

**Question for written answer E-002096/2015
to the Commission**
Rule 130
José Blanco López (S&D)

Subject: ECJ judgment on evictions

The European Court of Justice has recently held that it should always be open to the Spanish courts to find that mortgage clauses stipulating excessive interest rates for failure to pay on time may be unfair. This judgment opens the way for the courts to hold as unfair other clauses that may comply with mortgage laws but are nevertheless inequitable, thus providing a legal weapon for citizens to combat evictions, which, far from being stopped, are on the increase in Spain.

In light of this judgment, does the Commission intend to approach the Spanish Government to propose a change in the law on mortgages to take account of this new situation upheld by the ECJ?

Has the Commission approached the Spanish Government to find out how many evictions might have been avoided in Spain if this legal interpretation had been applied earlier? If not, does it intend to do so?

Will the Commission undertake any initiative to ensure that the law on mortgages complies with the judgment handed down by the ECJ?