

Killian, Chris

From: Killian, Chris
 Sent: 24 Jan 2013 18:57:28 +0000
 To: Pollard, Alfred; Taylor, Mary Ellen
 Cc: Dorfman, Richard
 Subject: San Bernardino Rejects Eminent Domain
 Alfred and Mary Ellen –

Hope things are well. See below for a summary of today's hearing out in San Bernardino. We view this as a very positive outcome to this issue as regards San Bernardino and hopefully more generally. Let us know if you have any questions or need further color.

Regards,
 Chris

Chris Killian
 Managing Director - Securitization
 Sifma

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From: Killian, Chris
Sent: Thursday, January 24, 2013 1:40 PM
To: Killian, Chris
Subject: San Bernardino HPPJPA Rejects Eminent Domain for Mortgage Loans

Re: San Bernardino HPPJPA Rejects Eminent Domain for Mortgage Loans

The Homeownership Preservation Program Joint Powers Administration (HPPJPA) of San Bernardino County (CA) met today to consider an request for qualifications (RFQ) for programs to assist troubled homeowners, as well as an affirmation of cooperation that was put forth by SIFMA, the Inland Valley Association of Realtors (IVAR), Association of Mortgage Investors (AMI), California Bankers Association (CBA), and California Mortgage Bankers Association (CMBA). At this hearing, the members of the board of the HPPJPA voted to issue an RFQ that specifically does not include the usage of eminent domain, and to enter in to the affirmation of cooperation.

You may recall that the HPPJPA was formed in 2012 in response to proposals that eminent domain could be used to seize mortgage loans from their holders so that they could be restructured. SIFMA has led a coalition of more than two dozen groups strongly opposed this proposal, in San Bernardino and elsewhere that it has been presented.

A detailed summary of the hearing follows.

Request for Qualifications: During the discussion of the RFQ, HPPJPA Chair Greg Devereaux indicated that he has considered proposals to use eminent domain, and had been interested in them, but does not believe efforts involving eminent domain are an appropriate path for the HPPJPA to follow. Devereaux indicated that he supported the issuance of the RFP, but was not interested in solutions involving eminent domain. Two other members of the HPPJPA spoke, echoing Devereaux's concerns and sharing the view that eminent domain presented significant risks to the communities.

During the time provided for public comment on this agenda item, Tim Cameron from SIFMA, Paul Herrera from IVAR, Chris Katopis from AMI, and Dustin Hobbs from CMBA spoke in support of the elimination of eminent domain from the consideration of the HPPJPA. One member of the public spoke in support of eminent domain. Another spoke in support of the efforts of the HPPJPA more generally without reference to eminent domain. Another spoke seemingly in support of eminent domain. Another spoke on behalf of a local non-profit, with strong opposition to eminent domain. The last speaker spoke in support of removing eminent domain from consideration.

The HPPJPA voted to approve a motion to issue the RFQ. **The motion provided that the RFQ will be revised to specifically disclaim the use of eminent domain.** The Chair was authorized to determine a response date for the RFQ. HPPJPA members also requested more specific language regarding targeting of programs in response to the RFQ. Specific language and dates will be determined at a later time.

Affirmation of Cooperation: The next item of consideration was the affirmation of cooperation between the HPPJPA and the organizations noted above. Tim Cameron of SIFMA provided an overview of the affirmation and the benefits of public-private coordination. The HPPJA voted to support joining the agreement.

General Public Comments: In the general public comments section at the end of the meeting, a speaker representing the At Home Coalition discussed its proposal in a non-specific manner, and spoke in general support of the efforts of the HPPJPA. Another speaker spoke on behalf of a group he represents indicating his group will respond to the RFQ. Finally, two Realtors spoke in opposition to the use of eminent domain.

A replay is available here: <http://www.sbcounty.gov/main/countydirect.asp> (look for Homeownership Protection Program Joint Powers Authority Meeting).

Please contact us with any questions. Regards,

Chris

Chris Killian

Managing Director – Securitization

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