

2022-2-14 Transcript of Melanie Hall and Kelly O'Sullivan

2022-2-10-Economic Affairs Interim Committee Capital Room 137 Bank Oversight  
Hearing

Roll Call 8:50 AM

Sen. Ellsworth , Jason	email Jason.ellsworth@mtleg.gov	(406) 360-0009	(R)
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Rep. Buckley, Alice	email <a href="mailto:aliceformontana@gmail.com">aliceformontana@gmail.com</a>	(406) 404-0891	(D)
Sen. Boland , Carline	email Carline.boland@mtleg.gov	(406) 868-1209	(D)
Rep. Ler, Brandon	email <a href="mailto:lerforrichland@gmail.com">lerforrichland@gmail.com</a>	(406) 480-5687	(R)
Rep. Kassmier, Josh	email <a href="mailto:JKassmier@Live.com">JKassmier@Live.com</a>	(406) 781-5386	(R)
Rep. Noland, Mark	email <a href="mailto:Marknolandhd10@gmail.com">Marknolandhd10@gmail.com</a>	(406) 253-8982	(R)
Sen. Bogner, Kenneth	email not listed	(406) 916-9690	(R)
Rep. Sullivan, Katie	email <a href="mailto:Sullivan89@gmail.com">Sullivan89@gmail.com</a>	(406) 616-3914	(R)

Testimony

10:40 AM	Commissioner Melanie Hall
10:48 AM	Nick Ramlow
10:50 AM	Dennis Thornton
11:06 AM	Toni Mitchell
11:20 AM	Joe Clark
11:35 AM	Donna Thornton
11:47 AM	Winston Major
11:50 AM	Rick Breckinridge
11:59 AM	Baking Commissioner Melanie Hall questioned by the Oversight Committee.

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Rep. Noland: Mr. Chairman, are borrowers entitled to their loan files?

12:06:24 PM

Ms Hall: Yes.

12:14:10 PM

Rep. Noland: Thank you Mr. Chairman, Commissioner Hall can a recorded mortgage lien be used for any other obligation?

12:14:24 PM

Ms Hall: Mr. chair, members of the committee. No,

12:14 PM:31

Rep. Noland: No, Mr. chair Ms. Hall is there only one action for foreclosure?

12:14:39 PM

Ms Hall: There is a single action for foreclosure. Yes,

12:14:45 PM

Rep. Noland: Mr. Chair, Ms. Hall, If a judgment in a foreclosure lawsuit is vacated is the judgment still owed?

12:14:56 PM

Ms Hall: No Mr. chair, members of the committee. No. The judgment is not still owed.

Ms O'Sullivan: Members of the committee, Mr. Chairman my name is Kelly O'Sullivan I am legal counsel for the Division of Banking and Financial Institution.

12:16:39 PM

Rep. Noland: Thank you so my question Mr. chairman, Miss O'Sullivan that I ask is if a foreclosure lawsuit is dismissed with prejudice is considered adjudicated on the merits? It was a specific question.

12:17:00 PM

Ms O'Sullivan: If you're talking about the Thornton case and it was a voluntary dismissal with prejudice. Yes.

12:17:52 PM

Rep. Noland: So If were making, you know it's dismissed with prejudice. It's done, that's what we have heard today. That's what many of the folks here have felt that's what is supposed to have happened. How can it not happen if It's dismissed with prejudice? It's done its discharged.

12:18:10 PM

**Ms O'Sullivan:** The lawsuit is done. Yes that is correct. I'm sorry Mr. Chair, members of the committee, it's **done**.