



## Summary of Federal Governmental Developments Pertaining to Loan Forbearance and Lease Enforcement in Response to COVID-19

Updated March 30, 2020

Agency or Entity	Type	General Overview and Scope of Applicability to Commercial and Residential Borrowers	Expiration Date	Special Notes
<b>U.S. Department of Housing and Urban Development (HUD)</b>	<a href="#">HUD No. Press Release 20-042</a> (issued 3/18/20)  <a href="#">Mortgagee Letter 2020-04</a> (issued 3/18/20)	<p><b>Commercial:</b> As of the date of issuance of Mortgagee Letter 2020-04, mortgage relief, in the form of forbearance, was not available to commercial borrowers, including multifamily borrowers.</p> <p><b>Residential:</b> On March 18, 2020, <a href="#">President Trump directed HUD</a> to suspend foreclosures and evictions through April 2020 amid the COVID-19 pandemic. On the same day, <a href="#">HUD</a> authorized Federal Housing Administration (FHA), a HUD agency that provides affordable mortgage loans, to implement a foreclosure and eviction moratorium for single-family borrowers with FHA insured mortgages for 60 days.</p> <p>In response to the President's directive, HUD published Mortgagee Letter 2020-04 that provides single-family borrowers holding FHA-insured mortgages the following relief: (1) suspension of evictions of persons occupying these properties for 60 days; (2) halting the initiation of new foreclosures and suspending completion of foreclosures currently in progress for 60 days; and (3) extending deadlines of the first legal action and reasonable diligence timelines by 60 days. Specifically, Mortgagee Letter 2020-04 only applies to the following: (1) all FHA Title II single-family borrowers; (2) home equity conversion mortgages (HECM); and (3) tenants occupying single-family residential properties with FHA insured mortgages.</p>	<p>The foreclosure and eviction moratorium for single-family borrowers with FHA insured mortgages expires on May 17, 2020, unless extended by HUD, FHFA, or Fannie Mae and Freddie Mac (the Enterprises).</p> <p>The extension of deadlines of the first legal action and reasonable diligence timeline expires on May 17, 2020, unless otherwise extended.</p>	The HUD and FHFA foreclosure suspensions followed moratoria issued by various cities, such as Miami-Dade, LA, and NYC. The HUD moratorium immediately instructed for the enterprises to halt new foreclosure actions, and to suspend all foreclosure actions that are currently in process, and to suspend evictions of persons occupying single-family residential properties with FHA insured mortgages.
<b>HUD's Office of Native American Programs (ONAP)</b>	<a href="#">Dear Lender Letter DLL 2020-04</a> (issued 3/20/20)	<p><b>Residential:</b> On March 20, 2020, HUD's ONAP issued a <a href="#">Lender Letter DLL 2020-04</a>, which provides the following relief: (1) moratorium on foreclosures and evictions for those residential properties secured by Sections 184 or 184A guaranteed loans for 60 days; and (2) extension of deadlines of the first legal action and reasonable diligence timelines for 60 days.</p>	The foreclosure and eviction moratorium for Section 184 loans expires on May 19, 2020, unless otherwise extended.	Section 184 loans are limited to single-family housing and fixed-rate loans.
<b>Federal Housing Finance Agency (FHFA)</b>	<a href="#">FHFA Moves to Provide Eviction Suspension Relief for Renters in Multifamily Properties</a> (issued 3/23/20)  <a href="#">FHFA Suspends Foreclosures and</a>	<p><b>Commercial:</b> On March 23, 2020, the FHFA announced in a <a href="#">press release</a> that Fannie Mae and Freddie Mac (the Enterprises) will be providing multifamily borrowers with enterprise-backed performing multifamily mortgages relief amid the COVID-19 pandemic. Specifically, FHFA provides multifamily borrowers forbearance of their mortgage payments with the condition that they agree to the suspension of all evictions for renters unable to pay rent due to of COVID-19. The FDHA stated that the "eviction suspensions are in place for the entire duration of time that a property owner remains in forbearance," and will only be available to multifamily properties with enterprise-backed multifamily mortgages. The FHFA did not specify the duration of the forbearance period for multifamily borrowers. However, further guidelines were issued by the</p>	Through its press releases, the FHFA provided the following relief to its borrowers: (1) suspension of single-family residential mortgage foreclosures and evictions for 60 days; (2) forbearance of mortgage payments for	Since the issuance of the FHFA guidance, both Fannie Mae and Freddie Mac, issued guidance on FHFA's foreclosure and eviction moratorium, and forbearance. This guidance includes options such as requiring servicers to work with its borrowers on a



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	<a href="#">Evictions on Mortgages</a> (issued 3/18/20)  <a href="#">Statement from FHFA Director Mark Calabria on Coronavirus</a> (issued 3/10/20)	<p>enterprises, as detailed in below sections, after this guidance was provided, specifying periods of duration for relief.</p> <p><b>Residential:</b> On March 18, 2020, the FHFA, in coordination with HUD, issued a <a href="#">press release</a> directing the enterprises to suspend foreclosures and evictions for at least 60 days and provide payment forbearance to single-family residential borrowers. The FHFA provided residential mortgage borrowers up to 12-month forbearance of payments due to hardship caused by COVID-19 and may suspend borrower late charges and penalties. The foreclosure and eviction suspension apply to homeowners with a Fannie Mae or Freddie Mac backed single-family residential mortgage.</p>	single-family residential borrowers for up to 12 months due to hardship due to COVID-19; and (3) forbearance of mortgage payments for multifamily borrowers so long as the borrower does not evict its tenants (FHFA did not specify duration).	permanent plan to either maintain or reduce monthly payments as necessary, including loan modifications.
<b>Federal Home Loan Mortgage Corporation (Freddie Mac)</b>	<a href="#">Bulletin 2020-6</a> (issued 3/25/20)  <a href="#">Freddie Mac Announces Nationwide COVID-19 Relief Plan Affecting More than 4 Million Multifamily Apartment Renters</a> (issued 3/24/20)  <a href="#">Bulletin 2020-4</a> (issued 3/18/20)  <a href="#">Freddie Mac Single-Family Seller/ Servicer Guide</a> (published 3/25/20)	<p><b>Commercial:</b> On March 24, 2020, Freddie Mac <a href="#">announced</a> it is assisting multifamily borrowers impacted by COVID-19, by providing a deferment of mortgage loan payments for 90 days. The multifamily borrower must show hardship that the borrower and its tenants face and by gaining lender approval. Monthly installments of interest, principal, impounds, reserves, late charges, and default interest may be waived. However, the multifamily borrower must release any claims against the lender for any adverse effects on the borrower arising out of the eviction restriction. Additionally, the multifamily borrower must agree that during the forbearance period, borrower will not evict tenants solely based on non-payment of rent due to COVID-19.</p> <p><b>Residential:</b> On March 18, 2020, Freddie Mac <a href="#">announced</a> it is assisting single-family residential borrowers with FHA insured mortgages, who are impacted by COVID-19. The following options are available: (1) forbearance of mortgage loan payments for up to 12 months; (2) waiver of penalties or late fees against borrowers; (3) halt all foreclosure sales and evictions of residential borrowers living at the property; (4) suspension of reporting of delinquency related to forbearance, repayment or trial plans to credit bureaus; and (5) consideration of additional loss mitigation options, including loan modification, that are typically only enacted to address natural disasters. Freddie Mac has confirmed forbearance is available for residential regardless of whether the property is owner occupied, a second home or an investment property, until indicated otherwise by Freddie Mac.</p>	<p>Multifamily borrowers are provided a 90-day forbearance on all mortgage payments. Borrowers will be required to repay the deferred amounts over a 12-month period.</p> <p>Single-family residential borrowers are provided forbearance of payments up to 12 months due to hardship caused by COVID-19. Suspension of foreclosure sales and evictions applies until May 17, 2020, and if necessary, may be extended.</p>	Notably, Freddie Mac expressly states that the servicer is not required to obtain documentation of the borrower's COVID-19-related hardship.
<b>Federal National Mortgage Association</b>	<a href="#">Lender Letter (LL-2020-02), Single Family Servicers</a>	<p><b>Commercial:</b> On March 18, 2020, Fannie Mae <a href="#">announced</a> it is assisting multifamily borrowers impacted by COVID-19, if they demonstrate a negative impact due to COVID-19 and that relief is necessary. As discussed in <a href="#">Seyfarth Shaw LLP's prior client alert</a>, dated March 25, 2020, Fannie Mae is</p>	Multifamily borrowers are provided a 90-day forbearance, and Fannie Mae will have to approve	Notably, Fannie Mae expressly states that the servicer is not required to obtain documentation of

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(Fannie Mae)	<a href="#">Impact of COVID-19 on Servicing</a> (issued 3/18/20, updated 3/25/20)  <a href="#">Lender Letter (LL-2020-05), Single-Family Servicers Payment Deferral</a> (issued 3/25/20)  <a href="#">Supplement 2004R: Forbearance Delegation Guidance</a> (effective 3/24/20)	<p>providing forbearance of mortgage loan payments for a period up to 90 days, beginning on the first missed monthly payment, provided that the missed payment did not occur before April 1, 2020. The loan must be brought current by the earlier of (a) 12 months after the end of the forbearance period, or (b) receipt by borrower of business interruption insurance proceeds or other assistance or relief program proceeds. Additionally, the borrower must agree suspend all evictions of those financially impacted by COVID-19 until the later of (a) 90 days after the expiration date of the forbearance agreement, or (b) the mortgage loan is brought current. Affected tenants must be permitted to repay missed payments over a period of no more than 12 months, without late charges (in addition to the tenant's regular monthly rent).</p> <p><b>Residential:</b> On March 18, 2020, Fannie Mae <a href="#">announced</a> it is providing single-family residential borrowers impacted by COVID-19 the following relief: (1) suspension of foreclosure sales and evictions for 60 days; (2) forbearance plan to reduce or suspend mortgage payments for up to 12 months; (3) suspension of credit bureau reporting of past due payments ; (4) waiver of late fees; and (5) after forbearance, working out a permanent plan to maintain or reduce payment amounts as necessary, including loan modifications.</p>	<p>any forbearance exceeding 90 days.</p> <p>Single-family residential borrowers are provided forbearance of payments up to 12 months due to hardship caused by COVID-19.</p>	<p>the borrower's COVID-19-related hardship.</p> <p><a href="#">Fannie Mae Multifamily Selling &amp; Servicing Guide</a> (updated 3/23/20)</p> <p><a href="#">Fannie Mae Single-Family Servicing Guide</a> (published 2/12/20)</p>
CFPB, FDIC, FRB, NCUA, OCC, CSBS	<a href="#">Press Release on Interagency Statement</a> (issued 3/22/20)  <a href="#">Agencies provides information to encourage financial institutions to work with borrowers</a> (issued 3/22/20)	<p>On March 22, 2020, the Consumer Financial Protection Bureau (CFPB), the Federal Deposit Insurance Corporation (FDIC), the Federal Reserve Board (FRB), the National Credit Union Administration (NCUA), the Office of the Comptroller of the Currency (OCC), and the Conference of State Bank Supervisors (CSBS) issued an <a href="#">Interagency Statement</a> on loan modifications and reporting for financial institutions working with those who are most impacted by the COVID-19 pandemic. These agencies encouraged financial institutions to work prudently with borrowers who are unable to make payments due to the effects of COVID-19. Notably, these agencies confirm that mortgages that have been restructured due to COVID-19 will still be eligible as "collateral at the FRB's discount window based on the usual criteria."</p>	N/A	<p>Interagency Statement confirmed (1) loan modifications for mortgages will not be considered restructured/modified for purposes of risk-based capital rules, when loans are underwritten, not past due, or carried in nonaccrual status; and (2) short-term modifications made in good-faith will not be deemed troubled debt restructurings (TRDs).</p>

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U.S. Department of Agriculture (USDA) Rural Development	<a href="#">USDA Implements Measures to Help Rural Residents, Businesses, &amp; Communities Affected by COVID-19</a> (issued 3/25/20)	<p><b>Commercial:</b> On March 25, 2020 the USDA <a href="#">announced</a> section 515 multifamily borrowers are provided the following relief: (1) tenant certifications due March 31, April 30 and May 31 for multifamily properties are now due June 30; (2) waiver of late fees on section 515 loans; and (3) annual financial statements due March 31 are now due April 31, 2020. USDA also encouraged multifamily borrowers to work with impacted residents and families to adjust rent payments, enter into forbearance agreements, and lessen the impact on affected residents.</p> <p><b>Residential:</b> On March 19, 2020, the USDA announced in a <a href="#">stakeholder announcement</a> a moratorium on foreclosure for a period of 60 day for all USDA single-family housing guaranteed and direct loans. The moratorium applies to the initiation of foreclosures and to the completion of foreclosures in process. Evictions are also suspended for a period of 60 days. Guaranteed loan borrowers who are in default or facing imminent default due to a documented hardship can have payments reduced or suspended by their lender for a period not to exceed 12 months delinquency.</p>	Single-family residential borrowers are provided forbearance of payments up to 12 months due to hardship caused by COVID-19. Foreclosure sales and evictions are suspended for 60 days.	<a href="#">HB-3-3560 MFH Project Servicing Handbook</a> (Multifamily Handbook) <a href="#">HB-1-3555 SFH Guaranteed Loan Program Technical Handbook</a> (Single-Family Handbook)
The Department of Veterans Affairs (VA)	<a href="#">Circular 26-20-10</a> (issued 3/27/20)  <a href="#">Circular 26-20-8</a> (issued 3/18/20)  <a href="#">Circular 26-20-7</a> (issued 3/16/20)	<p>On March 18, 2020, the VA issued <a href="#">Circular 26-20-8</a> “strongly encourage[ing]” loan holders and servicers to establish a 60-day moratorium. In VA Circular 26-20-8, the VA acknowledges that lenders are ultimately responsible for determining when to initiate a foreclosure action or to complete a foreclosure sale, but should consider the impact of an eviction action, and requests that loan holders should not expose Veterans needlessly to additional risk of an eviction action.</p> <p>On March 16, 2020, the VA also issued <a href="#">Circular 26-20-7</a>, which provides, in relevant part, that servicers may employ the following relief to veterans impacted by COVID-19: (1) forbearance, (2) late charge waivers on affected loans, and (3) suspension of credit bureau reporting on affected loans.</p>	The VA Circular strongly encouraged an eviction and foreclosure moratorium; however, it is not binding on loan holders and servicers of mortgage loans insured by the VA.	<a href="#">Lenders Handbook - VA Pamphlet 26-7</a>
Coronavirus Aid, Relief, and Economic Security Act (CARES Act)—H.R.748	<a href="#">CARES Act—H.R.748</a> (signed by 3/27/20)	<p>This below is a summary of the CARES Act as applied to federal governmental developmental actions.</p> <ul style="list-style-type: none"> <li>▪ <a href="#">Sec. 4022</a> creates a nationwide federal foreclosure moratorium and the consumer’s right to request a forbearance. It also applies only to “[f]ederally-backed mortgages,” which are loans insured or guaranteed by FHA, Fannie Mae and Freddie Mac, insured by HUD, VA, or USDA, or loans that are owned by Fannie Mae or Freddie Mac. Sec. 4022 prohibits foreclosures on all federally-backed mortgage loans for a 60-day period beginning on March 18, 2020. Sec. 4022 provides up to 180 days, which could be extended for another 180 days upon borrower’s request, of forbearance for borrowers of a federally-backed mortgage loan who have</li> </ul>	N/A	N/A



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		<p>experienced a financial hardship due to COVID-19. Sec. 4022 provided that this section expires on the earlier of either the end of the COVID-19 pandemic or December 31, 2020.</p> <ul style="list-style-type: none"><li>▪ <a href="#">Sec. 4023</a> covers a nationwide federal forbearance for multifamily borrowers with a federally backed multifamily mortgage loans that are insured by Fannie Mae, Freddie Mac, or HUD, who have experienced a financial hardship. Sec. 4023 also provided for up to 90 days of forbearance for multifamily borrowers with enterprise-backed performing multifamily mortgages who are experiencing a financial hardship due to COVID-19. A borrower requesting forbearance under Sec. 4023 must be current on payments as of February 1. Multifamily borrowers with enterprise-backed performing multifamily mortgages receiving forbearance may not evict or charge late fees to tenants for the duration of this mentioned forbearance period. Sec. 4023 provided that this section expires on the earlier of either the end of the COVID-19 pandemic or December 31, 2020.</li><li>▪ <a href="#">Sec. 4024</a> covers a nationwide federal eviction moratorium where the mortgage on that property is insured by HUD, Fannie Mae, Freddie Mac, or the Violence Against Women Act of 1994. Prohibits landlords from requiring a tenant to vacate or from initiating legal action to recover possession of a rental unit or to charge fees, penalties, or other charges to a tenant related to such nonpayment of rent. This nationwide federal eviction moratorium will last for a period of 120 days. After expiration of 120-day period, a notice to evict may be permitted, but the landlord must give tenants at least 30 days to vacate.</li></ul>		



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Alabama	<a href="#">Administrative Order No. 3 COVID-19 Pandemic Response</a> (issued 3/17/20)	<p>On March 17, 2020, the Alabama Supreme Court issued an <a href="#">order</a> suspending, "[a]ll in-person proceedings in all state and local courts" through April 16, 2020. Electronic filings are still being accepted. Although Alabama's order does not specifically address or pertain to eviction or foreclosure proceedings, it is likely that this order will ultimately delay them regardless.</p> <p>The Alabama Legislature adopted <a href="#">SR49</a>, and if enacted, would provide additional funding for rental assistance to low income families living in USDA Rural Development Housing 5 units who are adversely affected by income disruption from COVID-19.</p>	The Alabama Supreme Court suspended in-person court proceedings through April 16, 2020, unless extended otherwise.	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.
Alaska	<a href="#">Statewide Administrative Order Governing Relaxation and Suspension of Various Court Rules</a> (issued 3/23/2020)  <a href="#">COVID-19 Economic Stabilization Plan</a> (issued 3/20/20)  <a href="#">Special Order 8131</a> (issued 3/19/20)	<p>On March 23, 2020, by the <a href="#">order</a> of all presiding district judges eviction hearings will not heard during any court suspension. However, trial court judges may find good cause to stay an outstanding eviction order, including a finding that the tenant was subject to a quarantine order or is self-quarantined pursuant to COVID-19, then the eviction should be stayed.</p> <p>On March 20, 2020, Governor Mike Dunleavy released the <a href="#">Alaska COVID-19 Economic Stabilization Plan</a>. In announcing the plan, the Governor stated that no evictions are to be carried out against impacted individuals for at least 60 days. Likewise, the Governor directed the Alaska Housing Finance Corporation to suspend foreclosures and evictions immediately. Additionally, lenders are authorized to grant forbearance to residential borrowers suffering financial hardship due to this shutdown. At this time, Governor Dunleavy has not signed any executive order.</p> <p>The Alaska Legislature is considering <a href="#">HB 312</a>, and if enacted would provide relief by enacting a moratorium on (1) foreclosures and (2) evictions for nonpayment of rent during COVID-19.</p>	The Alaska Supreme Court suspended in-person court proceedings through May 1, 2020, unless extended otherwise.	N/A
Arizona	<a href="#">EO No. 2020-14, Postponement of Eviction Actions</a> (issued 3/24/20)  <a href="#">Office of the Attorney General, State of Arizona, Letter to All Financial and Lending Institutions Serving Arizonans</a> (issued 3/19/20)	<p>On March 24, 2020, Governor Doug Ducey issued <a href="#">EO 2020-14</a> which delayed evictions for 120 days. This EO applies to those tenants who cannot afford rent due to the COVID-19 pandemic and related issues, including been quarantined due to COVID-19. The tenant must notify the landlord in writing with supporting documentation of their temporary financial hardship or evidence of quarantine.</p> <p>On March 19, 2020, the Arizona Attorney General sent a <a href="#">letter</a> to all financial and lending institutions servicing Arizonans. Specifically, the Attorney General called for "all mortgage servicers, mortgage lending institutions, and finance companies to waive payments for 90 days and agree to place those payments on the back of the loan in 3 additional payments (no lump sum payments or balloon).</p>	The Governor's EO 2020-14 remains in effect for 120 days, expiring on July 22, 2020, unless extended otherwise.	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.



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Arkansas	<a href="#">Response to COVID-19 Pandemic</a> (issued 3/20/20)  <a href="#">Response to COVID-19 Pandemic</a> (issued 3/17/20)	On March 20, 2020, the Supreme Court of Arkansas in response to the COVID-19 pandemic <a href="#">announced</a> an order postponing court proceedings through April 17, 2020, with the exceptions noted in the order. Although Arkansas' order does not specifically address or pertain to eviction or foreclosure proceedings, it is likely that this order will ultimately delay them regardless.	The Arkansas Supreme Court suspended all in-person court proceedings through April 17, 2020, unless extended otherwise.	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.
California	<a href="#">EO N-37-20</a> (issued 3/27/20)  <a href="#">Press Release on Major Financial Relief Package</a> (issued 3/25/20)  <a href="#">EO N-28-20</a> (issued 3/16/20)  <a href="#">EO N-25-20</a> (issued 3/12/20)	<p>On March 27, 2020, Governor Gavin Newsom issued an <a href="#">EO N-37-20</a> suspending enforcement of eviction orders for residential tenants affected by COVID-19 through May 31, 2020. The EO prohibits landlords from evicting tenants for solely nonpayment of rent or from enforcement of evictions. However, this EO requires for tenants to provide a statement in writing, no more than 7 days after the rent comes due, that he or she cannot pay their rent due to COVID-19. The tenant should retain documentation related to these claims, but is not required to submit such documentation to the landlord in advance. It is important to note, that according to the EO "the tenant would still remain obligated to repay full rent and could still face eviction after the moratorium is lifted."</p> <p>On March 25, 2020, Governor Newsom <a href="#">announced</a> that several large, national banks and close to 200-state chartered banks, credit unions, and servicers have signed on to the State's proposal to provide financial relief to California consumers. In this announcement, the Governor provided for the following relief: (1) forbearances of up to 90 days for residential borrowers; and (2) moratorium on initiation of foreclosure sales or evictions, consistent with applicable guidelines, for up to 60 days.</p> <p>On March 16, 2020, Governor Newsom issued <a href="#">N-28-20</a> specifically authorizing local governments to halt commercial and residential evictions on tenants affected by COVID-19. As a result, many counties and cities in California enacted various executive orders. Governor's EO requested that lenders pause commercial and residential foreclosures and evictions related to COVID-19, but did not explicitly require such action.</p> <p><b><u>Major Counties that Issued Emergency Moratorium for Commercial Tenants:</u></b> Many California cities and counties have either issued a ban on evicting commercial tenants facing economic hardships due to the novel COVID-19 outbreak or are considering doing so, including Anaheim, <a href="#">Ordinance No. 6482</a>; Berkeley, <a href="#">BMC Chapter 13.110</a>; Beverly Hills, <a href="#">Ordinance No. 20-0-2805</a>; Burbank, <a href="#">Ordinance No. 20-3,934</a>; Chula Vista, <a href="#">Ordinance 20-0118</a>; Davis, <a href="#">Urgency Ordinance</a>; Emeryville, <a href="#">Ordinance No. 20-002</a>; City of Fresno, <a href="#">Bill No. 10</a>; Glendale, <a href="#">Resolution No. 20-33</a>; Goleta, <a href="#">Resolution No. 20-18</a>; City of Los Angeles, <a href="#">Public</a></p>	The Governor's EO N-37-20 suspending enforcement of eviction orders expires on May 31, 2020, unless extended otherwise.	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.



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		<a href="#">Order</a> (residential), <a href="#">Public Order</a> (commercial); Marin County, <a href="#">Resolution</a> ; City of Monterey, <a href="#">Ordinance No. 3614</a> ; Moorpark, <a href="#">EO No. 20-01</a> ; Pasadena, <a href="#">Uncodified Resolution</a> ; San Diego County, <a href="#">Uncodified Ordinance</a> ; San Leandro, <a href="#">Press Release CMO2020-03-24-20</a> ; City of Sacramento, <a href="#">Ordinance No. 2020</a> ; San Luis Obispo County, <a href="#">Local Emergency Order &amp; Regulation 13</a> ; Santa Ana, <a href="#">EO</a> ; Santa Barbara County, <a href="#">Press Release</a> ; Santa Clara County, <a href="#">No. NS-9.287</a> ; Santa Cruz County, <a href="#">Press Release</a> ; Simi Valley, <a href="#">Des Order No. 1</a> ; South Pasadena, <a href="#">Uncodified Resolution</a> ; Union City, <a href="#">Ordinance No. 877-20</a> ; Watsonville, <a href="#">Ordinance No. 1402-20</a> ; and West Sacramento, <a href="#">Press Release</a> .		
Colorado	<a href="#">Letter from Colorado Department of Regulatory Agencies</a> (issued 3/25/20)  <a href="#">EO 2020-012</a> (issued 3/20/20)	On March 25, 2020, the Department of Regulatory Agencies (DORA) issued a <a href="#">letter</a> to all Colorado state-chartered financial institutions indicating that each division will work with institutions to offer payment accommodations, such as allowing borrowers to defer payments, or extending the payment due dates caused by any COVID-19-related disruptions.  On March 20, 2020, Governor Jared Polis issued <a href="#">EO 2020-012</a> , and this declaration prevents evictions and foreclosures. This EO directed the Division of Banking and the Division of Financial Services, part of the DORA, to identify practices and policies to limit residential and commercial evictions and foreclosures.	The Governor's EO 2020-012 is effective until March 31, 2020, unless otherwise extended.	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.
Connecticut	<a href="#">Chief Administrative Judge- Eviction Stay</a> (issued 3/20/20)  <a href="#">Update on Housing Matters Evictions and Foreclosures</a> (issued 3/19/20)	On March 20, 2020, the Connecticut Chief Administrative Judge for Civil Matters issued an <a href="#">order</a> to immediately stay the executions of evictions. On March 19, 2020, the Chief Court Administrator <a href="#">issued</a> a statement that all foreclosure sales previously scheduled to occur in March, April, and May 2020 will be rescheduled to June 6, 2020.	The court's immediate stay of all evictions and ejectments are effective through May 1, 2020.	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.
Delaware	<a href="#">EO 6th Modification of State of Emergency</a> (issued 3/24/20)  <a href="#">Administrative Order No. 3 Statewide Judiciary Restricted Operations</a> (3/22/20)	On March 24, 2020 Governor John Carney issued an <a href="#">EO</a> . Specifically, this EO states that no eviction action may be brought with respect to any residential rental unit in the state. With respect to any rent past due balance, no late fees or interest may be charged or accrued during the state of emergency. In terms of foreclosures, no such action is to be commenced with respect to any owner occupied 1 to 4 family primary residential property subject to a mortgage.  On March 13, 2020, the Justice of the Peace Court signed an <a href="#">order</a> staying immediately all landlord/tenant and eviction actions which were originally scheduled in the court between March 17, 2020 and April 16, 2020. The order provides that these matters are to be rescheduled for a date no earlier than May 1, 2020, with limited exceptions that may be ordered at the discretion of the Court.	The Governor's EO is in effect until the end of the COVID-19 pandemic.	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.





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	<a href="#">Delaware Justice of the Peace Court</a> (issued 3/13/20)			
<b>District of Columbia</b>	<a href="#">An Act D.C. 23-247</a> (issued on 3/17/20)  <a href="#">Emergency Declaration, PR23-0772</a> (issued on 3/17/20)  <a href="#">Superior Court of the District of Columbia Order</a> (issued 3/15/20)	<p>On March 17, 2020 and March 12, 2020, the D.C. Council passed emergency relief bills in response to COVID-19 to protect both DC-based employees (those who work in D.C.) and D.C. employers (those businesses/offices located in D.C.). On March 17, 2020, Mayor Muriel Bowser signed Act D.C. 23-247, which expires on June 15, 2020. The act provides for a prohibition on evictions throughout the public health emergency period, and the Mayor can extend the duration period.</p> <p>On March 15, 2020, the Chief Judge of the District of Columbia Superior Court <a href="#">issued</a> its order adjusting operations to address concerns regarding COVID-19.</p>	The District of Columbia Court stayed evictions of tenants during the declaration of emergency.	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.
<b>Florida</b>	<a href="#">Supreme Court of Florida No. AOSC20-17, COVID-19 Emergency Measures</a> (issued on 3/24/20)  <a href="#">Florida Office of Financial Regulation</a> (issued 3/17/20)  <a href="#">Supreme Court of Florida No. AOSC20-15, COVID-19 Emergency Measures</a> (issued on 3/17/20)	<p>On March 24, 2020, the Supreme Court of Florida issued <a href="#">Administrative Order No. AOSC20-17</a>, which ordered the immediate suspension of “writs of possession” through April 17, 2020. Specifically stating, “[g]iven the exigencies of the public health emergency, the requirement in Florida Rule of Civil Procedure 1.580(a) for the clerk to issue a writ of possession “forthwith” is suspended through the close of business on Friday, April 17, 2020, or as provided by subsequent order.”</p> <p>On March 17, 2020, the Florida Office of Financial Regulation (OFR) released an <a href="#">industry update letter</a> to financial institutions, and providing an update on COVID-19. The OFR strongly encouraged financial institutions to work with borrowers affected by COVID-19. As per OFR’s industry update letter, “[r]easonable efforts to make new loans and modify the terms on existing loans of affected customers will not be subject to examiner criticism.”</p>	The Florida Supreme Court stayed evictions of tenants April 17, 2020, unless extended otherwise.	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.
<b>Georgia</b>	<a href="#">Supreme Court of Georgia Order Declaring Statewide Judiciary Emergency</a> (issued 3/14/2020)	On March 14, 2020, the Supreme Court of Georgia issued an <a href="#">order</a> declaring a statewide judiciary emergency, which states in relevant part “[t]o the extent feasible, courts should remain open to address essential functions, and in particular courts should give priority to matters necessary to protect health, safety, and liberty of individuals.” At this time, although Georgia’s order does not specifically address or pertain to eviction or foreclosure proceedings, it is likely that this order will ultimately delay them regardless.	The Georgia Supreme Court’s judicial emergency terminates on April 13, 2020, unless extended otherwise.	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.



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<b>Hawaii</b>	<a href="#">Hawaii Department of Public Safety Sheriff Division</a> (issued 3/17/20)  <a href="#">Supreme Court of the State of Hawaii Order in Response to COVID-19</a> (issued 3/16/20)	On March 17, 2020, the Hawaii Department of Public Safety Sheriff Division <a href="#">announced</a> it is suspending all eviction proceedings and their execution as part of the Department's COVID-19 response efforts.	Execution of eviction orders halted until further notice.	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.
<b>Idaho</b>	<a href="#">Supreme Court of the State of Idaho Order in Response to COVID-19 Emergency</a> (issued 3/23/20)	On March 23, 2020, the Supreme Court of State of Idaho issued an <a href="#">order</a> declaring that with the exception of emergency matters, adoption proceedings, and hearings statutorily or by Court Rule required to be held—small claims, eviction, juvenile, probate, contested infraction, and guardianship cases are continued for the time being due to the COVID-19 pandemic. At this time, although Idaho's order does not specifically address foreclosure proceedings, it is likely to delay them regardless.	Execution of eviction orders halted until further notice.	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.
<b>Illinois</b>	<a href="#">EO No. 8 in Response to COVID-19</a> (issued 3/20/20)	On March 20, 2020, Governor Jay Robert Pritzker issued <a href="#">EO No. 8</a> , declaring a suspension of evictions. Pursuant to the Illinois Emergency Management Act, the Governor instructed all state, county and local law enforcement officers to immediately cease enforcement of orders of eviction for residential premises for the duration of the executive order. However, the EO explicitly states that no provision contained in the EO should be construed "as relieving any individual of the obligation to pay rent, to make mortgage payments, or to comply with any other obligation that an individual may have under tenancy or mortgage."	The Governor's EO No. 8 is effective until the end of the COVID-19 pandemic, unless extended otherwise.	The EO specifies that it does not impact any obligation to pay rent or make mortgage payments.
<b>Indiana</b>	<a href="#">EO 20-06, Temporary Prohibition on Evictions and Foreclosures</a> (issued 3/19/20)	On March 19, 2020, Governor Eric Holcomb <a href="#">issued</a> EO 20-06, announcing no residential eviction proceedings or foreclosure actions are to be initiated during the declared state of emergency. However, tenants are still required to pay rent, make mortgage payments, and comply with any other obligation any individual may have under tenancy or mortgage.	The Governor's EO No. 20-06 will be extended an additional 30 days when it expires on April 5, 2020.	The EO specifies that it does not relieve any obligation to make mortgage payments.
<b>Iowa</b>	<a href="#">State of Iowa Proclamation of Disaster Emergency</a> (issued 3/22/20)	On March 19 and 22, 2020, Governor Kimberly Reynolds issued 2 Proclamations that temporarily suspends the commencement of foreclosure proceedings, or the prosecution of ongoing foreclosure proceedings, on residential, commercial, and agricultural real property located in Iowa, at least through April 16, 2020. Both the proclamations together provide the following relief: (1) a 30 day period to cure default for mortgage foreclosures; (2) a halt of acceleration for mortgage foreclosures for 14 days; (3) any notices given during the foreclosure	The Governor's Proclamations are effective until April 16, 2020 unless otherwise extended.	The Proclamations specify that the orders do not impact any obligation to pay rent or make mortgage payments.



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	<a href="#">State of Iowa Proclamation of Emergency</a> (issued 3/19/20)  <a href="#">Iowa Supreme Court Order for COVID-19 Impact</a> (issued 3/17/2020)	<p>moratorium are invalid; (4) no foreclosures, forfeiture, ejectments, may be filed; and (5) no summary judgment, trials, or default judgment may be entered.</p> <p>No provision contained in this EO is construed as relieving any individual of the obligation to pay rent, to make mortgage payments, or to comply with any other obligation that an individual may have under tenancy or mortgage.</p>		
<b>Kansas</b>	<a href="#">Kansas Administrative 2020-PR-016 Order</a> (issued 3/18/20)  <a href="#">EO No. 20-06</a> (issued 3/17/20)	On March 17, 2020, Governor Laura Kelly issued EO <a href="#">No. 20-06</a> , which suspended new foreclosure proceedings and evictions of both commercial and residential tenants, but does not affect pending foreclosures. The EO states in relevant part that it imposes these moratoriums “in order to mitigate the economic effects of the spread of COVID-29.”	The Governor’s EO 20-06 is effective until May 1, 2020 unless otherwise extended.	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.
<b>Kentucky</b>	<a href="#">EO 2020-257, Kentucky State of Emergency</a> (issued 3/25/20)  <a href="#">Kentucky Department of Financial Institutions (DFI) Non-Depository Guidance</a> (issued 3/24/20)  <a href="#">Supreme Court of Kentucky Order 2020-08 in Response to COVID-19</a> (issued 3/16/20)	<p>On March 25, 2020, Governor Andy Beshear issued <a href="#">EO 2020-257</a>, which suspended evictions and ceased enforcement of eviction actions for residential properties for the duration of the state of emergency under EO 2020-215. However, the EO explicitly states that no provision contained in the EO should be construed “as relieving any individual of the obligation to pay rent, to make mortgage payments, or to comply with any other obligation that an individual may have under tenancy or mortgage.”</p> <p>On March 24, 2020, the Kentucky Department of Financial Institutions (DFI) released <a href="#">guidance</a> to Kentucky state-chartered financial institutions recommending actions in response to COVID-19. These actions include working with those affected by the COVID-19 to meet their financial needs, which includes waiving overdraft and/or minimum balance fees, loan modifications, and extending loan repayment terms.</p> <p>On March 16, 2020, the Kentucky Supreme Court <a href="#">issued</a> an order cancelling all eviction proceedings until April 10. This order does not apply to eviction cases that have been already sent to the sheriff’s office to be executed.</p>	The Governor’s EO 2020-257 is effective for the duration of Kentucky’s state of emergency, unless otherwise extended.	The EO specifies that it does not relieve any obligation to make mortgage payments.
<b>Louisiana</b>	<a href="#">Supreme Court of Louisiana Order</a> (issued 3/23/20)	On March 16, 2020, Governor John Bel Edwards <a href="#">issued</a> EO Proclamation No. JBE 2020-30 ordering that all court deadlines are suspended until April 13, 2020.	The Governor’s Proclamation No. JBE 2020-30 is effective until	At this time, there is no guidance on mortgage loan forbearance for



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	<a href="#">EO Proclamation No. JBE 2020-30</a> (issued 3/17/20)  <a href="#">Supreme Court of Louisiana Order</a> (issued 3/16/20)	<p>On March, 16, 2020, the Supreme Court of Louisiana <a href="#">issued</a> an order suspending all civil trials, hearings and court appearances set for any date between the date of the Order and March 27, 2020 are continued to a date to be reset by local order. On March 23, 2020, the Supreme Court of Louisiana issued an order stating, “all matters that are resolved by agreement of the parties and with the approval of the court that do not involve any appearance at the court may proceed during the pendency of this order. This authority does not extend to any matters suspended by executive action by the Governor, including but not limited to evictions.”</p> <p>Although both the Governor’s and Supreme Court’s orders do not specifically address or pertain to eviction or foreclosure proceedings, it is likely that this order will ultimately delay them regardless.</p>	April 13, 2020 unless otherwise extended.	commercial or residential borrowers.
Maine	<a href="#">Emergency Order and Notice from the Maine Supreme Judicial Court</a> (issued 3/18/20)	On March 18, 2020, the Maine Supreme Judicial Court released an <a href="#">EO</a> and Notice on Courthouse Safety and COVID-19. The order explicitly suspended evictions and foreclosures effective immediately.	The Maine Supreme Judicial Court Order expires on May 1, 2020.	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.
Maryland	<a href="#">AO on Suspension During COVID-19 Emergency Foreclosure, Evictions</a> (issued 3/25/20)  <a href="#">Commissioner of Financial Regulation Industry Advisory</a> (issued 3/19/20)  <a href="#">EO Temporarily Prohibiting Evictions of Tenants Suffering Loss of Income</a> (issued 3/16/20)	<p>On March 25, 2020, the Maryland Court of Appeals Chief Judge <a href="#">issued</a> an administrative order immediately staying all evictions and foreclosures of residential properties in Maryland. All pending residential eviction orders are stayed effective immediately.</p> <p>On March 16, 2020, Governor Lawrence Hogan <a href="#">issued</a> an EO, which temporarily prohibited evictions of tenants. The EO directs for no court to issue “judgments for possession,” or “warrant for restitution of possession of real property” if the tenant is able to demonstrate to the court, through documentation or other objectively verifiable means, that he or she suffered a substantial loss of income resulting from the COVID-19 pandemic.</p>	The Administrative Order issued by the Court of Appeals Chief Judge is effective for the duration of Maryland’s state of emergency, unless extended otherwise.	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.
Massachusetts	<a href="#">Office of Consumer Affairs &amp; Business Regulation—Division of Banks</a>	On March 25, 2020, the Massachusetts Officer of Consumer Affairs and Business Regulation (OCABR)—Division of Banks <a href="#">issued</a> a letter to its financial institutions, lenders, and loan servicers regarding support for mortgage for mortgage loan borrowers impacted by COVID-19. Specifically, the letter states it “fully expects all regulated financial institutions including	The Massachusetts Housing Court Order expires on April 21,	N/A



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	<p>(issued 3/25/20)</p> <p><a href="#">Massachusetts Housing Court Standing Order 3-20</a> (issued 3/17/20)</p> <p><a href="#">Massachusetts Supreme Judicial Court Order OE-144</a> (issued 3/17/20)</p>	<p>Massachusetts chartered banks, credit unions, lenders, and servicers to alleviate the adverse impact of COVID-19 on those mortgage borrowers who demonstrate that they are not able to make timely payments due to financial hardship resulting from the effects of COVID-19.”</p> <p>The OCABR called for the following (1) postponing foreclosures for 60 days; (2) forbearing mortgage payments for 60 or more days from their due dates; (3) waiving late payment fees and any online payment fees for a period of 60 days; and (4) offering borrowers an additional 60-day grace period to complete trial loan modifications.</p> <p>On March 17, 2020, the Massachusetts Trial Court <a href="#">issued</a> a standing order 3-20, a supplement to housing court standing order 2-20 relating to the COVID-19 outbreak. Specifically, the order states that "all Housing Court divisions shall remain open during regular business hours and, at least until April 6, 2020, shall hear only emergency matters. Where appropriate, such matters shall be heard telephonically or through video conferencing.”</p> <p>The Massachusetts Legislature is considering <a href="#">House Docket No. 4935</a>, which was referred to Committee on House Rules on March 26, 2020. If enacted, would impose a moratorium on evictions and foreclosures during the COVID-19 emergency.</p>	2020, unless otherwise extended.	
Michigan	<p><a href="#">EO 2020-19</a> (issued 3/20/20)</p> <p><a href="#">EO 2020-14</a> (issued 3/18/20)</p>	On March 20, 2020, Governor Gretchen Whitmer issued <a href="#">EO 2020-19</a> , which bars new and pending execution of evictions against tenants. This EO does not specifically reference post-mortgage foreclosure evictions.	The Governor’s EO 2020-19 is effective until April 17, 2020 unless otherwise extended.	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.
Minnesota	<p><a href="#">EO 20-14, Suspending Evictions &amp; Writs of Recovery During the COVID-19 Peacetime Emergency</a> (issued 3/23/20)</p> <p><a href="#">Supreme Court of Minnesota Order</a> (issued 3/20/20)</p>	<p>On March 23, 2020, Governor Tim Walz issued <a href="#">EO 20-14, Suspending Evictions and Writs of Recovery During the COVID-19 Peacetime Emergency</a>, which halted new and pending evictions and requested a suspension of foreclosures, beginning March 24, 2020.</p> <p>On March 20, 2020, the Supreme Court of Minnesota issued an <a href="#">order</a> directing all district court proceedings are suspended, other than on-going jury trials, super high priority, or high priority cases, and criminal cases subject to speedy trial demand. Eviction is considered medium priority and foreclosure is low Priority.</p>	The Governor’s EO 20-14 is effective for the duration of Minnesota’s peacetime emergency.	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.



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Mississippi	<a href="#">Mississippi Emergency AO-7</a> (issued 3/26/20)	On March 27, 2020, the Supreme Court of Mississippi <a href="#">announced</a> that the courts are to remain open to ensure courts fulfill their constitutional and statutory duties, and use remote technology as much as feasible. Discretion on postponement are left to local judges.	N/A	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.
Missouri	<a href="#">Supreme Court of Missouri in Response to COVID-19</a> (issued 3/22/20)	On March 22, 2020, the Supreme Court of Missouri <a href="#">announced</a> that the courts are to remain open. Pursuant to this court's constitutional authority the Supreme Court of Missouri suspended all in-person proceedings. All other proceedings, those proceedings that do not require in-person appearances of parties or counsel, are not suspended and may continue or be suspended at the discretion of the judge in the matter as circumstances allow. Although Missouri's order does not specifically address or pertain to eviction or foreclosure proceedings, it is likely that this order will ultimately delay them regardless.	The Missouri Supreme Court suspended all in-person court proceedings through April 17, 2020, unless extended otherwise	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.
Montana	<a href="#">Supreme Court of Montana, Order from Chief Justice</a> (issued 3/17/20)	On March 17, 2020, the Supreme Court of Montana <a href="#">order</a> recommended the suspension of all in-person court proceedings, however, leaves the decision to individual courts in Montana to make that determination.	N/A	At this time, there is no guidance on mortgage loan forbearance for borrowers.
Nebraska	<a href="#">EO No. 20-07, COVID-19, Temporary Residential Eviction Relief</a> (issued 3/25/20)	On March 25, 2020, Governor Pete Ricketts issued <a href="#">EO No. 20-07</a> . The EO states that the right of a residential landlord to proceed to trial in an eviction action to terminate a rental agreement for unpaid rent that accrues on or after March 13, 2020 is deferred until May 31, 2020. The tenant must demonstrate to the landlord, with documentation or other objectively verifiable evidence, that the tenant: (1) suffered a substantial loss of income resulting from COVID-19, including job loss, reduction in hours of work, closure of a place of employment; or (2) missed work to care for a relative or a child related to COVID-19.	The Governor's EO No. 20-07 is effective until May 31, 2020 unless otherwise extended.	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.
Nevada	<a href="#">Nevada Court Orders on Portal</a>  <a href="#">State of Nevada Department of Business and Industry, Real Estate Division</a> (issued 3/18/20)	<p>In consultation with Nevada Supreme Court Chief Justice Kristina Pickering, the Nevada district courts entered orders imposing restrictions in court appearances due to the COVID-19 pandemic. Although Nevada's order does not specifically address or pertain to eviction or foreclosure proceedings, it is likely that this order will ultimately delay them regardless.</p> <p>On March 18, 2020, the Nevada Department of Business and Industry Real Estate Division Ombudsman for Owners in Common-Interest Communities and Condominium Hotels <a href="#">announced</a> that common-interest communities and condominium hotels implement a moratorium for liens and non-judicial foreclosures during the public emergency.</p>	N/A	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.
New Hampshire	<a href="#">EO No. 4, Pursuant to EO 2020-04,</a>	On March 17, 2020, Governor Christopher Sununu issued <a href="#">Emergency Order #4</a> pursuant to EO 2020-04 which (1) prohibits an owner from initiating eviction proceedings, and (2) prohibits all	The Governor's EO No. 4 is effective for the	The EO specifies that it does not relieve any





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	<a href="#">Temporary Prohibition on evictions and foreclosures</a> (issued 3/17/20)	judicial and non-judicial foreclosure actions, during the state of emergency declared in EO 2020-04. Additionally, the initiation of foreclosure proceedings is suspended for the duration of the state's emergency. This EO applies to residential and commercial properties. However, the EO explicitly states that no provision contained in the EO should be construed "as relieving any individual of the obligation to pay rent, to make mortgage payments, or to comply with any other obligation that an individual may have under tenancy or mortgage."	duration of New Hampshire's state of emergency.	obligation to pay rent or make mortgage payments.
New Jersey	<a href="#">EO No. 106</a> (issued 3/18/20)  <a href="#">Assembly Bill 3859</a> (issued 3/16/20)	On March 19, 2020, Governor Philip Murphy signed into law <a href="#">Assembly Bill 3859</a> , which prohibits the removal of any lessee, tenant, or homeowner from a residential property as the result of an eviction or foreclosure action.  On March 18, 2020, Governor Murphy issued <a href="#">EO No. 106</a> , prohibiting removal of any lessee, tenant, homeowner or any other person from residential properties, and postponing enforcement of all judgments for possessions, warrants of removal, and writs of possession.	The Governor's EO No. 106 is effective for the duration of New Jersey's state of emergency.	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.
New Mexico	<a href="#">Supreme Court of New Mexico Order, NO. 20-8500-007</a> (issued 3/24/20)	On March 24, 2020, the Supreme Court of New Mexico issued an <a href="#">order</a> halting residential evictions for inability to pay rent during COVID-19. The tenant must provide the court with evidence of current inability to pay rent at the hearing on the eviction petition.	The Supreme Court of New Mexico's Order is in effect until amended or withdrawn by order of the court.	At this time, there is no guidance on mortgage loan forbearance for borrowers.
New York	<a href="#">NYS Department of Finance, New Paart 119 to 3 NYCRR</a> (issued 3/24/20)  <a href="#">EO 202.9</a> (issued 3/21/20)  <a href="#">EO 202.8</a> (issued 3/20/20)  <a href="#">State of New York Unified Court System COVID-19—Procedures to Reduce Courthouse Traffic</a> (issued 3/13/20)	On March 21, 2020, New York's Governor Cuomo executed <a href="#">EO 202.9</a> , effective through April 20, 2020, which provides for the modification of Banking Law N.Y. § 39 to provide that "it shall be deemed an unsafe and unsound business practice if, in response to the COVID-19 pandemic, any bank which is subject to the jurisdiction of the Department shall not grant a forbearance to any person or business who has a financial hardship as a result of the COVID-19 pandemic for a period of [90] days." It further provided that it will be the responsibility of the Superintendent of Department of Financial Services (DFS) to promulgate emergency regulations that require that "the application for such forbearance be made widely available for consumers, and such application shall be granted in all reasonable and prudent circumstances solely for the period of such emergency." Portions of EO 202.9 refer to "any person or business," other portions refer only to "consumers." It is unclear therefore whether additional regulations will be promulgated thereunder to apply to commercial and multifamily mortgages. This issue should be clarified by DFS.  On March 20, 2020, the Governor issued <a href="#">EO 202.8</a> that there, "shall be no enforcement of either an eviction of any tenant residential or commercial, or a foreclosure of any residential or commercial property for a period of ninety days." On March 19, 2020, the Governor announced that the DFS issued a new directive to mortgage servicers to provide a "90-day mortgage relief	The Governor's EO 202.8 suspends evictions or foreclosures of both residential or commercial properties for a period of 90 days to expire on June 18, 2020, unless otherwise extended. Forbearance of mortgage payments for residential borrowers for up to 90 days.	N/A

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		<p>to mortgage borrowers impacted by the novel coronavirus." The directive includes: (1) a modification to subdivision 2 of Banking Law N.Y. § 39 that states any banks subject to the jurisdiction of the DFS who fail to grant a forbearance to any person or business with a financial hardship as a result of the COVID-19 pandemic would be deemed in engaging in an unsafe and unsound business practice ; (2) a directive to the Superintendent of DFS to ensure that persons or entities facing a financial hardship are provided with opportunities for forbearance on mortgage payments for a period of 90 days; and (3) a directive to modify or restrict all fees associated with the use of ATMs, overdrafts, and late credit card payments during the COVID-19 pandemic.</p> <p>On March 13, 2020, the NYS Unified Court System issued a <a href="#">memorandum</a> suspending, "all eviction proceedings and pending eviction orders...statewide until further notice." The order does not discuss foreclosures. Nor, does it distinguish between commercial and residential proceeding. Together, the above orders implement a moratorium on both commercial and residential foreclosures and evictions.</p>		
<b>North Carolina</b>	<a href="#">Order of the Chief Justice of the Supreme Court of North Carolina</a> (issued 3/19/20)  <a href="#">Memo From Chief Justice Cheri Beasley, COVID-19 Update for Our Courts</a> (issued 3/15/20)	<p>On March 19, 2020, the <a href="#">Order of Supreme Court of North Carolina</a> extended deadlines for filing pleadings, motions, notices, other documents and performing required "acts" in civil proceedings, which included "special proceedings" (foreclosure proceedings). Eviction orders already in the system are to be carried out unless the court intervenes. The order specifically contemplates "[m]atters before [m]agistrates: [m]agistrates must conduct initial appearances and, subject to health precautions, should continue to perform weddings. Small claims proceedings, including summary ejectments and money owed, must be postponed."</p> <p>On March 15, 2020, North Carolina Chief Justice Cheri Beasley issued an <a href="#">order</a> postponing most cases pending in state court for at least 30 days. There is no exception for eviction or foreclosure cases.</p>	The Supreme Court of North Carolina Order terminates on April 17, 2020.	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.
<b>North Dakota</b>	<a href="#">Order 27, Emergency Suspension of Eviction Proceedings</a> (issued on 3/26/20)	On March 26, 2020, Justices of the Supreme Court of North Dakota <a href="#">ordered</a> that (1) all residential eviction proceedings are suspended until further order of the Court.	The Supreme Court of North Dakota's Order is in effect until further order of the court.	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.
<b>Ohio</b>	<a href="#">Guidance to Local Courts—COVID-19 Public Health Emergency</a> (issued 3/20/20)	On March 20, 2020, the Supreme Court of Ohio issued <a href="#">guidance</a> for the courts to "[t]emporarily continue eviction filings, pending eviction proceedings, scheduled move-outs, and the execution of foreclosure judgements (except in the instances where allegations of domestic violence are involved)."	The Ohio guidance is in effect until further order of the court and provides discretion to the local courts.	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.



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Oklahoma	<a href="#">Supreme Court of the State of Oklahoma Order, SCAD NO. 2020-24</a> (issued 3/16/20)	On March 16, 2020, the Supreme Court of Oklahoma issued an <a href="#">order</a> for all courts to reschedule all non-jury trial settings, hearings, and pretrial settings, unless a matter is an emergency matter. In that case, emergency matters would be handled on a case by case basis by the assigned judge.	The Supreme Court of Oklahoma Order terminates on April 16, 2020.	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.
Oregon	<a href="#">EO No. 20-11</a> (issued 3/22/20)  <a href="#">Chief Justice Order Restricts Court Hearings and Operations</a> (issued 3/16/20)	On March 22, 2020, Governor Kate Brown issued an <a href="#">EO No. 20-11</a> , directing that law enforcement officers are prohibited from serving, delivering, or acting on any notice, order or “writ of termination of tenancy” or the equivalent or any judicial action that relates to residential evictions for nonpayment.  On March 16, 2020, the Chief Justice of the State of Oregon issued an <a href="#">order</a> restricting court hearings and operations. Specifically, the order calls for forcible entry and detainer proceedings to be postponed without the need for a motion.	The Governor’s EO No. 20-11 is effective until June 20, 2020 unless otherwise extended or terminated earlier by the Governor.	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.
Pennsylvania	<a href="#">Supreme Court of Pennsylvania Order—General Statewide Judicial Emergency</a> (issued 3/18/20)	On March 18, 2020, the Pennsylvania Supreme Court <a href="#">announced</a> that Pennsylvania courts are closed to the public for non-essential functions through at least April 3, 2020. The order also explicitly states that during the period of judicial emergency, no eviction, ejectment or other displacement from a residence based on failure to make payment can be made. It also suspends Rule of Criminal Procedure 600 in all judicial districts.	The Supreme Court of Pennsylvania’s Order is in effect until April 3, 2020, unless otherwise extended.	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.
Rhode Island	<a href="#">Supreme Court of Rhode Island Executive Order No. 2020-04</a> (issued 3/17/20)	On March 17, 2020, the Supreme Court of Rhode Island issued an <a href="#">EO</a> regarding evictions. The EO stated that state courts are not to proceed with any residential or commercial evictions for the next 30 days. Payment and filing deadlines have also been extended past April 17.	The Supreme Court of Rhode Island’s Order is in effect until April 17, 2020, unless otherwise extended.	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.
South Carolina	<a href="#">Supreme Court of South Carolina Order Statewide Evictions and Foreclosures</a> (issued 3/18/20)	On March 18, 2020, the Supreme Court of South Carolina issued an <a href="#">order</a> regarding statewide foreclosures and evictions. It directed a statewide moratorium on foreclosure hearings, foreclosure sales, writs of ejectment, all matters relating to foreclosures until further order of Chief Justice.	The Supreme Court of South Carolina’s Order suspends evictions until May 1, 2020.	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.
South Dakota	<a href="#">Supreme Court of the State of South Dakota Order Declaring Judicial Emergency COVID-19</a> (issued 3/13/202)	On March 13, 2020, the Supreme Court of South Dakota issued an <a href="#">order</a> declaring a judicial emergency due to COVID-19 pandemic. The order permits presiding judges of South Dakota’s to adopt, modify, and suspend court rules and orders to address the spread of COVID-19. Although the South Dakota order does not specifically address or pertain to eviction or foreclosure proceedings, it is likely that this order will ultimately delay them regardless.	The Supreme Court of South Dakota’s Order is in effect until further order of the court.	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.



## Summary of State and Local Governmental Developments Pertaining to Loan Forbearance and Lease Enforcement in Response to COVID-19

Updated March 30, 2020

Agency or Entity	Type	General Overview and Scope of Applicability to Commercial and Residential Borrowers	Expiration Date	Special Notes
Tennessee	<a href="#">Supreme Court of Tennessee at Nashville in RE: COVID-19 Pandemic</a> (issued 3/25/20)	On March 25, 2020, the Supreme Court of Tennessee issued an <a href="#">order</a> continuing suspension of in-person court proceedings and extensions of deadlines. The court ordered that no law enforcement officials are to execute evictions for solely nonpayment of rent except under extraordinary circumstances. The order specifically states, “[g]iven the increasing economic issues caused by this pandemic, no judge, clerk, or other court official shall take any action to effectuate an eviction, ejectment, or other displacement from a residence during the effective dates of this order based upon the failure to make a rent, loan, or other similar payment absent extraordinary circumstances as determined by a judge in a court of competent jurisdiction. Nothing in this order affects the obligations, terms, or conditions for payment under existing contracts.”	Certain in-person court proceedings are suspended through April 30, 2020.	The order explicitly specifies that it does not relieve any obligation to pay rent or make mortgage payments.
Texas	<a href="#">Supreme Court of Texas, Fourth Emergency Order Regarding COVID-19</a> (issued 3/19/20)	On March 19, 2020, the Supreme Court of Texas issued an EO <a href="#">order</a> in regards to the COVID-19 stopping eviction proceedings for the next 30 days. The “execution of the writ of possession” are suspended until after April 26, 2020. However, the court noted exceptions for criminal activity or if the tenants “pose an imminent physical threat.” At this time, there are no EOs restricting commercial foreclosures or evictions. However, many counties, such as Austin, Dallas and San Antonio, have imposed emergency restrictions on commercial foreclosures and evictions.	The Supreme Court of Texas’ Order suspends evictions until April 19, 2020.	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.
Utah	<a href="#">Supreme Court of Utah in RE: Order for Court Operations During Pandemic</a> (issued 3/21/20)  <a href="#">Supreme Court of Utah in RE: Order for Court Operations During Pandemic</a> (issued 3/13/20)	On March 21, 2020, the Supreme Court of Utah issued an <a href="#">order</a> regarding court operations during the COVID-19 pandemic. Specifically, the order states that “district courts shall continue to perform all mission-critical functions...District court judges may hold other hearings in civil cases, provided the hearing is conducted by remote transmission and court staff is available...District court and justice court judges are directed to suspend...all civil jury trials until after June 1, 2020”	Certain in-person court proceedings are suspended through June 1, 2020.	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.
Vermont	<a href="#">Administrative Order No. 49, Declaration of Judicial Emergency and Changes to Court Procedures</a> (issued 3/25/20)	On March 25, 2020, the Supreme Court of Vermont issued an <a href="#">administrative order no. 49</a> declaring a judicial emergency and changes to court procedures. It states that all nonemergency superior court hearings, whether evidentiary or non-evidentiary are to be postponed until further notice. The order lists exceptions of matters that the court will continue to schedule and hear, which includes emergency landlord-tenant hearings to be decided by the discretion of the judge.	N/A	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.

Summary of State and Local Governmental Developments Pertaining to  
Loan Forbearance and Lease Enforcement in Response to COVID-19

Agency or Entity	Type	General Overview and Scope of Applicability to Commercial and Residential Borrowers	Expiration Date	Special Notes
Virginia	<a href="#">Office of the Attorney General Release, Virginia Suspends All Non-Emergency Evictions</a> (issued 3/17/20)  <a href="#">Supreme Court of Virginia in RE: Order Declaring a Judicial Emergency Response to COVID-19</a> (issued 3/16/20)	<p>On March 17, 2020, the Attorney General has praised the Supreme Court of Virginia for issuing this temporary suspension of initiation of eviction actions. On March 16, 2020, the Supreme Court of Virginia issued an <a href="#">order</a> suspending all non-essential and non-emergency proceedings through April 6, 2020. However, there is no exception for existing eviction or foreclosure proceedings. At this time, although the order does not specifically address existing eviction or foreclosure proceedings, it is likely to delay them.</p> <p>Currently, <a href="#">Virginia House Bill 340</a> is on Governor Ralph Northam's desk, and he has until April 11, 2020 to take action on the bill. Bill 340 provides a 60-day stay of an unlawful detainer for nonpayment of rent for tenants and a 30-day stay of foreclosure proceedings for homeowners of, and owners who rent to a tenant, a one-family to four-family residential dwelling unit who request a stay and provide written proof, defined in the bill, that they are an employee or contractor of the U.S.</p>	The Supreme Court of Virginia's Order suspends new evictions until April 6, 2020.	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.
Washington	<a href="#">Proclamation EO 20-19, Evictions</a> (issued 3/18/20)	On March 18, 2020, Governor Jay Inslee issued a <a href="#">proclamation</a> order directing a suspension of evictions for non-payment or where the tenancy has ended until April 17, 2020, unless otherwise extended. This proclamation prohibits residential landlords from: (1) serving a notice for default payment of rent; (2) issuing a 20-day notice absent an affidavit attesting the action is necessary for health and safety of tenants or others; and (3) prohibits law enforcement from enforcing eviction orders based solely on nonpayment of rent.	Proclamation 20-19 is effective until April 17, 2020 unless otherwise extended or terminated earlier by the Governor.	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.
West Virginia	<a href="#">Supreme Court of Appeals of West Virginia, Administrative Order—RE: Judicial Emergency Declaration</a> (issued 3/22/20)	On March 22, 2020, the Supreme Court of Appeals of West Virginia issued an <a href="#">administrative order</a> declaring a judicial emergency. All proceedings and court deadlines, except the emergency proceedings described in the order are stayed.	The Supreme Court of West Virginia's Order suspends new evictions until April 10, 2020, unless extended otherwise.	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.
Wisconsin	<a href="#">EO No. 15, Temporary Ban on Evictions and Foreclosures</a> (issued 3/27/20)	On March 18, 2020, Governor Tony Evers issued an <a href="#">EO</a> directing a statewide hold on evictions for non-payment or where the tenancy has ended. This EO prohibits residential landlords from: (1) serving any notice terminating a tenancy for failure to pay rent; (2) serving any notice terminating a tenancy unless the notice is accompanied by an affidavit attesting that if the tenant is not evicted it will result in an imminent threat of physical harm to another person; (3) commencing a civil action of eviction unless the following conditions are met: (a) the eviction is not based on a failure to pay rent, and; (b) affidavit attesting that the eviction is not based on a failure to pay rent and to a reasonable belief that a failure to proceed with the eviction will	EO No. 15 is effective until May 27, 2020 unless otherwise extended or terminated earlier by the Governor.	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.



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		result in an imminent threat of serious physical harm to others; and (4) the sheriff may not act on eviction orders unless the above conditions are met.		
Wyoming	<a href="#">Supreme Court of Wyoming in RE: Temporary Plan Regarding COVID-19 Pandemic</a> (issued 3/18/20)	On March 18, 2020, the Supreme Court of Wyoming issued an <a href="#">order</a> declaring a judicial emergency. All proceedings and court deadlines, except certain emergency proceedings described in the order are stayed.	The Supreme Court of Wyoming's Order suspends new evictions until April 13, 2020.	At this time, there is no guidance on mortgage loan forbearance for commercial or residential borrowers.