Pete Gallagher Quoted in NJLJ Article Regarding Mortgage Modification Decision by NJ Appellate Division

January 30, 2015

Porzio, Bromberg & Newman counsel Peter J. Gallagher was quoted in a New Jersey Law Journal article regarding a January 23, 2015 decision from the New Jersey Appellate Division on the enforceability of mortgage modifications.

In the ruling in *Arias v. Elite Mortgage Group Inc.,* the court held that Homeowners who enter into trial agreements to modify their mortgages under the federal Home Affordable Modification Program (HAMP) and comply with the terms can sue for breach of contract if a modification is denied and might even have a consumer fraud claim

Mr. Gallagher advises that he does not expect the decision to have too much of an impact on lenders beyond spurring them to review their TPP agreements to ensure they are as clear as the one in that case. He further notes that the message for borrowers is "you need to do what you said you would do in the TPP agreement or you will not get the modification."

Please click here to view the entire article. A New Jersey Law Journal subscription is required.