

OPINION SUMMARY
MISSOURI COURT OF APPEALS—EASTERN DISTRICT

MISSOURI BANKERS ASSOCIATION,)	No. ED99333
INC., AND JONESBURG STATE BANK,)	
Plaintiffs/Appellants,)	Appeal from the Circuit Court
)	of St. Louis County
vs.)	12SL-CC03659
)	
ST. LOUIS COUNTY, MISSOURI, AND)	Honorable Brenda S. Loftin
CHARLIE A. DOOLEY,)	
Defendants/Respondents.)	FILED: October 15, 2013

Missouri Bankers Association, Inc., and Jonesburg State Bank (collectively Bankers) appeal from the trial court’s grant of summary judgment in favor of St. Louis County and Charlie A. Dooley (collectively County) finding that the County’s foreclosure mediation program was a valid exercise of the County’s police power and did not conflict with Missouri state law.

DISMISSED AS MOOT AND REMANDED.

Division Two Holds: Section 443.454 RSMo¹ expressly prohibits local governments from enforcing the type of regulation that has been enacted by the County’s “Mortgage Foreclosure Intervention Code” (Ordinance). As a result of this conflict with Section 443.454, the County conceded that it will not enforce the Ordinance and admits that the controversy is moot. We agree and dismiss the case as moot and remand to the trial court to vacate the judgment.

Opinion by: Mary K. Hoff, Judge
Kathianne Knaup Crane, Senior Judge, concurs and
Lisa S. Van Amburg, Judge, dissents in separate opinion.

Attorney for Appellants: Jane E. Dueker
Crystal Hall (co-counsel)

Attorney for Respondents: Patricia Redington

THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.

¹ Section 443.454 was created by House Bills 446 and 211, 97th General Assembly, 1st Regular Session (Mo. 2013). It was made effective August 28, 2013.