

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

August 12, 2015

The Honorable David Chiu
Assistant Speaker Pro-Tempore
California State Assembly
California State Capitol
P.O. Box 942849
Sacramento, CA 94249-0017

Re: Board of Supervisors Resolution No. 318-15

Dear Honorable Speaker Pro-Tempore Chiu:

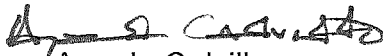
On July 28, 2015, the San Francisco Board of Supervisors adopted Resolution No. 318-15 (Urging Governor Brown and the California State Legislature to Restore \$331,044,084 to the National Mortgage Special Deposit Fund), which was enacted on August 7, 2015.

This Resolution directs the Clerk of the Board to forward the following document to your attention:

- One copy of Resolution No. 318-15 (File No. 150799)

If you have any questions or require additional information, please contact the Office of the Clerk of the Board at (415) 554-5184, or by e-mail: board.of.supervisors@sfgov.org.

Most respectfully,


Angela Calvillo
Clerk of the Board

1 [Urging Governor Brown and the California State Legislature to Restore \$331,044,084 to the
2 National Mortgage Special Deposit Fund]

3 **Resolution urging Governor Jerry Brown and the California State Legislature to comply**
4 **with the Sacramento County Superior Court’s decision that found they illegally diverted**
5 **\$331,044,084 from the National Mortgage Special Deposit Fund; and to meet with the**
6 **plaintiffs in the lawsuit to discuss the schedule for restoring these funds and tailoring**
7 **programs for the funds to help struggling homeowners keep their homes.**

8
9 WHEREAS, The Controller’s February 2015 report, “Assisting Homeowners with
10 Troubled Mortgages,” found that there were 3,002 mortgages in San Francisco that were
11 underwater or near-underwater, and that 746 of these mortgages had predatory features that
12 increased their risk of default; and

13 WHEREAS, The Controller’s report found that nearly half of these at-risk mortgages
14 concentrated in the south and southeastern neighborhoods of the City such as the Ingleside,
15 Excelsior, Crocker-Amazon, Bayview Hunters Point, Visitacion Valley, and Sunnydale; and

16 WHEREAS, In 2012, lawsuits filed by state attorneys general forced the banks to the
17 bargaining table regarding their inappropriate handling of foreclosures; and

18 WHEREAS, California Attorney General Kamala Harris entered a national multistate
19 settlement with the country’s five largest loan services, known as the National Mortgage
20 Settlement; and

21 WHEREAS, The California State Legislature created the National Mortgage Special
22 Deposit Fund (NMSDF) with funds from the settlement that were to be used to assist
23 California homeowners affected by the foreclosure crisis; and

1 WHEREAS, The NMSDF was intended to help people who had lost their homes and
2 those who were facing foreclosure through programs such as refinancing loans at lower
3 interest rates, writing down principal, and restoring credit scores; and

4 WHEREAS, The Budget Act of 2012, approved by the State Legislature and signed by
5 Governor Jerry Brown, diverted approximately \$350 million from the NMSDF to the State's
6 General Fund for other purposes; and

7 WHEREAS, On March 14, 2014, the National Asian American Coalition, COR
8 Community Development Corporation, and National Hispanic Christian Leadership
9 Conference filed a lawsuit challenging this diversion of funds from the NMSDF; and

10 WHEREAS, The lawsuit argued that the diversion of funds was inconsistent with
11 Government code Section 12531 that requires the funds be used in a manner consistent with
12 the National Mortgage Settlement; and

13 WHEREAS, On June 12, 2015, the Sacramento County Superior Court Judge Timothy
14 M. Frawley ruled in favor of the National Asian American Coalition that the state unlawfully
15 diverted \$331,044,084 from the NMSDF to the General Fund and enjoined the State to
16 restore those funds to the NMSDF as soon as reasonably possible; and

17 WHEREAS, Judge Frawley reserved jurisdiction to compel the state to restore the
18 diverted funds; now, therefore, be it

19 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
20 urges Governor Jerry Brown and the California State Legislature to comply with the
21 Sacramento County Superior Court's decision and restore the \$331,044,084 to the National
22 Mortgage Special Deposit Fund; and, be it

23 FURTHER RESOLVED, That the Board of Supervisors urges Governor Brown and the
24 State Legislature to meet with the plaintiffs in the lawsuit to discuss the schedule for restoring
25

1 the funds and tailoring programs for the funds to help struggling homeowners keep their
2 homes; and, be it

3 FURTHER RESOLVED, That the Board of Supervisors directs the Clerk of the Board
4 to transmit copies of this resolution to Governor Brown and San Francisco's representatives in
5 the State Legislature.

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25



City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 150799

Date Passed: July 28, 2015

Resolution urging Governor Jerry Brown and the California State Legislature to comply with the Sacramento County Superior Court's decision that found they illegally diverted \$331,044,084 from the National Mortgage Special Deposit Fund; and to meet with the plaintiffs in the lawsuit to discuss the schedule for restoring these funds and tailoring programs for the funds to help struggling homeowners keep their homes.

July 28, 2015 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 150799

I hereby certify that the foregoing Resolution was ADOPTED on 7/28/2015 by the Board of Supervisors of the City and County of San Francisco.

Handwritten signature of Angela Calvillo

Angela Calvillo
Clerk of the Board

Unsigned

Mayor

8/7/15

Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Handwritten signature of Angela Calvillo

Angela Calvillo
Clerk of the Board

Handwritten date 8/7/15

Date



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Certified Copy

Resolution

150799

[Urging Governor Brown and the California State Legislature to Restore \$331,044,084 to the National Mortgage Special Deposit Fund]

Sponsors: Avalos; Mar

Resolution urging Governor Jerry Brown and the California State Legislature to comply with the Sacramento County Superior Court's decision that found they illegally diverted \$331,044,084 from the National Mortgage Special Deposit Fund; and to meet with the plaintiffs in the lawsuit to discuss the schedule for restoring these funds and tailoring programs for the funds to help struggling homeowners keep their homes.

7/28/2015 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

8/7/2015 Mayor - RETURNED UNSIGNED

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Resolution is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City and County of San Francisco.

August 10, 2015

Date

Angela Calvillo
Clerk of the Board

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

August 12, 2015

The Honorable Phil Ting
California State Assembly Member
California State Capitol
P.O. Box 942849
Sacramento, CA 94249-0017

Re: Board of Supervisors Resolution No. 318-15

Dear Assembly Member Ting:


On July 28, 2015, the San Francisco Board of Supervisors adopted Resolution No. 318-15 (Urging Governor Brown and the California State Legislature to Restore \$331,044,084 to the National Mortgage Special Deposit Fund), which was enacted on August 7, 2015.

This Resolution directs the Clerk of the Board to forward the following document to your attention:

- One copy of Resolution No. 318-15 (File No. 150799)

If you have any questions or require additional information, please contact the Office of the Clerk of the Board at (415) 554-5184, or by e-mail: board.of.supervisors@sfgov.org.

Most respectfully,


Angela Calvillo
Clerk of the Board

1 [Urging Governor Brown and the California State Legislature to Restore \$331,044,084 to the
2 National Mortgage Special Deposit Fund]

3 **Resolution urging Governor Jerry Brown and the California State Legislature to comply**
4 **with the Sacramento County Superior Court’s decision that found they illegally diverted**
5 **\$331,044,084 from the National Mortgage Special Deposit Fund; and to meet with the**
6 **plaintiffs in the lawsuit to discuss the schedule for restoring these funds and tailoring**
7 **programs for the funds to help struggling homeowners keep their homes.**

8
9 WHEREAS, The Controller’s February 2015 report, “Assisting Homeowners with
10 Troubled Mortgages,” found that there were 3,002 mortgages in San Francisco that were
11 underwater or near-underwater, and that 746 of these mortgages had predatory features that
12 increased their risk of default; and

13 WHEREAS, The Controller’s report found that nearly half of these at-risk mortgages
14 concentrated in the south and southeastern neighborhoods of the City such as the Ingleside,
15 Excelsior, Crocker-Amazon, Bayview Hunters Point, Visitacion Valley, and Sunnydale; and

16 WHEREAS, In 2012, lawsuits filed by state attorneys general forced the banks to the
17 bargaining table regarding their inappropriate handling of foreclosures; and

18 WHEREAS, California Attorney General Kamala Harris entered a national multistate
19 settlement with the country’s five largest loan services, known as the National Mortgage
20 Settlement; and

21 WHEREAS, The California State Legislature created the National Mortgage Special
22 Deposit Fund (NMSDF) with funds from the settlement that were to be used to assist
23 California homeowners affected by the foreclosure crisis; and

1 WHEREAS, The NMSDF was intended to help people who had lost their homes and
2 those who were facing foreclosure through programs such as refinancing loans at lower
3 interest rates, writing down principal, and restoring credit scores; and

4 WHEREAS, The Budget Act of 2012, approved by the State Legislature and signed by
5 Governor Jerry Brown, diverted approximately \$350 million from the NMSDF to the State's
6 General Fund for other purposes; and

7 WHEREAS, On March 14, 2014, the National Asian American Coalition, COR
8 Community Development Corporation, and National Hispanic Christian Leadership
9 Conference filed a lawsuit challenging this diversion of funds from the NMSDF; and

10 WHEREAS, The lawsuit argued that the diversion of funds was inconsistent with
11 Government code Section 12531 that requires the funds be used in a manner consistent with
12 the National Mortgage Settlement; and

13 WHEREAS, On June 12, 2015, the Sacramento County Superior Court Judge Timothy
14 M. Frawley ruled in favor of the National Asian American Coalition that the state unlawfully
15 diverted \$331,044,084 from the NMSDF to the General Fund and enjoined the State to
16 restore those funds to the NMSDF as soon as reasonably possible; and

17 WHEREAS, Judge Frawley reserved jurisdiction to compel the state to restore the
18 diverted funds; now, therefore, be it

19 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
20 urges Governor Jerry Brown and the California State Legislature to comply with the
21 Sacramento County Superior Court's decision and restore the \$331,044,084 to the National
22 Mortgage Special Deposit Fund; and, be it

23 FURTHER RESOLVED, That the Board of Supervisors urges Governor Brown and the
24 State Legislature to meet with the plaintiffs in the lawsuit to discuss the schedule for restoring
25

1 the funds and tailoring programs for the funds to help struggling homeowners keep their
2 homes; and, be it

3 FURTHER RESOLVED, That the Board of Supervisors directs the Clerk of the Board
4 to transmit copies of this resolution to Governor Brown and San Francisco's representatives in
5 the State Legislature.

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25



City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 150799

Date Passed: July 28, 2015

Resolution urging Governor Jerry Brown and the California State Legislature to comply with the Sacramento County Superior Court's decision that found they illegally diverted \$331,044,084 from the National Mortgage Special Deposit Fund; and to meet with the plaintiffs in the lawsuit to discuss the schedule for restoring these funds and tailoring programs for the funds to help struggling homeowners keep their homes.

July 28, 2015 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 150799

I hereby certify that the foregoing Resolution was ADOPTED on 7/28/2015 by the Board of Supervisors of the City and County of San Francisco.

Handwritten signature of Angela Calvillo

Angela Calvillo
Clerk of the Board

Unsigned

Mayor

8/7/15

Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Handwritten signature of Angela Calvillo

Angela Calvillo
Clerk of the Board

Handwritten date 8/7/15

Date



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Certified Copy

Resolution

150799 [Urging Governor Brown and the California State Legislature to Restore \$331,044,084 to the National Mortgage Special Deposit Fund]

Sponsors: Avalos; Mar

Resolution urging Governor Jerry Brown and the California State Legislature to comply with the Sacramento County Superior Court's decision that found they illegally diverted \$331,044,084 from the National Mortgage Special Deposit Fund; and to meet with the plaintiffs in the lawsuit to discuss the schedule for restoring these funds and tailoring programs for the funds to help struggling homeowners keep their homes.

7/28/2015 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

8/7/2015 Mayor - RETURNED UNSIGNED

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Resolution is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City and County of San Francisco.

August 10, 2015

Date

Angela Calvillo

Clerk of the Board

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

August 12, 2015

The Honorable Jerry Brown
Governor of California
California State Capitol, Suite 1173
Sacramento, CA 95814

Re: Board of Supervisors Resolution No. 318-15

Dear Governor Brown:

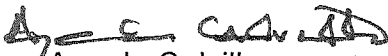
On July 28, 2015, the San Francisco Board of Supervisors adopted Resolution No. 318-15 (Urging Governor Brown and the California State Legislature to Restore \$331,044,084 to the National Mortgage Special Deposit Fund), which was enacted on August 7, 2015.

This Resolution directs the Clerk of the Board to forward the following document to your attention:

- One copy of Resolution No. 318-15 (File No. 150799)

If you have any questions or require additional information, please contact the Office of the Clerk of the Board at (415) 554-5184, or by e-mail: board.of.supervisors@sfgov.org.

Most respectfully,


Angela Calvillo
Clerk of the Board

1 [Urging Governor Brown and the California State Legislature to Restore \$331,044,084 to the
2 National Mortgage Special Deposit Fund]

3 **Resolution urging Governor Jerry Brown and the California State Legislature to comply**
4 **with the Sacramento County Superior Court’s decision that found they illegally diverted**
5 **\$331,044,084 from the National Mortgage Special Deposit Fund; and to meet with the**
6 **plaintiffs in the lawsuit to discuss the schedule for restoring these funds and tailoring**
7 **programs for the funds to help struggling homeowners keep their homes.**

8
9 WHEREAS, The Controller’s February 2015 report, “Assisting Homeowners with
10 Troubled Mortgages,” found that there were 3,002 mortgages in San Francisco that were
11 underwater or near-underwater, and that 746 of these mortgages had predatory features that
12 increased their risk of default; and

13 WHEREAS, The Controller’s report found that nearly half of these at-risk mortgages
14 concentrated in the south and southeastern neighborhoods of the City such as the Ingleside,
15 Excelsior, Crocker-Amazon, Bayview Hunters Point, Visitacion Valley, and Sunnydale; and

16 WHEREAS, In 2012, lawsuits filed by state attorneys general forced the banks to the
17 bargaining table regarding their inappropriate handling of foreclosures; and

18 WHEREAS, California Attorney General Kamala Harris entered a national multistate
19 settlement with the country’s five largest loan services, known as the National Mortgage
20 Settlement; and

21 WHEREAS, The California State Legislature created the National Mortgage Special
22 Deposit Fund (NMSDF) with funds from the settlement that were to be used to assist
23 California homeowners affected by the foreclosure crisis; and

1 WHEREAS, The NMSDF was intended to help people who had lost their homes and
2 those who were facing foreclosure through programs such as refinancing loans at lower
3 interest rates, writing down principal, and restoring credit scores; and

4 WHEREAS, The Budget Act of 2012, approved by the State Legislature and signed by
5 Governor Jerry Brown, diverted approximately \$350 million from the NMSDF to the State's
6 General Fund for other purposes; and

7 WHEREAS, On March 14, 2014, the National Asian American Coalition, COR
8 Community Development Corporation, and National Hispanic Christian Leadership
9 Conference filed a lawsuit challenging this diversion of funds from the NMSDF; and

10 WHEREAS, The lawsuit argued that the diversion of funds was inconsistent with
11 Government code Section 12531 that requires the funds be used in a manner consistent with
12 the National Mortgage Settlement; and

13 WHEREAS, On June 12, 2015, the Sacramento County Superior Court Judge Timothy
14 M. Frawley ruled in favor of the National Asian American Coalition that the state unlawfully
15 diverted \$331,044,084 from the NMSDF to the General Fund and enjoined the State to
16 restore those funds to the NMSDF as soon as reasonably possible; and

17 WHEREAS, Judge Frawley reserved jurisdiction to compel the state to restore the
18 diverted funds; now, therefore, be it

19 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
20 urges Governor Jerry Brown and the California State Legislature to comply with the
21 Sacramento County Superior Court's decision and restore the \$331,044,084 to the National
22 Mortgage Special Deposit Fund; and, be it

23 FURTHER RESOLVED, That the Board of Supervisors urges Governor Brown and the
24 State Legislature to meet with the plaintiffs in the lawsuit to discuss the schedule for restoring
25

1 the funds and tailoring programs for the funds to help struggling homeowners keep their
2 homes; and, be it

3 FURTHER RESOLVED, That the Board of Supervisors directs the Clerk of the Board
4 to transmit copies of this resolution to Governor Brown and San Francisco's representatives in
5 the State Legislature.

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25



City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 150799

Date Passed: July 28, 2015

Resolution urging Governor Jerry Brown and the California State Legislature to comply with the Sacramento County Superior Court's decision that found they illegally diverted \$331,044,084 from the National Mortgage Special Deposit Fund; and to meet with the plaintiffs in the lawsuit to discuss the schedule for restoring these funds and tailoring programs for the funds to help struggling homeowners keep their homes.

July 28, 2015 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 150799

I hereby certify that the foregoing Resolution was ADOPTED on 7/28/2015 by the Board of Supervisors of the City and County of San Francisco.

Handwritten signature of Angela Calvillo
Angela Calvillo
Clerk of the Board

Unsigned
Mayor

8/7/15
Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Handwritten signature of Angela Calvillo
Angela Calvillo
Clerk of the Board

8/7/15
Date



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Certified Copy

Resolution

150799 [Urging Governor Brown and the California State Legislature to Restore \$331,044,084 to the National Mortgage Special Deposit Fund]

Sponsors: Avalos; Mar

Resolution urging Governor Jerry Brown and the California State Legislature to comply with the Sacramento County Superior Court's decision that found they illegally diverted \$331,044,084 from the National Mortgage Special Deposit Fund; and to meet with the plaintiffs in the lawsuit to discuss the schedule for restoring these funds and tailoring programs for the funds to help struggling homeowners keep their homes.

7/28/2015 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

8/7/2015 Mayor - RETURNED UNSIGNED

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Resolution is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City and County of San Francisco.

August 10, 2015

Date

Angela Calvillo

Clerk of the Board

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 544-5227

August 12, 2015

The Honorable Mark Leno
California State Senator
California State Capitol, Room 5100
Sacramento, CA 94814

Re: Board of Supervisors Resolution No. 318-15

Dear Senator Leno:


On July 28, 2015, the San Francisco Board of Supervisors adopted Resolution No. 318-15 (Urging Governor Brown and the California State Legislature to Restore \$331,044,084 to the National Mortgage Special Deposit Fund), which was enacted on August 7, 2015.

This Resolution directs the Clerk of the Board to forward the following document to your attention:

- One copy of Resolution No. 318-15 (File No. 150799)

If you have any questions or require additional information, please contact the Office of the Clerk of the Board at (415) 554-5184, or by e-mail: board.of.supervisors@sfgov.org.

Most respectfully,


Angela Calvillo
Clerk of the Board

1 [Urging Governor Brown and the California State Legislature to Restore \$331,044,084 to the
2 National Mortgage Special Deposit Fund]

3 **Resolution urging Governor Jerry Brown and the California State Legislature to comply**
4 **with the Sacramento County Superior Court’s decision that found they illegally diverted**
5 **\$331,044,084 from the National Mortgage Special Deposit Fund; and to meet with the**
6 **plaintiffs in the lawsuit to discuss the schedule for restoring these funds and tailoring**
7 **programs for the funds to help struggling homeowners keep their homes.**

8
9 WHEREAS, The Controller’s February 2015 report, “Assisting Homeowners with
10 Troubled Mortgages,” found that there were 3,002 mortgages in San Francisco that were
11 underwater or near-underwater, and that 746 of these mortgages had predatory features that
12 increased their risk of default; and

13 WHEREAS, The Controller’s report found that nearly half of these at-risk mortgages
14 concentrated in the south and southeastern neighborhoods of the City such as the Ingleside,
15 Excelsior, Crocker-Amazon, Bayview Hunters Point, Visitacion Valley, and Sunnydale; and

16 WHEREAS, In 2012, lawsuits filed by state attorneys general forced the banks to the
17 bargaining table regarding their inappropriate handling of foreclosures; and

18 WHEREAS, California Attorney General Kamala Harris entered a national multistate
19 settlement with the country’s five largest loan services, known as the National Mortgage
20 Settlement; and

21 WHEREAS, The California State Legislature created the National Mortgage Special
22 Deposit Fund (NMSDF) with funds from the settlement that were to be used to assist
23 California homeowners affected by the foreclosure crisis; and

1 WHEREAS, The NMSDF was intended to help people who had lost their homes and
2 those who were facing foreclosure through programs such as refinancing loans at lower
3 interest rates, writing down principal, and restoring credit scores; and

4 WHEREAS, The Budget Act of 2012, approved by the State Legislature and signed by
5 Governor Jerry Brown, diverted approximately \$350 million from the NMSDF to the State's
6 General Fund for other purposes; and

7 WHEREAS, On March 14, 2014, the National Asian American Coalition, COR
8 Community Development Corporation, and National Hispanic Christian Leadership
9 Conference filed a lawsuit challenging this diversion of funds from the NMSDF; and

10 WHEREAS, The lawsuit argued that the diversion of funds was inconsistent with
11 Government code Section 12531 that requires the funds be used in a manner consistent with
12 the National Mortgage Settlement; and

13 WHEREAS, On June 12, 2015, the Sacramento County Superior Court Judge Timothy
14 M. Frawley ruled in favor of the National Asian American Coalition that the state unlawfully
15 diverted \$331,044,084 from the NMSDF to the General Fund and enjoined the State to
16 restore those funds to the NMSDF as soon as reasonably possible; and

17 WHEREAS, Judge Frawley reserved jurisdiction to compel the state to restore the
18 diverted funds; now, therefore, be it

19 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
20 urges Governor Jerry Brown and the California State Legislature to comply with the
21 Sacramento County Superior Court's decision and restore the \$331,044,084 to the National
22 Mortgage Special Deposit Fund; and, be it

23 FURTHER RESOLVED, That the Board of Supervisors urges Governor Brown and the
24 State Legislature to meet with the plaintiffs in the lawsuit to discuss the schedule for restoring
25

1 the funds and tailoring programs for the funds to help struggling homeowners keep their
2 homes; and, be it

3 FURTHER RESOLVED, That the Board of Supervisors directs the Clerk of the Board
4 to transmit copies of this resolution to Governor Brown and San Francisco's representatives in
5 the State Legislature.

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25



City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 150799

Date Passed: July 28, 2015

Resolution urging Governor Jerry Brown and the California State Legislature to comply with the Sacramento County Superior Court's decision that found they illegally diverted \$331,044,084 from the National Mortgage Special Deposit Fund; and to meet with the plaintiffs in the lawsuit to discuss the schedule for restoring these funds and tailoring programs for the funds to help struggling homeowners keep their homes.

July 28, 2015 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

File No. 150799

I hereby certify that the foregoing Resolution was ADOPTED on 7/28/2015 by the Board of Supervisors of the City and County of San Francisco.

Handwritten signature of Angela Calvillo
Angela Calvillo
Clerk of the Board

Unsigned
Mayor

8/7/15
Date Approved

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Handwritten signature of Angela Calvillo
Angela Calvillo
Clerk of the Board

8/7/15
Date



City and County of San Francisco

Certified Copy

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

150799 [Urging Governor Brown and the California State Legislature to Restore \$331,044,084 to the National Mortgage Special Deposit Fund]

Sponsors: Avalos; Mar

Resolution urging Governor Jerry Brown and the California State Legislature to comply with the Sacramento County Superior Court's decision that found they illegally diverted \$331,044,084 from the National Mortgage Special Deposit Fund; and to meet with the plaintiffs in the lawsuit to discuss the schedule for restoring these funds and tailoring programs for the funds to help struggling homeowners keep their homes.

7/28/2015 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

8/7/2015 Mayor - RETURNED UNSIGNED

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

CLERK'S CERTIFICATE

I do hereby certify that the foregoing Resolution is a full, true, and correct copy of the original thereof on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City and County of San Francisco.

August 10, 2015

Date

Angela Calvillo
Clerk of the Board