
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 736 Session of
2007

INTRODUCED BY MCGEEHAN, CALTAGIRONE, DALEY, DePASQUALE,
FABRIZIO, FREEMAN, HENNESSEY, HORNAMAN, JOSEPHS, W. KELLER,
KENNEY, KIRKLAND, R. MILLER, M. O'BRIEN, PETRONE, PRESTON,
ROEBUCK, SABATINA, SCHRODER, SIPTROTH, WALKO AND YOUNGBLOOD,
MARCH 19, 2007

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, MARCH 19, 2007

AN ACT

1 Providing a remedy for misrepresentation as to occupation by
2 mortgagors of residential property.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Residential
7 Mortgage Occupational Misrepresentation Act.

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall
10 have the meanings given to them in this section unless the
11 context clearly indicates otherwise:

12 "Residential mortgage." A mortgage on residential property.

13 "Residential property." Property which is subject to a
14 zoning classification of single-family residential.

15 Section 3. Misrepresentations.

16 If a mortgagor obtains more favorable terms for a loan

1 contract secured by a residential mortgage as a result of a
2 misrepresentation of the mortgagor's intent to occupy the
3 residential property:

4 (1) If the loan contract is still executory on the part
5 of the creditor, the loan contract is void.

6 (2) If the loan contract has been executed by the
7 creditor, the entire amount of the loan, including interest,
8 shall become due immediately.

9 Section 10. Effective date.

10 This act shall take effect in 180 days.