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DIVISION 3. OBLIGATIONS [1427 - 3273.69] (*Heading of Division 3 amended by Stats. 1988, Ch. 160, Sec. 14.*)

PART 4. OBLIGATIONS ARISING FROM PARTICULAR TRANSACTIONS [1738 - 3273.69] (*Part 4 enacted 1872.*)

TITLE 14. LIEN [2872 - 3081] (*Title 14 enacted 1872.*)

CHAPTER 2. Mortgage [2920 - 2968] (*Chapter 2 enacted 1872.*)

ARTICLE 4. State of Emergency [2968- 2968.] (*Article 4 added by Stats. 2023, Ch. 873, Sec. 1.*)

2968. (a) For purposes of this article, the following definitions apply:

(1) "Mortgage servicer" has the same meaning as defined in subdivision (a) of Section 2920.5.

(2) "Property" means residential real property that is improved by four or fewer residential dwelling units, affixed mobilehomes, and manufactured homes.

(3) "State of emergency" and "local emergency" have the same meanings as defined in subdivisions (b) and (c), respectively, of Section 8558 of the Government Code.

(b) A transferor mortgage servicer servicing a mortgage secured by property within the geographic limits of a proclaimed state of emergency or local emergency shall deliver to a transferee mortgage servicer any material written records between the borrower and the mortgage servicer relating to the borrower's election to use insurance proceeds to repair or replace property damaged by a disaster for which the state of emergency or local emergency was proclaimed.

(c) A transferee mortgage servicer pursuant to subdivision (b) shall not dishonor a previous written agreement to repair property made prior to the transfer between the transferor mortgage servicer and the borrower and approved by the owner of the promissory note.

(d) This article shall not be interpreted to prohibit a mortgage servicer from delivering to a transferee mortgage servicer any material written records relating to a borrower's election to use insurance proceeds to repair or replace damaged property that was not caused by a disaster for which a state of emergency or local emergency was proclaimed.

(*Added by Stats. 2023, Ch. 873, Sec. 1. (SB 455) Effective January 1, 2024.*)