



MISSOURI HOUSE OF REPRESENTATIVES  
**WITNESS APPEARANCE FORM**

BILL NUMBER: <b>HB 2636</b>		DATE: <b>1/21/2026</b>	
COMMITTEE: <b>Financial Institutions</b>			
<b>TESTIFYING:</b> <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
<b>WITNESS NAME</b>			
<b>REGISTERED LOBBYIST:</b>			
WITNESS NAME: <b>CHARLES ANDY ARNOLD</b>		PHONE NUMBER: <b>314-971-1000</b>	
REPRESENTING: <b>MISSOURI INDEPENDENT BANKERS ASSOCIATION</b>		TITLE: <b>LOBBYIST</b>	
ADDRESS: <b>POB 161</b>			
CITY: <b>WRIGHT CITY</b>		STATE: <b>MO</b>	ZIP: <b>63390</b>
EMAIL: <b>caarnold@arnoldlobby.com</b>	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>1/21/2026 7:40 AM</b>	
<b>THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.</b>			

**The Missouri Independent Bankers Association supports HB 2636. Mortgage modification are a reality. This legislation makes sense for business and consumers.**



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<b>WITNESS NAME</b>			
<b>REGISTERED LOBBYIST:</b>			
WITNESS NAME: <b>DAVID KENT</b>		PHONE NUMBER: <b>573-636-8151</b>	
REPRESENTING: <b>MISSOURI BANKERS ASSOCIATION</b>		TITLE:	
ADDRESS: <b>207 E CAPITOL AVE</b>			
CITY: <b>JEFFERSON CITY</b>		STATE: <b>MO</b>	ZIP: <b>65101</b>
EMAIL:	ATTENDANCE:	SUBMIT DATE: <b>1/21/2026 12:00 AM</b>	
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<b>WITNESS NAME</b>			
<b>REGISTERED LOBBYIST:</b>			
WITNESS NAME: <b>HEATH CLARKSTON</b>		PHONE NUMBER: <b>573-520-7240</b>	
REPRESENTING: <b>MORTGAGE BANKERS ASSOCIATION OF MISSOURI</b>		TITLE:	
ADDRESS: <b>235 EAST HIGH STREET</b>			
CITY: <b>JEFFERSON CITY</b>		STATE: <b>MO</b>	ZIP: <b>65101</b>
EMAIL:	ATTENDANCE:	SUBMIT DATE: <b>1/21/2026 12:00 AM</b>	
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<b>WITNESS NAME</b>		
<b>INDIVIDUAL:</b>		
WITNESS NAME: <b>ARNIE C. AC "HONEST-ABE" DIENOFF-STATE PUBLIC ADVO</b>		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE:      ZIP:
EMAIL:	ATTENDANCE: <b>In-Person</b>	SUBMIT DATE: <b>1/21/2026 11:51 PM</b>
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<b>WITNESS NAME</b>		
<b>INDIVIDUAL:</b>		
WITNESS NAME: <b>SARAH BERRY</b>		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:	STATE:	ZIP:
EMAIL:	ATTENDANCE: <b>Written</b>	SUBMIT DATE: <b>1/19/2026 10:11 AM</b>

**THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.**

I oppose HB 2636 because it materially alters long-standing Missouri property and recording principles in ways that increase borrower risk, cloud title, and shift liability downstream without adequate consumer safeguards.

While framed as a technical “uniform” act, the bill allows significant mortgage modifications to retain full priority even when unrecorded, explicitly stating that priority is unaffected “regardless of whether a record of the mortgage modification is recorded.”

This undermines Missouri’s public-record notice system, which exists to protect homeowners, subsequent purchasers, heirs, and small lenders who rely on transparent land records to understand the true scope of encumbrances on property.

HB 2636 also expands the scope of protected modifications well beyond ministerial changes, including capitalization of unpaid interest, payment schedule changes, escrow requirements, financial covenants, and future advance conditions—without requiring recording, affirmative notice, or borrower-specific disclosures.

In practice, this creates a system where the legal burden of undisclosed mortgage risk shifts away from sophisticated lenders and onto homeowners and third parties, increasing the likelihood of surprise defaults, quiet-title litigation, and foreclosure disputes.

Additionally, by declaring such modifications are “not a novation” and retain priority automatically, the bill limits judicial scrutiny and narrows equitable defenses that Missouri courts have traditionally used to resolve mortgage disputes fairly.

This is especially concerning for seniors, heirs, and borrowers in modification or forbearance scenarios who may not fully understand how unrecorded changes affect their property rights.

Missouri already allows mortgage modifications.

What HB 2636 does is remove guardrails—loosening transparency standards at a time when housing stability, clear title, and consumer protection should be strengthened, not weakened.

For these reasons, I urge the committee to oppose HB 2636 or, at minimum, require mandatory recording, borrower notice, and clear consumer protections before granting automatic priority to

**unrecorded mortgage modifications.**