

Third Rhode Island Municipality Passes Local Foreclosure Ordinance

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[Charles A. Lovell, Esq.](#)

Joining the Cities of Providence and Cranston, on April 29, 2010, the City Council of the City of Warwick overrode Mayor Scott Avedisian's veto and passed its own foreclosure ordinance, Chapter 10, Section 10-36, et seq. The effective date is May 24, 2010, but the City has not yet determined whether there will be a phase-in to allow foreclosures already in progress to go forward. This ordinance is virtually identical to the others and, among other things, requires lenders to participate in a mortgage conciliation conference as a condition of recording foreclosure deeds in Warwick. Unlike the others, the ordinance does not include special tenant notices. It does, however, impose a \$2,000 penalty for non-compliance with the ordinance.

The Rhode Island Superior Court is currently overseeing litigation against the City of Providence involving a legal challenge to its foreclosure ordinance on the grounds that state foreclosure and recording statutes preempt local municipal law.

[Click here for a copy of the ordinance.](#)