

COMMERCIAL REAL ESTATE INSIGHT & NEWS

The Bowditch & Dewey Real Estate Blog

Springfield Loses Out In Foreclosure Ordinance Case

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Gemma Ypparila – In December, the Massachusetts Supreme Judicial Court ruled Springfield's 2011 foreclosure ordinances illegal because they are pre-empted by state law. Six western Massachusetts banks challenged ordinances that attempted to address the wave of foreclosures and resulting public safety concerns triggered by the economic downturn of 2008. The city sought to address urban blight by establishing a program requiring mandatory mediation between mortgagors and mortgagees as well as requiring owners of buildings that are vacant or undergoing foreclosure to register with the city so that the city could monitor and hold mortgagors and mortgagees alike liable for the upkeep and maintenance of the foreclosed properties. Ultimately, the court ruled that the only way these measures could be properly addressed would be through legislative change. The case Easthampton Savings Bank & others v. City of Springfield, SJC-11612, 470 Mass. 284 (Dec. 19, 2014) can be found here. See a more detailed summary here.

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