

**Question for written answer E-011433/2015
to the Commission**

Rule 130

Josep-Maria Terricabras (Verts/ALE)

Subject: Arbitrary nature of Spanish Mortgage Law: illegality of one-month deadline for appealing evictions

Since 2012, the Court of Justice of the European Union has given a number of rulings based on current Directive 93/13 that declare Spanish mortgage legislation to be illegal. The Spanish Government responded with Law 1/2013 and, in mid-May 2015, the Advocate General of the EU, Maciej Szpunar, again declared the one-month deadline for those involved in mortgage repossession proceedings to report abusive bank clauses (IRPH [mortgage loan reference index], floor clause, etc.) to be 'illegal'. In mortgage repossession proceedings, judges may declare the interest generated null and void and not apply it on account that it weakens protection and infringes consumer rights, and thus slow down the increase in their debt.

What conclusions has the Commission reached concerning application of the various CJEU decisions by the Spanish Government?

What are the Commission's assessments regarding the effect and proportionality of the various amendments made by the Spanish Government?

What action does the Commission intend to take in the event of non-compliance and delays further widening the gap in terms of protecting consumer rights?