.
- SB321 requires homeowners to respond to bank offers for foreclosure prevention alternatives within 14 days after the borrower receives the offer. The offer is deemed to be rejected if the borrower does not accept or reject the lender's offer within 14 days after receiving the offer.
- Under SB321, banks must establish a single point of contact when dealing with distressed homeowners. This helps homeowners and REALTORS®, who are frequently frustrated when dealing with banks on behalf of their clients.

### **What SB321 does not do:**

- SB321 will not allow homeowners to stay in their homes longer without paying their mortgage.
- SB321 does not apply to financial institutions that have foreclosed on 100 or fewer properties in Nevada.
- Major banks that are already complying with federal Consumer Financial Protection Bureau (CFPB) regulations are exempt from SB321.

### **About the NVAR**

The Nevada Association of REALTORS® is a professional trade association with more than 13,000 members. NVAR is committed to protecting, promoting and preserving our communities. Visit [www.NVAR.org](http://www.NVAR.org).

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