

AMENDMENT TO H.R. 1728
OFFERED BY MR. HENSARLING OF TEXAS

Page 16, after line 24, insert the following new paragraph:

1 “(3) LEGAL COSTS.—If an unsuccessful action is
2 brought against a mortgage originator by any consumer under
3 this section, such consumer shall bear any actual legal costs
4 of the mortgage originator, including reasonable attorney fees
5 and expert witness fees, incurred in good faith in such action,
6 as determined by the court.”.

Page 30, after line 15, insert the following new paragraph (and
redesignate the subsequent paragraphs accordingly):

1 “(9) LEGAL COSTS.—If an unsuccessful action is
2 brought against a creditor, assignee, or securitizer by any
3 consumer under this section, such consumer shall bear any
4 actual legal costs of the creditor, assignee, or securitizer,
5 including reasonable attorney fees and expert witness fees,
6 incurred in good faith in such action, as determined by the
7 court.

Page 33, strike line 9, and insert the following:

1 securitizer—
2 “(i) if an unsuccessful action is brought against a
3 creditor or any assignee or securitizer by any consumer under
4 this section, such consumer shall bear any actual legal costs
5 of the creditor, assignee, or securitizer, including reasonable
6 attorney fees and expert witness fees, incurred in good faith
7 in such action, as determined by the court; and